

ALBANIA

Ilda Londo

INTRODUCTION

Policies on media development have ranged from over-regulation to complete liberalisation. Media legislation has changed frequently, mainly in response to the developments and emergence of media actors on the ground, rather than as a result of a deliberate and carefully thought-out vision and strategy. The implementation of the legislation was hampered by political struggles, weak rule of law and interplays of various interests, but sometimes the reason was the incompetence of the regulatory bodies themselves.

The Albanian media market is small, but the media landscape is thriving, with high number of media outlets surviving. The media market suffers from severe lack of transparency. It also seems that diversification of sources of revenues is not satisfactory. Media are increasingly dependent on corporate advertising, on the funds arising from other businesses of their owners, and to some extent, on state advertising. In this context, the price of survival is a loss of independence and direct or indirect influence on media content. The lack of transparency in media ratings, advertising practices, and business practices in general seems to facilitate even more the influences on media content exerted by other actors. In this context, the chances of achieving quality and public-oriented journalism are slim. The absence of a strong public broadcaster does not help either.

This research report will seek to analyze the main aspects of the media system and the way they affect media integrity. The areas addressed include media policies, media ownership, media financing, public service broadcasting and journalistic practices.

1 MEDIA POLICY DEVELOPMENT AND IMPLEMENTATION

1.1 GENERAL CONTEXT

“When the regime changed from a dictatorship to a pluralist democracy in the early 1990s, Albania had a highly controlled media landscape, consisting of print media outlets that were owned by the party bodies, professional organisations and trade unions, or state institutions.”¹ The change was abrupt and a small number of media outlets survived. Instead of privatizing the existing media or finding ways to give them new life in the new political system, most of them disappeared. New media started to appear, first as an expression of a newly found freedom and a reaction to the sweeping political and social changes, and later as a way of exerting influence and often political and economic power.

The new policy-making actors found themselves unprepared to guide the development of this booming media scene and legislate accordingly. In 2000, the jurisprudence

in Albania was still at its early stage of development, with only two universities teaching this branch and only a few specialized publications dealing with jurisprudence.² Similarly, the generation that undertook the establishment of opposition and independent media did not have the experience, or the interest, to lobby for the regulation of media environment. Moreover, consulting groups that were directly affected by media legislation was not a practice at the time.

As a result, the political parties, notably the government, turned to foreign expertise. Driven by the desire to emulate “advanced” European practices, at first little was done to adapt the new media laws to the Albanian context. The resulting media legislation, inadequate for the Albanian situation, was one of the reasons why the media community found itself in a situation that was antagonistic to the government. The decade of the 1990s was characterized by an open confrontation between the media and the government or political actors, reflected, among other things, in the lack of any consultations with the media before adopting the laws. The legislation on press passed by the government in the 1990s was rejected by the media community and eventually abolished. The law on broadcasting, passed in 1998, similarly met with resistance. The Freedom of Information Act was passed in 1999 and amendments were made to the existing media regulation.

During the following decade, the balance of powers changed and the media continued to develop professionally, but their independence was endangered. In this period, the struggle between media and the government subsided, but the problems persisted in the form of economic pressure, lawsuits against journalists, state advertising, and the rise of media owners acting as politicians’ conduits for access to the media and consequently the public. Viewed from the perspective of media policy, this was a more sophisticated period that brought eight amendments to the broadcasting law and launched a debate on self-regulation of journalists. Currently, the topic of media economy dominates discussions on media policy, affecting areas such as distribution, advertising, sponsorship, dumping practices, ownership, and media finances. It is in this spirit that the law on broadcasting has been amended several times, also with the aim of strengthening the regulator’s role.

The European Union integration is both a driving force and a justification for new media regulation. The latest adoption of audiovisual media regulation was carried out as part of the action plan signed between Albania, the EU, and the Council of Europe.³ Under the same umbrella, defamation provisions were amended and the FOIA is under review.

However, while policymakers have always paid lip service to the ideals of freedom of expression and a free market as a way of boosting competition and professionalism, as well as the importance of public mission of the media, a clearly formulated vision or strategy has never been drafted, let alone implemented. To this day, there is no written or formulated media policy or strategy which would guide the drafting of legislation and

other regulations affecting media. This shortage is reflected in the existing legislation. One member of the workgroup drafting the latest law on audiovisual media explained it as follows: “What are the media policies of the state? This was our question in trying to draft the law. Parallel to the draft law, we also worked on the Strategy [for Digital Switchover], but many questions remained open and we did not have a clear solution, as we lacked a particular vision of the state regarding media development.”⁴ The new law on audiovisual media has also imposed on the regulator the obligation to draft a Strategy for its own functioning,⁵ but it is too soon to assess the effects of this new practice.

1.2 MAIN ISSUES AND ACTORS IN MEDIA POLICY

Various issues were in the fore of the media policy debate and legislative moves over the last 20 years. Roughly speaking, the 1990s were characterized by the need to affirm media freedom vis-a-vis the government and political actors. The legislative efforts revolved around the regulation of the press and access to information. Attempts to draft legislation that would make it mandatory for journalists to register and organize themselves within a professional association failed due to the lack of consensus of the media community. After these failed attempts at over-regulation, the print media has remained unregulated to this day.

As regards broadcast media, the main concern was the regulation of mushrooming commercial outlets. Part of this effort, and a recurrent issue, is guaranteeing a proper functioning of the institutions that were established under the 1998 law on broadcasting: the regulator for broadcasting media, the Steering Council of the public broadcaster, and in general the transformation from state-owned to public broadcaster. The strengthening of these institutions and their independence still constitutes the heart of the media policy debate and a constant political battle in the country. For example, in the law on audiovisual media that was passed in March 2013, the then opposition and the ruling majority agreed on all articles of the law, apart from the procedure for the election of the Audiovisual Media Authority and the Steering Council of the public broadcaster. In recent years, digital switchover has also become a delicate topic that needs to be addressed and regulated. Delays in drafting and implementation of the legislation on digital broadcasting produced a situation in which digital operators have been present on the market ever since 2004, but they are still unlicensed, while the switchover date is drawing near.

In addition, a growing concern in the media policy debate has been low media independence, especially regarding political influence. Given the significant degree of informal economy in the country, concerns about the transparency of media funding and finances, and the way this situation is exploited for political support, are repeatedly expressed through the complaints of both the opposition and the ruling majority. However, despite these crucial

complaints, the efforts to exert greater control over media funding and finances, and to increase transparency through adequate mechanisms, have never materialized in legislation or policies. For example, proposals to prohibit media owners from exploiting public tenders to advance other businesses they own have been part of the public debate and were partly incorporated in the broadcasting law, but they have proved difficult to implement in practice.

Media policy and legislation are a result of the efforts of several actors, among them government officials and political parties, the media industry, civil society, as well as foreign proponents. A new law or an amendment in Albania can be presented to the Parliament either as a government initiative, or as a proposal of a group of members of parliament.⁶ Apart from a brief period in the 1990s when there was a Ministry of Information, there has been no specific body within the government responsible for media policy. Currently, the Ministry of Innovation and ICT can present specific proposals or policies regarding the technical aspects of the development of electronic networks that support broadcasting, within the overall framework of digital switchover.⁷ Since its establishment in 2000, the mandate of the broadcasting media regulator has included the issuing of sub-regulation and a proposition of new laws or amendments.⁸

Other players that have influenced media policy are representatives of the media industry. The media landscape is dominated by few media companies that have developed their profile and have made significant investments through the years. They are also the most vocal actors of the media community on particular issues of media legislation that affect their interests. The latest example is the opposition of two of the existing multiplex operators to the regulator's decision to start licensing multiplexes. The matter is currently in court, blocking the process of digital switchover, explains the media legislation expert and former cabinet director of the regulator, Enio Haxhimihali. "Business groups always lobby with political actors for their own interests. In the specific case, the business actors want to prolong lawlessness. We finally have a law in place now. With this law, certain companies lose privileges. They are pressuring to prolong this situation and benefit from this unregulated situation."⁹

In addition, recent years have witnessed a greater involvement of other actors, such as civil society, proposing or lobbying with the government or MPs to pass media legislation. From 2005 to 2012, the Albanian Media Institute and Open Society Justice Initiative worked on decriminalizing libel and defamation and amending civil provisions. An ongoing initiative put forward by civil society actors – to amend provisions on access to information – is also pending. However, the efforts so far have focused on general matters pertaining to freedom of expression and freedom of information, rather than media-specific legislation. On the other hand, the organisations of media workers, such as trade unions of journalists, journalists associations, associations of media owners and publishers, are

weak, acting more on an individual *ad hoc* basis, rather than as powerful protagonists proposing and formulating media policy.

Another actor in the area of media policy that deserves mentioning is the international community, more specifically the EU, the OSCE, the Council of Europe, and other organisations. With international assistance, the early regulation efforts tackled the press, and afterwards, with the emergence of commercial electronic media in Albania, the regulation extended to broadcasting, leading to the establishment of the regulator for the broadcasting media and the public service broadcaster. The international actors were thus a constant companion in media policy efforts in Albania, their main role consisting in providing consultancy for Albanian policy-makers. Especially in recent years, media reforms have invariably been related to EU integration goals and the advancement of the country's general interest in this direction. "Approval of the Law on Audiovisual Media, amendments to defamation provisions, and general implementation of the Action Plan of 2007 were made with the aim of bringing Albanian legislation in line with the EU standards."¹⁰ However, this influence should not be overestimated. "Conditionality as a strategy of media assistance has had a mixed record so far, with the most visible effect in respect to the legal reform of the media. However, conditionality mechanisms have so far failed to ensure absence of political and financial pressures on the key media institutions."¹¹

1.3 MAIN TRENDS IN THE ADOPTION OF MEDIA POLICIES

Other factors have also influenced the media legislation process and its implementation, such as the development of the media landscape, the media market, the political struggle in the country, the rule of law enforcement, and the general democratisation level in the country.

LAWS AS A LEGITIMISATION OF EXISTING PRACTICES

A clearly-formulated strategy or vision, based on evidence from media practices and media market, has rarely preceded the adoption of media regulation. Due to the context and historical development, media policy in Albania has almost always been a reaction to developments on the ground. The media professionals and industry have been quicker to react to the evolving situation and media developments, while the legislators have followed suit. So, the first media law, the Law on Press, was adopted in 1993, while the first opposition newspaper had already emerged in 1991, followed by many others.

While it can be argued that the liberal trend in press regulation is justified, it is also true that the broadcast sector needs at least basic regulation, particularly in the segment of spectrum allocation. This was not the case in Albania. The first commercial TV station emerged in 1995, but the regulation on broadcast media was passed in 1998 and the

regulatory authority was established only in 2000. In this five-year gap, the number of unlicensed and unregulated broadcast media in the country neared 100.¹² Hence the regulator, without any previous experience or tradition in this field, faced the task of regulating an already very dynamic landscape of broadcast media.¹³

The most visible example of regulation following developments on the ground is perhaps the case of digital switchover. The first digital multiplex started operating in 2004, when neither the regulator, nor other lawmakers had yet discussed or issued regulation on digital 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.

In fact, the efforts to legislate digital switchover have been long, but policies have yet to be implemented. Meanwhile, the number of multiplexes rose to three, and these have now been operating for several years. A law on digital broadcasting was passed in 2007 but never implemented, partly because soon after an overall reform of media legislation started. The latest piece of legislation is the Law on Audiovisual Media, which also tackles digital broadcasting. The implementation of the law is currently on hold, since digital multiplex operators have sued the regulator over the licence issuing procedure, which means that “until the court proceedings are over, the regulator will have to suspend the process it has started of issuing the national digital licences for network operators.” Put differently, the digital broadcasters operated for almost ten years in the absence of effective efforts to regulate this environment, and media regulators have now found themselves confronted with *fait accompli* that cannot be ignored and has to be factored into future media policy and regulation.

MEDIA POLICY AS A POLITICAL NEGOTIATION

Apart from the dynamics of the media industry itself, another factor that has had a profound impact on media policy has been the political climate and political actors. For example, ever since the establishment of the regulatory authority and the Steering Council of the public broadcaster, the appointment of their members has been part of the political battle in the country and used as a demonstration of political power. From 2004 to 2008, the opposition party refused to appoint its representatives to the regulatory authority as part of its overall protest against allegedly rigged elections and unfair electoral process, impairing in this way the balance needed to make decisions.¹⁴

Similarly, when changes were proposed to the criteria for electing these bodies in 2006, an intense debate followed and the changes were introduced and new members appointed only with the ruling majority votes.¹⁵ Even though these changes were justified by the ruling majority as necessary to ensure greater professionalism of the regulator and increase its independence, the number of members in the councils and the criteria for electing

them changed again six months later, as one of the conditions set by the opposition in exchange for achieving much-needed consensus on the Electoral Code for the imminent elections.¹⁶ Put differently, despite the lip service to the need to improve professionalism of the regulator, this goal was readily sacrificed for the sake of reaching agreement with the opposition on a more immediate goal.

IMPORTING MEDIA POLICIES

The tendency to copy-paste media laws from other countries in the name of European integration, or in an attempt to emulate Western models, has been a constant feature of media legislation. This was partly prompted by the lack of legal expertise in the country on media legislation, especially in the early 1990s.¹⁷ This copy-paste tendency, coupled with the initial lack of consultation with media stakeholders, has inevitably backfired, making the laws inapplicable. For example, the Law on Press, introduced in 1993, was modeled after a German law, without any adjustment to the context and with no consultation with the media community.¹⁸ The media community opposed the law that was not appropriate to the country's situation and the law was annulled entirely in 1997.

This urge to emulate Western media and legislation has sometimes resulted in policy objectives that clashed with the reality. For example, even though the 2007 Law on Digital Broadcasting was never implemented, it contained the limit of a 30 percent share of the advertising market per multiplex.¹⁹ The same provision is retained in the current audiovisual media law, which stipulates a 30 percent share of advertising market as an anti-concentration measure.²⁰ In a country where for the last 23 years it has never been clear or officially certified what the size of the advertising market is and how the advertising pie is divided, it is a mystery how this article can be implemented in the near future.

However, when coupled with extensive consultation with the local stakeholders, the efforts to implement “Western” models of regulation yielded success. In 2007, Albania signed an Action Plan for media legal reform with the EU and CoE. The media laws to be revised included the law on broadcasting, the provisions on defamation, and the regulation on access to information. The Law on Audiovisual Media was passed in the spring of 2013, while the defamation provisions were amended in 2012. Thanks to the persistence of international actors and local organisations, defamation was decriminalized and the Civil Code provisions were improved. In the words of one of the main lobbyists for these amendments: “They [amendments] are also an interesting case study of a long-term effort to generate political momentum for politically unpalatable reforms: defamation law changes are notoriously difficult to achieve in young (and sometimes older) democracies since they are often perceived by the political class as a matter of personal and political survival.”²¹

PUBLIC INTEREST IN MEDIA POLICY

Since media policy in general has been a response to media industry development, the policies have adapted to the situation, rather than shaped the development of the media landscape with a clear vision and intention. Therefore, it cannot be said that public interest has been the main drive behind media legislation and policies. Again, the discussion of legislation on digital switchover is a good example of influences that have governed media legislation in the country. Given that commercial players have been involved in digital broadcasting for several years now, they too affected the regulatory efforts through actions “such as lobbying for specific legislation and for audiences with parliamentary commissions.”²² In the same way, the failure to involve all actors, such as the public broadcaster, media industry, the media community and civil society, in consultations is another sign of the driving interests behind media policy: “when one of the first drafts of the Law on Audiovisual Media was discussed by the Parliamentary Media Commission, *RTSH* [public broadcaster] representatives were not even invited to participate.”²³ Furthermore, the existing digital multiplex operators have often argued that the public broadcaster should receive only one national licence, rather than the two as recommended by the existing Strategy on Digital Switchover and international expertise, in line with the mission of a public broadcaster.²⁴ This suggestion, although never realized in the legislation, has also frequently found support among MPs and other public figures, in view of the generally weak perception of *RTSH* as a public broadcaster and lobbying from private actors.

Similarly, the approach to licence fee collection has been inadequate ever since the first law on broadcasting was passed in 1998. There have been problems with the collection and transferring of licence fee to the public broadcaster and the fee has been considered ridiculously low by the public broadcaster management.²⁵ However, in 2006, with the change of management of the public broadcaster and of the company that collects the fee, the transfer was improved.²⁶ In addition, in 2010 the fee was doubled, with the aim to cover digital broadcasting switchover costs.²⁷ Similarly, the unclear legal definition of the public broadcaster’s property led to problems in the broadcaster’s relations with other parties, with this issue clarified only in 2013 when the new law was passed. Obviously, although these were clearly public interest issues, the government and the legislators were slow to act, partly due to the fear of losing political leverage, but also due to the constant labeling of public broadcaster as a political servant, rather than a public institution.

The lack of a strong advocacy for the public interest in formulating media policies is also related to the weak civil society and poor organisation of media community in the country. Civil society organisations in Albania were totally absent until 1990, which points to a lack of a strong tradition in this area. In addition, extreme politicisation of life in the country has taken its toll on this sector. “Current associations have still to assert their

political autonomy against an increasing trend of politicisation, as many NGOs often serve as political auxiliaries rather than autonomous public entities.”²⁸ However, the situation has changed over the years and some civil society organisations have been instrumental in the introduction of some amendments or in the consultations on new media laws.

Similarly, the media community suffers from poor organisation, even when its own interests are at stake. Labour relations in the media are as problematic as in the rest of the country, but the trade union was established only in 2005 and is still weak.²⁹ Along the same lines, self-regulatory mechanisms have never been established in the media outlets, indicating a low interest in creating bodies that could contribute to the professionalisation of journalism.³⁰ Given this environment, it is only natural that the political and business interests, which are directly related to media policies and have great stakes in this area have been so influential in the shaping of media policies.

MEDIA POLICY AND SUPPORTING INSTITUTIONS

The drafting of perfect, public-interest oriented media policies would go in vain unless supported by relevant institutions to oversee their implementation. In this respect, the main institution is the broadcast media regulator, the National Council of Radio and Television (NCRT), renamed Audiovisual Media Authority (AMA) in April 2013. In addition, the Steering Council of *RTSH* also covers the public broadcaster, its performance and development. The press is not regulated in detail and there are no specific bodies dedicated to media policies in this field. The People’s Advocate, while not concerned with the media directly, is responsible for overseeing the implementation of the Law on Access to Information, but has not had an active role in this field.

The work of AMA has been under direct or indirect influence of the political actors in the country. First of all, the appointment procedure for AMA members is affected by the political situation. In periods when political consensus could not be reached, culminating in the boycott of the parliament by the opposition, political parties refused to nominate members, or members could not be elected because of the lack of quorum. This had a direct impact on the work of the regulator, rendering it incapable of achieving political balance and even of reaching a quorum needed to make important decisions. For example, the term in office of one of the AMA members expired in September 2012, but the Parliament failed to appoint new members until 2013, due to the change of law and other priorities. As a result, one of the claims of the digital multiplexes in the current lawsuit challenging the draft regulation on licensing is that the regulation is illegal because it was passed without a necessary quorum.³¹

Furthermore, members of the broadcast regulator and of the Steering Council are frequently affiliated with, or had previously worked for political institutions and parties. “The

fact that the chairwoman in the current Council had previously served as an advisor to the Prime Minister, while one of the members was advisor to the Speaker of Parliament, and yet another member previously served as spokesperson in one of the ministries, has cast doubts on the practical respect for criteria in appointing members of the Council.³² In addition, the current ruling majority has accused the current council of politically motivated changes in the internal technical staff.³³

In some cases, this alleged political influence has also been reflected in controversial decisions, leading to suspicions about the use of double standards. While in the early stages of NCRT's operation the accusations of the application of double standards were related more to the licence granting process, recently the focus has shifted to decisions of a different nature. For example, while NCRT fined a TV station for broadcasting an advertisement ridiculing the government, it refused to act in 2010 when an advertisement derided the then opposition leader.³⁴

Apart from the political climate affecting the functioning of the broadcast regulator, there is also the view that "pressure comes mainly from the business community and it is not political, but economic one. The powerful media operators have settled their issues directly with both political wings. As a result, recently there has been no political pressure in the regulator's decisions, but mainly economic one. This may also be due to the fact that it is a transition period and the matters at hand have been of a technical rather than political nature."³⁵

In addition, the way that other related institutions function in the country also greatly affects the regulator's performance. "When there is a lack of political support, the role of the regulator becomes weaker. For example, in the ongoing lawsuit brought by multiplexes against the regulator, there has been not even one reaction from other institutions. The regulator cannot fight on its own. Other institutions should be in the same line as the regulator in this case."³⁶ Implementation of the law remains a key problem and affects the regulator. "We can draw up beautiful laws, but we fail to enforce them. As to the digital switchover, five frequencies have been occupied illegally, but we do not have a sufficiently consolidated state and a consolidated regulator to address this. This weakens the image and role of law and the regulator. As a result, the public is disappointed and other operators are encouraged to do the same, and imitate, seeking greater benefits."³⁷

Financial stability is another genuine concern. Since 2006, NCRT has not been receiving funding from the state budget, which makes it dependent on licence fees and the collection of fines imposed on electronic media. In 2012, NCRT imposed 74 fines in the amount of 21,380 million leks (approx. 163,712 euro) but only 2.56 million leks (approx. 19,453 euro) was collected.³⁸ Similarly, in 2010, 22 percent of fined broadcasters voluntarily paid their fines, while the tax police carried out only six of 18 orders NCRT issued for the payment of fines or confiscation of equipment.³⁹ In theory, the NCRT can ask for the

state funding of new projects, but it is upon the discretion of the government to decide, while taking into account the economic situation in the country. For example, in 2013 the NCRT asked for a government funding of a digital monitoring studio in view of the imminent digital switchover, but was refused it.⁴⁰ In 2012, only 63 percent of planned revenues were collected, due to the delays in payment of fees and fines.⁴¹ All of these factors create a sense of insecurity and instability for the regulator.

On the other hand, for various reasons, the regulator's performance is far from perfect in other respects too. Regarding the staff profile, "more expertise is needed, especially with the imminent process of digital switchover. More staff members would be needed and more training, as also pointed out by EU progress reports."⁴² Furthermore, the regulator does not have a pro-active approach to achieving transparency of its operations. "It is not that the regulator tries to hide its activity or its decisions, but more can be done to increase transparency. For example, in theory, meetings are not open to the public, though nobody has tried to participate. Decisions are published only as titles, not in full text. Annual reports in the last years have been available online only for a short time, then removed. So, there is room for improvement in this respect."⁴³

1.4 POSITIVE ASPECTS OF MEDIA POLICY

One of the most positive aspects of media policy has been the improvement of the policy adoption process. While in the beginning it was only a political domain, it has slowly turned into a consultation process involving all actors, thanks to international pressure among other things. The degree of reflection on the feedback of stakeholders in the final form of the law is debatable, but at least everyone is given a chance to participate in the discussion. Another positive trend is that civil society has become more active in the introduction of media policy, although in relation to issues that are not strictly related to the media, such as defamation and access to information. However, these processes have sought to combine best international practice in these fields, including negotiations with the government and the opposition, the implementing institutions, and the media.

1.5 CONCLUSIONS

The drafting of media policies and legislation has taken place without any particular vision or strategy, more guided by the emerging needs on the ground than by a specific vision of media development. However, in general, there have been no major differences among political parties as to the main principles that should be considered regarding media legislation. The fact that international assistance and actors have been constantly present, operating on more or less the same principles, has also helped. Nevertheless, particular businesses or actors have influenced media policies more than a consensual strategy guided by public

interest. In addition, professional organisations are significantly weaker and have lower access to policy making than the more powerful business and political players, which points to the need for a more cautious and balanced approach in addressing media policy in the future. On the other hand, while media policy is not considered particularly problematic at the moment, the implementation of the law remains a challenge, including the law enforcement capacity of the regulator and other related agencies.

In view of this situation, the media legislation process should be completely transparent, with the involvement of all relevant stakeholders. In addition, the transparency and accountability of the regulator, public broadcaster, and other relevant bodies that affect media policy should increase, in line with their public mission. Enforcement capacities of the regulator should be strengthened as well as aided by cooperation with other related bodies of law enforcement. Finally, through the involvement of an array of actors in public consultations, a Strategy for Media Development should be developed, to serve as a guide for future approaches to media legislation and policy.

2. MEDIA OWNERSHIP

Albanian media landscape is rich in numbers, but the transparency of its dynamics and ownership is low. In this context, shedding light on who owns what in the Albanian media world is an important factor in identifying the reasons and obstacles to its development.

Systematic, public, and reliable data on the ratings and economic situation of media outlets are missing. However, the trends in transactions in media shares through the years suggest that there is a tendency towards the stabilisation of media groups.

While this undoubtedly brings with it the risk of media concentration, it is the lack of transparency in media functioning that presents the greatest danger of all, one that seriously affects media content.

2.1 TRANSPARENCY OF MEDIA OWNERSHIP

Neither the regulator nor media outlets have taken a pro-active approach to ensuring transparency of media ownership. Moreover, media laws do not contain any provisions concerning ownership or concentration of the print and online media. However, since all media outlets (much like any other business in the country) are required to register with the National Registration Center and specify the names of their shareholders, ownership data are available online for most of the media outlets, including the print media. Ownership data for online media are much more difficult to obtain, since they are not obliged to register either as a business or as a media outlet.

Broadcast media, on the other hand, have to register with the National Registration Center and with the regulator, Audiovisual Media Authority. The regulatory authority does not have an online register containing ownership data for media outlets, but they can be made available upon an official request for information. Generally, though, through the name of the company or other data, all the formal media owners, apart from online media owners, can be found online at the National Center of Registration. Nonetheless, there are doubts in some cases if the owners presented in paper are in fact the genuine owners. "People are not sure whether the owner of a newspaper or a television station is a politician or a businessman who is known to be associated with the politician or political wing in question."⁴⁴

The problems with transparency are not so much related to identifying shareholders as to their source of funding. "From issues of ownership, the need for transparency has been transformed into issues of financing."⁴⁵ In the process of granting licences to broadcast media, the regulator requests proof that the outlet possesses a certain amount of capital, but it does not have to verify the origin of this capital. In addition, in the case of operating media outlets, the annual balances they submit to the tax offices are considered confidential, as is the case with any other business. Broadcast media outlets are required to submit annual balances to the regulator, but only a small percentage do so. In 2012, only 25 percent of operators submitted their annual balances to the regulators.⁴⁶ Furthermore, the regulator does not have to disclose balances of broadcast media, but rather present general data on financial aspects of the media market, not nominally for each media outlet.

2.2

MEDIA LANDSCAPE

Albania has a rich and dynamic media landscape, with about 250 broadcast media outlets and 25 daily newspapers. The exact number of print media is unknown, and so is the number of online media. Their market shares are also unknown, as are data on their readership, circulation and sales, and audience. While there are some ongoing efforts to measure the success of media in the market, there are no public data and studies in this field. In this context, any attempt to determine market shares and significance of media outlets would be pure speculation.

PRINT MEDIA

Albanian print media are numerous, with 25 daily newspapers and many more publications of other frequencies. The print media are under no obligation to publish their circulations or sales and a system or authority for the verification of these figures is absent. In 2013, the press carried the findings of an empirical study conducted in Tirana only, at press selling points. According to these findings, Panorama sold 3,900 to 4,200 copies per

day, followed by *Gazeta Dita* with up to 3,300 copies and *Shekulli* with up to 1,200 copies per day.⁴⁷ The same study estimated that sales in the rest of the country equalled those in Tirana or exceeded it by 20-30 percent at the most.⁴⁸ However, official and certified data on circulation and sales of newspapers are absent.

TELEVISION LANDSCAPE

Albania at the moment has two national commercial televisions, 71 local televisions, 83 local cable televisions, and two commercial multiplexes.⁴⁹ Of all the existing national analog television stations, the public broadcaster *Radio Televizioni Shqiptar (RTSH)* has the greatest reach: its signal covers 80.5 percent of the territory, followed by *Top Channel* with 79 percent and *TV Klan* with 78 percent.⁵⁰ However, there are also digital multiplexes, but they are unaccounted for in the territorial reach figures. It could be said that the other main TV stations, based in Tirana, whose signal covers a significant part of the territory include: *Ora News*, *News 24*, *Vizion Plus*, *A1 Report*, and *Albanian Screen TV*. Apart from *Vizion Plus TV* and *Albanian Screen TV*, the other stations are all-news ones.

RADIO NETWORKS

There are 63 local radio stations and two national radio stations. Public radio signal covers 80.5 percent of the territory, while those of *Top Albania Radio* and *+2 Radio*, both commercial radios with a national licence, cover 93.7 and 68 percent respectively.⁵¹ There are some ongoing initiatives to measure audience shares in the country, but they are limited in geographical scope and the results are not public. However, radio stations seem to be more of an entertainment medium, with mainly music, interrupted by news flashes or talk show programs.⁵²

ONLINE NEWS MEDIA

It is difficult to separate online news media from portals run by traditional media, as the main televisions and newspapers in the country have adapted to the demand for online content. In fact, websites of traditional media carrying news usually rank higher than online news media. For example, the most popular websites⁵³ in Albania often include the website of *Top Channel TV*, a Kosovo-based newspaper, *Balkanweb.com*, an online news agency, and the website of the daily newspaper *Shekulli*. The other media that closely follow are also newspapers websites, such as *Gazeta Tema*, *Panorama*, and *Shqiptarja.com*. News agencies *NOA* and *Albeu* are also among the top media sites. While the content of online news media is more or less the same as in the newspapers, what makes the difference is the speed of the news, the potential for interactivity, as well as the fact that the online version is free.

NEWS AGENCIES

The number of news agencies in the country remains limited, and so does their quality. The main new agency is the public one, *Albanian Telegraphic Agency*. Until the early 1990s, it had been the only news agency, but ever since the rise of new print and broadcast media, its popularity has steadily declined. However, given the general disrespect for copyright in the country, there are allegations that newspapers or other agencies copy part of the news from the public agencies.

There have been attempts to establish private news agencies over the past years, but they generally failed and the agencies shut down, unable to cope with financial pressure and secure their space in the market. The situation seems to have improved in the last years, with increased penetration of internet and a booming online presence of news agencies or other related media. At the moment, there are several websites that serve as news agencies. However, the authenticity of news and news variety they offer is dubious, as one generally sees the same stories on all websites. According to Alexa rankings, the most popular news agencies seem to be *Balkanweb*, *NOA (News of Albania, noa.al)*, *Lajmifundit.al*, the public *ATA*, and *Shqipëria.com*.

DISTRIBUTION/TRANSMISSION NETWORKS

The distribution of newspapers in the country has been a constant problem dating back to the early 1990s. The newspapers reach only the capital and other important cities or areas that are closer to the capital, while the rural areas, accounting for almost half of the population, never receive the newspapers.⁵⁴

There are several press distribution agencies, but three are the main ones. One of them belongs to the state-owned postal company, while the other two, considered to be more efficient, belong to two significant print media owners, Koço Kokëdhima and Irfan Hysenbelliu. The latter's network has the largest nationwide distribution. As a result, "other distribution agencies must cooperate with this distributor, since they share the costs,"⁵⁵ which points to the lack of fair competition in this regard and to the unsolved problem of distribution in general. "This is one of the weakest systems of the Albanian media, there are monopoly tendencies and the system has hardly improved over the years."⁵⁶

2.3 MEDIA OWNERSHIP PATTERNS

Apart from the public broadcaster and public news agency, all other media outlets in the country are privately owned. Some political parties have their newspapers or other publications, while ownership of broadcast media by political parties, banks or economic institutions is not allowed. The history of media landscape development in the last 20 years has been determined by private entrepreneurs and funds. Foreign donors have

also contributed to the establishment of media outlets in the early phase of democratisation, initially mainly supporting independent media and later local and minority media. However, facing sustainability problems, only a few of those media have survived. More recently, some donors have supported the establishment of websites that feature citizens' reports on corruption or other issues, and news stories from reporters who find it difficult to publish them in traditional media.⁵⁷ Despite the novelty and the greater freedom that seems to come with journalists publishing online, the economic challenge remains: once the donation or project is over, the journalists usually have to contribute voluntarily and so far it has rarely worked.

The ownership patterns in mainstream Albanian media are inextricably linked to private ownership. It is difficult to identify the most popular and important media according to the audience shares or circulation figures, simply because there are not public and verified studies on audience shares and on print media circulations or sales. Nonetheless, since it is important to identify the main media in the country and the profiles of their owners, the following table describes the most important media and their ownership structure. Given the lack of accurate and systematic audience and circulation data in the media landscape, the selection is based on common perceptions about each media's influence and significance against the general background. In order to map the way ownership pattern has changed through the years, a comparison of ownership of ten years ago is also included.

Table 1 MAIN MEDIA AND THEIR OWNERSHIP

	MEDIA	OWNER(S)	OWNERSHIP SHARES	TYPE OF OWNERSHIP	OWNERSHIP IN 2003/2004
MAIN TV STATIONS 2013/2014	TOP CHANNEL TV	TOP CHANNEL	AUREL BAÇI, 20%. ALBERT SINO, 40%. FIVE MEMBERS OF HOXHA FAMILY, 8% EACH	LOCAL	Within the same family and circle
	TV KLAN	TV KLAN	ALEKSANDËR FRANGAJ 40%. ALBA GINA 40%. ERVIN GJIKOLA 20%	LOCAL	Partially the same, previous foreign and local owners changed
	VIZION PLUS TV	MEDIA VIZION	ARTAN, ADRIAN, & GENCI DULAKU, 33.33% EACH	LOCAL	The same
	TV NEWS 24 (NEWS STATION)	FOCUS GROUP	BASHKIM HYSENBELLI & ASLLAN GREZDA, 50% EACH (real ownership suspected as tied to Irfan Hysebelliu & Artan Santo)	LOCAL	Changed, bought from the Italian group Edisud
	ABC NEWS (NEWS STATION)	ABC NEWS	REDI SATA 80%. ELIGIO ROMANAZZI 7.5% & GIOVANNI D'ALESSANDRO 12.5% (real ownership suspected tied to Frangaj)	MIXED	Founded after 2004
	ORA NEWS TV (NEWS STATION)	ORA	THREE MEMBERS OF NDROQI FAMILY (8, 52, AND 40% EACH)	LOCAL	Founded after 2004
	A1 REPORT (NEWS STATION)	MEDIA CONTENT	FFM GROUP (ALBA MALLTEZI 75%, EVA DOCI 20%, SUPERBA 5%)	MIXED	Founded after 2004
	ALBANIAN SCREEN	TV ALSAT	ANIKA TAÇI 40%. VASIL DEDE & DENISA DOBI 30% EACH (real ownership tied to Rezart Taçi)	LOCAL	Changed from mixed ownership of local and Macedonian Albanians
MAIN RADIO STATIONS	TOP ALBANIA RADIO	TOP ALBANIA	ZHULJETA LAMAJ 20%. ZYHRA HAMITI & MIRELA MERAJ 40% EACH (real ownership tied to Hoxha family & friends)	LOCAL	Partially, one of the nominal owners has changed
	+2 RADIO	RADIO +2	HERJETA DELIAJ & MENSUR RUSHITI 40% EACH. JANAQ JORGJI 20% (real ownership tied to Koço Kokëdhima)	LOCAL	Partially, one of the nominal owners is the same
MAIN NEWSPAPERS	PANORAMA	PANORAMA GROUP	IRFAN HYSENBELLIU	LOCAL	The same
	SHEKULLI	UNIPRESS	KOÇO KOKËDHIMA 100%	LOCAL	The same
	GAZETA SHQIPTARE	FOCUS PRESS	FOCUS GROUP 100% (real ownership tied to Irfan Hysebelliu)	LOCAL	Changed from Italian-owned Edisud to local media group.
	SHQIP	DIGITALB	100%	LOCAL	Founded after 2004.
	MAPO	MEDIA MAPO	UET UNIVERSITY, 100%	LOCAL	Founded after 2004.
	SHQIPTARJA.COM	SHQIPTARJA.COM	ANILA BASHA 20%. FFM GROUP 80%	MAINLY LOCAL	Founded after 2004

	MEDIA	OWNER(S)	OWNERSHIP SHARES	TYPE OF OWNERSHIP	OWNERSHIP IN 2003/2004
MAIN ONLINE MEDIA	BALKANWEB	FOCUS GROUP	BASHKIM HYSENBELLI & ASLLAN GREZDA, 50% EACH (real ownership suspected as tied to Irfan Hysebelliu & Artan Santo)	LOCAL	Changed from Italian-owned Edisud to local media group.
	SHEKULLI ONLINE	UNIPRESS	KOÇO KOKËDHIMA 100%	LOCAL	The same
MULTIPLXES	TOP CHANNEL TV	TOP CHANNEL	AUREL BAÇI, 20%. ALBERT SINO, 40%. FIVE MEMBERS OF HOXHA FAMILY 8% EACH	LOCAL	Within the same family & circle
	GAZETA TEMA	TEMA	MERO BAZE, 100%	LOCAL	The same
	PANORAMA	PANORAMA GROUP	IRFAN HYSENBELLIU	LOCAL	The same
	SHQIPTARJA.COM	SHQIPTARJA.COM	ANILA BASHA 20%. FFM GROUP 80%	MAINLY LOCAL	Founded after 2004
	DIGITALB	DIGITALB	HOXHA FAMILY AND TOP MEDIA DIRECTORS, 80%. UNION DISTRIBUCION SERVIS 20%	LOCAL	Founded in 2004
MULTIPLXES	SUPERSPORT	DIGITALB	HOXHA FAMILY AND TOP MEDIA DIRECTORS, 80%. UNION DISTRIBUCION SERVIS 20%	LOCAL	Founded after 2004
	TRING	TRING TV	HOLTA & MELINA DULAKU 33% EACH. RIDVANA DULAKU, 34%	LOCAL	Founded after 2004

Source: National Center of Registration and Londo, "Albania", in *Media Ownership and its Impact on Media Independence and Pluralism*, 2004.

2.3.1

MAIN TRAITS OF MEDIA OWNERSHIP FLIRTING WITH POLITICS

While the allegations of media owners' affiliations to particular parties or politicians have been a constant feature of public debate, only a few media owners have publicly engaged in politics or admitted such affiliations. One of the most prominent examples is perhaps that of Nikollë Lesi. Together with Aleksandër Frangaj, the owner of Klan group, he started *Koha Jone*, one of the best-selling newspapers in the 1990s, and later also established another newspaper and a TV station. Afterwards he entered politics, establishing his own party and holding government posts, only to buy back the original newspaper from his former partner and owner of *TV Klan* in October 2013. Similarly, Mero Baze, the owner of *Gazeta Tema*, one of the most read online newspapers, has, as a journalist, openly supported the main right-wing party, even running for parliament for this party.

The above cases are examples of journalists founding their own media outlets and eventually entering politics. There have also been a few cases when politicians have entered the media market by directly buying the shares of media companies. For example, at one point in 2004, the main shareholders in a local TV station were the Minister of

Agriculture, the Mayor of Durres, and their family and friends.⁵⁸ However, direct ownership of shares by politicians is rather rare.

What is becoming more common instead is media owners entering politics. The Parliament elected in June 2013 includes two MPs that are also media owners and businessmen. One of them is Astrit Veliaj, who owns *UFO TV*, a local TV station, in addition to other businesses. The other one is Koço Kokëdhima, one of the most prominent media owners and businessmen in the country. The history of his media ownership has been marked by constant allegations of his links, particularly with Edi Rama, former Minister of Culture, former Mayor of Tirana and current Prime Minister and head of the Socialist Party in power. The daily *Shekulli*, owned by Kokëdhima, has been one of the most popular newspapers in the country in the late 1990s, and generally considered to provide favourable coverage for Rama, especially during his early years as Mayor of Tirana. At the same time, Kokëdhima has been often accused by the then opposition parties and other persons that the favours provided by his media were returned through tenders awarded to the construction firms he owned.⁵⁹ At the moment, he is an MP for Rama's party and still retains his shares in the print publications, as there are no limitations or particular criteria related to political activity regarding print media.

BUSINESS AND MEDIA

While some media owners have openly expressed or advocated their political interests and beliefs, the majority have assumed a more neutral position, at least publicly. The main idea put forward by these owners is that their only interest is in cultivating their business and contributing to the development of free and independent media. The bulk of this group of media owners has no previous journalism background or interest and has bought or founded media after succeeding in other businesses. The main media groups, such as Top Media, Media Vizion, Panorama Group, but also the majority of individual media owners fall into this category. Although they have no clear links with political parties, the business practices of some media owners have at times come under scrutiny, alleging that their media have been used to gain favours from politicians to aid other businesses they own (see the section Media Finances).

This group of media owners has not actively engaged in public political life as protagonists, but the editorial line of their media outlets has certainly leaned towards one party or the other. In addition, it should be underlined that the most prevailing type of media ownership is the one involving persons who have significant previous businesses and investment experience. It is almost impossible to find a media owner that lives off the media business alone. Accordingly, their media may find it easier to achieve objectivity in reporting on political events and actors than when it comes to reporting on other companies and

businesses of the owner. In view of underdeveloped professional self-regulation and the lack of mechanisms that separate content from advertising and other influences, this trend comes as no surprise (see the chapters on media finances and journalism).

JOURNALISTS AS OWNERS

This has probably been the most volatile type of media owner in the country. After the regime changed from a dictatorship to a pluralist democracy, the framework of highly controlled state-owned and party media quickly disintegrated, with a few exceptions. There was no privatisation process that could create continuity, enabling journalists to continue working for their media outlets. In the early stages of transition, it was journalists themselves that launched newspapers, but due to economic difficulties their media were soon taken over by businessmen who could afford to fund them. Only a few among the main media outlets are owned by journalists. The most stable owner-journalist has perhaps been Mero Baze, the owner of *Gazeta Tema*. Aleksander Frangaj, the owner of Klan group, also started with a local newspaper and has maintained his engagement in the media, even though neutrality of his media has been greatly challenged (see the chapter on finance). In addition, in 2011, after the transfer of ownership of a media group from Italian Edisud to local owners, the directors of this media group, Alba Malltezi and Anila Basha, founded their own media outlets, currently owning the daily *Shqiptarja.com* and *A1 Report TV*.

FOREIGN MEDIA OWNERS

Even though Albanian legislation does not discriminate against foreign media owners, treating them equally as Albanian ones, foreign ownership has not been widely present in the Albanian media landscape. The exception for a long time has been the consolidated presence of Edisud Group, which owned *Gazeta Shqiptare*, *News 24 TV*, *Radio Rash*, and *Balkanweb* news agency.⁶⁰ They first appeared in Albania in 1993 and left only in 2011, selling their media outlets. Other foreign owners, mainly Italians, are present through individuals rather than big companies. An important foreign owner was German WAZ-Mediengruppe, which bought the majority stake from Media Vizion, owning an important TV station, part of digital multiplex, and other broadcasting services. However, in 2012 the company decided to leave Albania and sold back its shares to the previous owners.

In general, the Albanian media market has proved small and of little interest to foreign investors. Recently a new player on the market has been Francesco Bechetti, the owner of *Agon Channel*, which started broadcasting in 2013. Since the major transnational media companies have not made it to Albania so far, their standards, codes of ethics or other practices have not affected the development of Albanian media landscape. In this respect, it could be said that the influence of foreign ownership has been minimal.

Since public and verified studies on the audience shares and on print media circulation or sales are absent, it is difficult to determine who the top media owners are using these criteria. Nevertheless, since this is an important factor influencing the situation of the media in Albania, the following section describes the most important owners in terms of the number of media outlets they own, their profile, and their relation to other businesses. Given the above mentioned lack of accurate and systematic audience and circulation data, our assessment is based on the common perception of each media's influence and significance against the general background.

KOÇO KOKËDHIMA. HIS MEDIA OUTLETS AND BUSINESSES⁶¹

Koço Kokëdhima has been an important and long-standing media owner and businessman in the Albanian landscape. He founded the daily newspaper *Shekulli*, perceived as one of the most popular daily newspapers for a long time, and gradually expanded his media outlets while also closing down a few existing ones along the way. By July 2012, he owned 99 percent of Shekulli Media Group, which published daily newspaper *Shekulli* and daily *Sporti Shqiptar*. Kokëdhima also used to own Botime Periodike Spekter, which published the monthly magazine *Spekter* and online newspaper *Biznes*. His shares were transferred to Vladimir Kokëdhima in 2008. However, since 2012, Botime Periodike Spekter has been suspended due to debts and its media outlets have also closed down. ALNA is another company that Kokëdhima owned and that for a brief time served as a news agency, but it has not been active for a long time and is currently suspended.

After suspension of Shekulli Media Group, another company was created, UNIPRESS, which now publishes the same daily newspapers that Shekulli Media Group used to own: *Shekulli* and *Sporti Shqiptar*. It also owns Botimet Max, a publishing house. Koço Kokëdhima owns 100 percent of shares in this company. Apart from this, Kokëdhima is also known as the owner of national +2 *Radio*. He has always owned shares indirectly, first through his relatives and now through people that serve as administrators of the company or as members of the Supervisory Board.

Koço Kokëdhima also used to own *TV A1*, a local television station. Although he did not appear as an official auctioneer of *TV A1*, the links and advertisements on their web pages and in broadcasts were mainly for other companies Kokëdhima owned.⁶² "In addition, the same inner circle of general administrators seems to rotate between *TV A1* and Spekter jsc."⁶³

Media operations are not the only activities on which Kokëdhima's business focuses. Other companies he owns deal with construction, advertising or graphic work, Internet services, oil refining, etc.⁶⁴ His name is also related to a series of companies that are currently suspended or bankrupt. In 2013, he became an MP for the Socialist Party, currently

in power, after a long period of speculations about his affiliation with the current leader of this party (see the section on media ownership patterns).

IRFAN HYSENBELLIU. HIS MEDIA OUTLETS AND BUSINESSES

Another prominent player in the print media market is Panorama Group, the publisher of the dailies *Panorama* and *Panorama Sport*, as well as *Psikologjia* magazine. These daily newspapers have been among the most successful and have been considered the ones with the highest circulation. Although the ownership structure of the group has changed several times, it is strictly linked to Irfan Hysenbelliu, the founding shareholder. At the moment, he owns 100 percent of the shares of Panorama Group. He also owns the most widely used print media distribution network.

In 2011, together with another businessman, Artan Santo, he became involved in banking. They established Focus Group, which bought the media outlets previously owned by Italian Edisud Group. The media outlets they bought in 2011 include daily newspaper *Gazeta Shqiptare* and the online news agency *Balkanweb*. Edisud Group also owned *Edisud Radio TV*, including *Radio Rash* and *News 24 TV*, which in 2011 were also acquired by Focus Group.

Hysenbelliu had ventured into many businesses before turning to media outlets, including trade, construction, two of the major beer companies in the country, telecommunications, etc.⁶⁵

TOP MEDIA

One of the most important groups is Top Media, comprising *Top Albania Radio*, the first private radio station to receive a national licence, *Top Channel TV*, a national TV station and *Top Gold Radio*. The group also owns Top Records, vGA Studio, an advertising agency, and Saras publishing house. Another important company connected with Top Media is DigitAlb the first digital terrestrial and satellite multiplex and reportedly the most successful one. Partial owner of this company is Union Group, which is also owner of shares in the Union Bank and Western Union. Digitalb also owns the daily newspaper *Shqip*, part of the same group.

Top Media group was founded by Dritan Hoxha. Although formally the shareholders of the related companies have been either family members or close friends of Hoxha, he was known as the real owner of these media outlets. After his death in 2008 his wife and friends continued the work, establishing other media outlets and companies.

Before venturing into the media field, Hoxha made his way through the coffee trade, establishing almost a monopoly over it in the country at the time.⁶⁶ Apart from the coffee trade, the family also owns other businesses involving trade in food and beverages.⁶⁷

MEDIA VIZION

Another important media group is Media Vizion, owned by the three Dulaku brothers. They own *Vizion Plus TV*, one of the main TV stations in the country. Until 2012, they had shared ownership of the station with a German media group (see 2.1.5.). For a few years, Genc Dulaku shared the company Albania Vizion with Ylli Rakipi, who was the original publisher of the daily newspaper *Albania* that was shut down some years ago. On another important note, this family also owns Tring digital multiplex, although the wives of the three brothers appear as shareholders.

This family also has many other business interests, possessing a range of companies that focus on construction, construction materials, graphic design, internet services, telcoms, food trade, sport equipment trade, real estate, gas trade, etc.⁶⁸

ALEKSANDËR FRANGAJ & KLAN GROUP

The group as a whole has seen some changes in ownership compared to when it started, but the person that has resisted all changes and is currently the most prominent figure is Aleksandër Frangaj. He was an equal-share partner in Koha company, the owner of the best selling newspaper until the late 1990s.⁶⁹ Frangaj sold his part in Koha to his partner Nikollë Lesi in order to join the Klan group.

This group owns national commercial *TV Klan*. At the moment, *TV Klan* company owns this station, with the shareholders being Aleksandër Frangaj (40 percent), Alba Gina (40 percent), and Ervin Gjikota (20 percent); the latter two had not previously appeared on the media scene. It should also be mentioned that some time ago Aleksandër Frangaj returned to his first media outlet, the daily *Koha Jone*, where he owned 90 percent of the shares. The remaining 10 percent was owned by the well known journalist Blendi Fevziu.⁷⁰ However, as of October 2013, the newspaper went back to his former partner Nikollë Lesi.

TV Klan company and Frangaj also own Media 66 company, engaged in TV productions. *Radio Klan* is another media outlet linked to the same group, although the shares are owned by an unknown person, in order to respect legal ownership limits. For the same reason, Frangaj does not appear as a shareholder in local *ABC News TV*, although he is widely linked to this station and he has not made secret of the relations between the two stations which sometimes share journalists' reports. Much like in other media groups, there is a visible rotation of key persons serving as general administrators, board members, or shareholders.

Frangaj also owns shares in Portat e Fatit company, a TV lottery company, along with previous partners that co-founded *TV Klan* and other persons. More importantly, he, along with his brother and associates, has owned or owns other companies, such as Zoom Entertainment, Zoom Events, Promo, and ProImage. These companies, engaged in events

organisation, advertising and TV production, have recently been revealed to have been awarded the bulk of state advertising in the last years, taking advantage of the support the media of this group have given to the previous government (see the section Media Finances).

Table 2 MAIN MEDIA OWNERS/GROUPS

MEDIA OWNER	MEDIA OWNERSHIP (DIRECT AND INDIRECT SHARES)	OTHER BUSINESSES
KOÇO KOKËDHIMA & FAMILY	<p>SHEKULLI (daily) SPORTI SHQIPTAR (daily) +2 RADIO (national) ABISSNET (Internet services) QYLNËT (Internet and ITC services) BOTIMET MAX (publications) PLATEA (newspaper selling points) PRESS DISTRIBUTION NETWORK</p> <p>Previous media owned: SPEKTER (monthly magazine, closed) GAZETA E TIRANËS (daily newspaper, closed) BIZNES (economic newspaper, closed) TV A1 (local TV station, sold)</p>	<p>ASFALTIM RRUGA (road building) BOJA TIRANA (paint materials) INERTE CO (construction materials) INTERCHANGE ANTEL (telecom and Internet appliances) MERCURY CONSTRUCTION (building public works) SIRIUS (construction)</p>
IRFAN HYSENBELLIU & FAMILY	<p>PANORAMA (daily) PANORAMA SPORT (daily) PSIKOLOGJIA (monthly magazine) PRESS DISTRIBUTION NETWORK FOCUS PRESS GAZETA SHQIPTARE (daily newspaper) BALKANWEB (online news agency) RADIO RASH (local radio) NEWS 24 TV (local TV)</p> <p>Previous media: INDEPENDENT (daily newspaper)</p>	<p>ALBECORP (food and beverages trading,) BIRRA TIRANA & BIRRA KORÇA. (beer trading and production,) EGNATIA GROUP (industrial activities,) PEGASOS (trading,) W. ELEKTRIK (trading electric materials,) ALBANIA AUSTRIA BIZNES CO. (trading,) etc.</p>
TOP MEDIA	<p>TOP CHANNEL TV (national TV) TOP ALBANIA RADIO (national radio) TOP GOLD RADIO (local radio) TOP RECORDS (recording) VGA STUDIO (advertising studio) SARAS (publications) DIGITALB (multiplex, shared with Union group) SHQIP (daily newspaper, shared with Union Group)</p>	<p>Food & trade: LORI CAFFË VALTELINA VINI & FOOD RESTAURANT CHAIN</p>
DULAKU FAMILY	<p>Media Vizion: VIZION PLUS (satellite and terrestrial tv, shared with WAZ for a few years) TRING (digital multiplex)</p> <p>Previous media: ALBANIA (daily newspaper, shared with Ylli Rakipi)</p>	<p>Construction & Real Estate: ABC CONSTRUCTION. ALBA-BETON. EURO ADITIV. ILIRIA. ETC. D&L. ALISSA. ARAMERAS. CONCORD INVESTMENT. CONDOR. DI VINCENZO ESTERO. GLOB</p> <p>Food and trade: CONAD. FOOD TRADE. ALBASPORT. INTER-GAS. BIC</p> <p>Telecoms: ALB SAT AND SAT COM</p>

FRANGAJ & COMPANY	TV KLAN (national) MEDIA 66 (TV productions) RADIO KLAN (local) ABC NEWS (local) Previous media: KOHA JONE (daily) KLAN (magazine, shared with other owners) SAT + (multiplex)	Organisation of events and advertising: ZOOM ENTERTAINMENT ZOOM EVENTS PROMO PROIMAGE PORTAT E FATIT (tv lottery)
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Source: National Registration Center, historical extracts of companies (January 2014).

As the table above shows, the main media owners in the country are also involved in numerous other businesses, mainly trade, construction, telecommunications and Internet services. While this is the prevailing type of media owner in the media landscape, there are several variations within this model, as well as some other patterns of media ownership. Links to political actors, cross-ownership, various machinations with ownership shares, and lack of relation to journalism profession are only a few of the factors that define main media owners in the country.

2.3.3 MAIN PATTERNS IN MEDIA OWNERSHIP STRUCTURES CROSS-OWNERSHIP AND CONSOLIDATION

Although it is not possible to identify accurately the most popular media, their profit and their audience shares, there is a visible trend of consolidation of ownership, although not to the point of creating a major problem. Consolidation has occurred more in terms of the same group establishing print, electronic, and sometimes online media. This is true for almost all main media groups and owners. For example, Top Media owns all or partial shares in companies that operate radio stations, TV stations, multiplex, newspaper, publishing house etc. The same pattern has applied to Koço Kokëdhima, Irfan Hysenbelliu, Aleksandër Frangaj, and other media groups and owners. This is also aided by the lack of any detailed regulation on ownership concentration prevention regarding print media. Cross-ownership regulation is laid out in the Law on Audiovisual Media and deals only with radio and TV, while there is no such regulation for the print media realm and hence no limits on their ownership.

In addition, there are also concerns that the existing legal provisions on broadcast media are not always respected and media owners find ways to circumvent these provisions. For example, the owner of local TV and radio stations *Ora News* wanted to buy yet another local TV station, while the law clearly forbids that. At the moment, this owner owns 100 percent shares of *Channel One TV*, while one of his main journalists and members of his family owns 100 percent shares of the company that owns *Ora News* radio and TV stations.⁷¹

The consolidation of ownership has been a result of the same group establishing different media outlets, while mergers and acquisitions have been more rare. The motives for a few of these transactions have been questionable, though. For example, in 2011, Irfan Hysenbelliu, already owning daily newspapers and monthly magazines, and Artan Santo, involved in banking, established Focus Group which bought the media outlets owned by the Italian Edisud Group. This move was viewed with suspicion at the time since they bought a media group that was quite critical of the government. One of the first moves after this acquisition was the termination of the contract with Anila Basha, the director of the group's daily newspaper, who had previously expressed open support for the leader of the opposition.⁷² In addition, a few months later "the whole editorial posture of the media group changed completely, from favouring the opposition and criticizing the government to the opposite."⁷³ Such moves indicate the political preferences of media owners, and even though they might not be public, they still have a decisive influence on the editorial staff and policies of each media.

TRANSFERRING COMPANIES AND SHARES

A commonly found pattern in the ownership schemes of media companies is the rotation of the same group of family, relatives, or trusted persons through the positions of general administrator, board members, or shareholders. For example, it is a publicly accepted fact that Kokëdhima is the owner of the national +2 *Radio*. Officially, though, he is not an owner, but has always held a stake in the company, first through his relatives and now through people that served as administrators of the company or as members of the Supervisory Board.⁷⁴ This pattern is also an indication of the allegedly fictive function of supervisory boards, since the same members are rotated through administration, supervision, and management, independently of the company's profile.

Similarly, ownership of *Top Channel tv* is divided among the owner and her four children.⁷⁵ After buying Edisud Group's media outlets, Focus Group transferred the shares to a new company, Focus Press, 100 percent owned by Hysenbelliu's brother, who is also known as the general manager of the media outlets the family owns.⁷⁶ In fact, creating a range of different companies, or shutting down one company and re-establishing it with a different name for the same purpose is another tactic used by some media owners. For example, Koço Kokëdhima has transferred the ownership of his daily newspapers from Shekulli Media Group to Unipress, transferring also the names of shareholders.⁷⁷ Aleksandër Frangaj has also changed the names of two of the companies that produce TV spots and organize publicity campaigns, while also rotating shareholders.⁷⁸ Rather than arising from concerns for media pluralism, this has more to do with tax laws and the company registration procedures in the country.

CURRENT MEDIA INVESTMENT AND MEDIA COLLAPSES

The Albanian media landscape has become relatively stable regarding the main media groups that dominate it, such as Top Media, Klan, Vizion, and the media owned by Irfan Hysenbelliu and Koço Kokëdhima respectively. All of these groups have invested heavily especially in their broadcast media, in technical equipment and digitalisation, but not necessarily in areas contributing to the development of journalism as a profession.⁷⁹

However, there are also the occasional falls and booming investments. At the moment, perhaps the most flamboyant example of investment is that in *Agon Channel*, owned by Francesco Becchetti, who is an Italian businessman that has invested in Italy and then in Albania in energy and waste management projects. Offering reportedly very high salaries compared to other televisions, *Agon Channel* has lured some of the most popular presenters, hosts and journalists, while the mystery of its sources of funding remains, as with the rest of Albanian media. Since the law requires a certain amount as a guarantee deposit, but the owner is not obliged to declare or verify its origin, none of the media owners have been under pressure to increase transparency of their funding sources.

On the other hand, a controversial collapse, but by no means foreign to the Albanian media scene, has been that of *Alsat TV*. This TV station was bought by Rezart Taçi and changed its name to *Albanian Screen*. Taçi also owned various other businesses. He became notorious for the privatisation of the Albanian oil company, which at the time sparked controversy, as the opposition claimed that the transparency of the process was low and the company was sold below its worth. Currently, Taçi no longer appears as a shareholder of *Albanian Screen TV*, with its shares now held by his sister and two other persons, at least officially.⁸⁰ Initially, he invested heavily in programming and TV staff, but his business has been faltering in the last years, with financial hardships also reflected in massive television staff lay-offs. As a result, in the last year more than 50 journalists sued him for unlawful termination of contracts or unpaid salaries for months in a row. "*Albanian Screen TV's* case is not unusual in Albania, where dozens of media outlets are owned by tycoons or MPs who use them to advance their businesses and political careers."⁸¹

2.4

POSITIVE EXAMPLES

Finding good examples of owner's protection of media integrity is not an easy task. However, it can be said that it is in part thanks to investments from businessmen owners that we have a quite rich landscape of media outlets and generally a very technologically advanced one, especially regarding broadcast media in the capital.

Formal transparency of media ownership has also improved substantially after the establishment of the National Centre of Registration and the digitalisation of the Commercial Register at the Court of Tirana, which was used earlier to register businesses. The history

of ownership of any company is accessible online for free from this center. For data that cannot be found online, an application has to be filed at the center and a fee of 100 leks (approximately 0.7 euro) per extract is paid. This has created a potential for greater transparency of the nominal owners of shares in media companies. However, there are also speculations about disguised ownership. In addition, while anyone can access official data on ownership online, the transparency of funds that were used to start media businesses and to keep them going is inexistent.

2.5 CONCLUSIONS

Formal transparency of ownership of media outlets has improved, but concerns on hidden shares and owners remain, affecting in this way media integrity. Ownership of online media is also little known. The main media groups are relatively consolidated. Recently, there have been some signs of ownership concentration aided, among other things, by limited cross-ownership regulations. Foreign ownership of the media remains limited, even though legislation does not discriminate against it. There are cases when legal regulation has been circumvented to overstep ownership limits, while transfer of shares within the same group and family is another commonly employed tactic.

The ownership pattern that dominates the media landscape is that of media tycoons who have invested in other businesses. Some of them have become active in politics, while other media groups have tried to remain relatively neutral, even though editorial policies of their media clearly favour one political wing over the other. The interaction among the media, politics and other businesses of media owners is a constant source of concern for media content and media independence.

3. MEDIA FINANCES

Funding of media operations has been often in the spotlight, by politicians, media itself, or other actors. The truth is that close to nothing has been done all these years to improve transparency of media funding. In addition, supporting bodies and mechanisms that could have a role in this regard, such as the broadcast media regulator and tax offices, have not engaged with this matter.

In cases when matters related to transparency of media finances have become a matter of public debate, the initiative has often been politically motivated, rather than based on public interest.

After 23 years of media market liberalisation, Albania still has not managed to create systematic, reliable, and publicly available data on media ratings and shares, advertising

market, state subsidies for media outlets or distribution of state advertising. However, it seems that the advertising market is dominated by big corporations, which directly affect media content. The distribution of state advertising across various media has become an increasing concern as it is feared that its ramifications may affect editorial policies of media outlets. Finally, let us add that the picture of the Albanian media landscape would be incomplete without taking into account the significant role of other, parallel businesses of media owners which often serve as sources of funding and consequently affect, for better or for worse, the performance of media companies.

3.1 TRANSPARENCY OF MEDIA MARKET AND MEDIA FINANCES

Although the media market has been liberalized for 23 years now, only a limited progress has been made in terms of public, systematic, and reliable data on media market and media finances. Accordingly, the ranking of Albanian media outlets can only be a judgment based on popular perceptions rather than on accurate data or audience measurements.

The first attempts to monitor television audiences were made between 2001 and 2003, with the support of IREX and USAID. These surveys did not cover the whole country or all television stations and were limited in time. Moreover, the results provoked strong reaction from the media that ranked low. This early initiative thus failed to unite all media outlets towards a joint committee that would probe the market continuously based on a common methodology and produce results that would be accepted by all.

This episode also describes the current trends and reactions to media market research in the country. "All mainstream media continue to carry out market research on consumer behavior and audience preferences, but adopting a system that is accepted by all remains a problem."⁸² Unable and unwilling to come together and measure their popularity using common tools, the media outlets do their own research, usually by phone polling, and present these data to advertisers. However, this practice creates a highly subjective overview of the market situation and audience measurement. In fact, the managers of print and broadcast media have often challenged the circulation and audience figures, on the grounds that these could not be verified by independent sources. There were also allegations that the reports on circulation were deliberately high, in order to look better in the eyes of advertisers.

Some research companies have recently put forward initiatives to measure the audiences of broadcast media in particular, but also readership habits. However, their scope is still limited, since not all media owners or managers are interested in determining their actual market share, nor do they know how to use the information provided by market research.⁸³ Part of the explanation for this lack of interest lies in the way that Albanian media function, which is described in the following sections.

3.2

STATE FINANCING IN THE MEDIA

Albanian legislation does not specify any provisions whatsoever on state support and funding of the media, not even in terms of protecting media pluralism or supporting minorities or specific communities. However, it has been unfair and non-transparent distribution of state advertising that has given rise to concerns about the integrity of the Albanian media in the last years.

UNCLEAR RULES

Regulation on the distribution of state advertising has always been problematic for several reasons. In principle, such regulation needs to establish that state advertising is awarded in a fair and transparent manner to the most popular media. However, in view of the above-mentioned problems with audience measurements and trends, it is impossible to establish beyond any doubt and prejudice which media most deserve to be awarded state advertising.

As a result, this has become a breeding ground for all kinds of speculations on how to distribute state advertising and how to “rank” the media when ranking is missing in reality. Until 2006, most of the ads and announcements that fell into the state advertising category had been considered public spending and as such subject to the public procurement laws. In 2006, the government decided to stop advertising altogether, while announcements would be published in the *Bulletin of Official Announcements* instead.⁸⁴ Yet, the distinction between state advertising and announcements was not clear.

In addition, in the following years other decisions on the same issue were made, which did not help to clarify the criteria applied in decisions on state funding for public announcements. On the contrary, the criteria were made even hazier and after a while the government also resumed advertising in the media. A 2007 decision by the Council of Ministers related to state advertising mentions the number of viewers or readers as one of the criteria to be used in making a decision.⁸⁵ This criterion is clearly difficult to observe when data on media ranking are lacking, but it at least attempts to impose some selection filters. The two latter Council of Ministers’ decisions seem to have very broad and vague definitions of the criteria, including “the media outlet” (without any specification), the offer made, and the broadcasting duration,⁸⁶ as well as the experience in organizing similar events.⁸⁷ These two decisions leave out the criterion of the outlet’s audience reach, even though this is usually one of the basic requirements.

TRANSPARENCY OF THE PROCESS OF DISTRIBUTION

Another problem with the implementation of these decisions is related to the transparency of calls for advertising and decisions on this matter. Government Decision No. 1195 of 2008 states that the invitation for offers will be published on the official website of

the institution, while the spokesperson of the institution should e-mail the invitation to present an offer to broadcast media. On the other hand, Decision No. 1173 of 2009 on the organisation of artistic and social events does not have any clause on transparency of invitations. In addition, apart from the official criteria, several media outlets claimed that the invitations were sent only to selected media but were not published on the website, or had been published only one day before the deadline.

DISTRIBUTION OF STATE ADVERTISING

Apart from the problems with implementing the law, other data that reveal non-transparent and biased allocation of state advertising to media favourable to the government have been made public. In 2012, the former opposition exposed several cases that pointed to dubious practices of distributing state advertising to media outlets.⁸⁸ Some of the media outlets that received funding in the last years reacted by saying that the money was spent for public awareness campaigns and public announcements concerning issues important for the public. The same media also pointed out that the Socialist Party's conduct during its term in office was not different.

A recent independent investigation proved that most of the claims about unfair distribution of state advertising were true.⁸⁹ Data collected from the treasury department database at the Ministry of Finance show that the state spent at least 780,000 euro between June 2012 and the end of 2013 on TV advertising. The bulk of this sum seems to have gone to TV stations and agencies owned by or tied to Aleksandër Frangaj, the owner of *TV Klan* and other companies (see section on media owners.)

Table 3 STATE ADVERTISING AWARDED TO ONE MEDIA GROUP (2010-2013)

STATE INSTITUTION	COMPANY	AMOUNT (EURO)
MINISTRY OF DEFENSE	ZOOM EVENTS	284,000
MINISTRY OF DEFENSE	PROMO	300,000
NATIONAL DRUG CENTER	PROMO	27,000
MINISTRY OF INTERNAL AFFAIRS	PROMO	71,000
MINISTRY OF AGRICULTURE & MINISTRY OF JUSTICE	MEDIA 6	26,000
MINISTRY OF AGRICULTURE & MUNICIPALITIES RUN BY DP	ABC NEWS	19,800
MINISTRY OF JUSTICE	MEDIA 66	10,000
POLICE DIRECTORATE	PROMO	1,400,000

Source: Likmeta, B., "Big advertisers subvert Albanian media freedom," *Balkan Insight*, 20 December 2013.

It is estimated that the five companies linked to Frangaj received a total of 730,000 euro for advertisements for state institutions over two years. By comparison, *Top Channel TV*, Albania's other national private television, received a modest 9,940 euro over the same period.⁹⁰ However, the investigation hints that the public money channeled toward the network of companies linked with Frangaj is even larger than the sums mentioned. This is because the investigation was based on treasury data, which does not include money spent by state-owned companies. This fact again points to the low degree of transparency in this field which has to account for numerous sources of financing. For example, according to a monitoring report by the Energy Regulatory Agency, ERE, the utility distributor CEZ Shperndarje spent 45,000 euro in TV ads in one month alone, i.e. May 2013. The lion's share went to *ABC News*, followed by *News 24*, *Ora News* and *UTV Education*.⁹¹

The publication of such data clearly reveals both the unfair awarding of advertisements for state institutions to the media close to the government and the lack of transparency in distributing these funds. The lack of reliable public data on audience and circulation makes it even easier to abuse existing rules or to interpret them more liberally. At the moment, clear and fair rules on distribution of state advertising and publication of official announcements are still missing in the country. The current government has made it clear in its program that it is against such use of state advertising and will fight it. However, given the lack of clear rules and media ranking, and poor transparency, the trends should be monitored closely.

3.3 COMMERCIAL ADVERTISING MARKET

Parallel to the lack of transparency on the media shares and ranking, there is also a lack of transparency regarding advertising market. There are a few market research companies that monitor and estimate the size of the market when doing media monitoring. However, their data are not public and even when made public, they remain just estimates. In some cases the data coming from different sources are conflicting, which adds to the overall confusion. While the media industry has rejected any joint efforts to measure audiences, it has also not joined efforts to measure and make public the advertising data.

MARKET SIZE AND TOP ADVERTISERS

In this climate of speculations and lack of information, a few estimates made public are the only sources of information, or rather guesswork. An internal report obtained by *Balkan Insight*, prepared by a marketing agency, puts the value of the TV advertising market for the first 11 months of 2011 at 4.2 billion leks (29.8 million euro).⁹² The following table includes the estimates of distribution of advertisements across media for seven years.⁹³

Table 4 ADVERTISING MARKET DISTRIBUTION (2004-2011)

MEDIA	2004	2005	2006	2007	2008	2009	2010	2011
TELEVISION	86.3%	81.1%	78.2%	63.6%	63.8%	68.7%	65.4%	66.8%
RADIO	1.2	1.4	1.2	1.4	1.4	1.3	1.4	1.4
PRESS	6.4	8.1	5.8	20.1	17.8	8.5	10.7	8.5
OUTDOOR	6.1	9.4	14.3	15.6	17.4	21.8	20.8	22.4
CINEMA	NA	NA	NA	NA	NA	NA	NA	NA
INTERNET	NA	NA	NA	0.5	0.8	1.1	0.9	0.9
AD MARKET (MILLION EUROS)	14.5	19.8	24.38	27.18	42.23	49.3	57.4	54.34

Source: Abacus Research, November 2012.

As the table shows, the spending on television advertising still prevails, although it has decreased compared to 2004, in favour of outdoor advertising. The figures also reveal the relatively weaker, but nonetheless stable percentages of radio and press advertising spending.

While detailed information on advertising expenditures is missing, the market research firms and the media agree as to who the main advertisers are: telecom operators, banks, big companies (food and beverages, such as Coca-Cola, and similar companies).⁹⁴ In 2011, the telecommunications sector accounted for 69 per cent of the TV advertising market, followed by coffee trading companies, which accounted for 14 per cent.⁹⁵ This trend has been more or less stable.

Compared to 2006, telecom companies have been confirmed as the main advertisers in TV. Given that TV spending is the biggest percentage of total spending, the categories do not change significantly when looking at the total picture of advertising across different media. In 2010, telecom operators accounted for 31 per cent of total advertising, followed by companies trading in food products, beverages, and personal care, with 22 per cent, and banks with 16 per cent.⁹⁶

Any attempt at determining a ratio of state to private advertising would be a speculation in view of the lack of systematic and public data. However, the prevailing perception is that commercial advertising constitutes a more significant percentage than state advertising. As the estimates for 2010 indicate, state institutions accounted for only 5 per cent of advertising expenditures.

ALLOCATION OF ADVERTISING AND ITS INSTRUMENTALISATION

In addition to the lack of public data on the amount of advertising expenditures and their distribution across the media, there is also no information on the criteria advertisers use to allocate advertisements to the media. "It is difficult to speak of the advertising

market and its sustainability for media outlets when in fact there is no media market, or it is completely chaotic.”⁹⁷ Since ranking of the media is missing and their market shares are unknown, the question of how companies decide in which media to place their advertisements remains unanswered. In fact, there are opinions that the corporations that can afford it give money to every media, just as long as they remain silent or flatter the company. “Some of these companies are only advertising to keep the media’s mouth shut... using their ad budget as leverage in the editorial room.”⁹⁸ For example, in the first half of 2011, Vodafone advertised in 36 print outlets, while the other three operators spent more than half a million euro in print advertising alone.⁹⁹

Considering that advertising market is dominated by telecoms and big corporations, their direct or indirect influence is visible in media practices and content. “Sources of financing for the media are not sufficiently diversified and big commercial sponsors, such as mobile companies, continue to be very significant for the survival of the media. Consequently, they are able to affect the media’s editorial policy, and that is why we do not see any criticism of these companies in the media. If there is any criticism, the media are aiming to obtain some financing.”¹⁰⁰ So, when the competition regulatory body fined the country’s two biggest mobile operators, Vodafone and AMC, for uncompetitive behaviour in 2007, the story was reported only by a few media outlets.¹⁰¹ Similarly, when the same regulator started an investigation against Vodafone, it took many months for this story to be published in a few media, even though it is a story of public interest. “Instead, it was the Competition Authority that found itself battling tabloid media criticism of the probe.”¹⁰²

Apart from the failure, or inability of media to report on their advertisers in an unfavourable light, the big advertisers also often decide directly on the content the media has to publish on them. The press often publishes what are clearly press releases, presenting them as news articles or TV stories. A recent investigation story on this subject also revealed that advertising companies specifically asked the media outlets to publish the information as news rather than as a press release, or demanded that the media should spin the angle of the story, as they owed it to the company. “As a company responsible for safeguarding the image of CEZ Shperndarje, considering that we have a service contract with your newspaper in this regard, and without censoring your independence, we ask you to protect the image of the company in this debate,”¹⁰³ the e-mail read. Due to both corruption and financial dependence on these sources, the media have not yet managed to create sufficient financial and professional independence and they readily comply with the situation.

3.4 NON-TRANSPARENT BUSINESS PRACTICES

Like any other business, all media outlets should submit their annual financial reports to the tax office, but these reports are confidential. Broadcast media should also submit

their reports to the regulator, but only a few do so. Only 49 of 250 operators had submitted to the regulator annual balances for 2011.¹⁰⁴ In addition, even when they do, there are allegations of double reports, where the regulator receives the fake one. A former chairwoman of the regulator raised the concern that the TV stations' financial reports submitted to the regulator and to the tax office were not accurate.¹⁰⁵ "This trend is confirmed by one of the major media companies, whose officials admitted in an interview that even though they had suffered losses in the last seven years, they had managed to declare a small profit."¹⁰⁶ In addition, the regulator did not make additional efforts to verify data with the tax office or other authorities.

SELECTIVE ATTEMPTS AT TRANSPARENCY

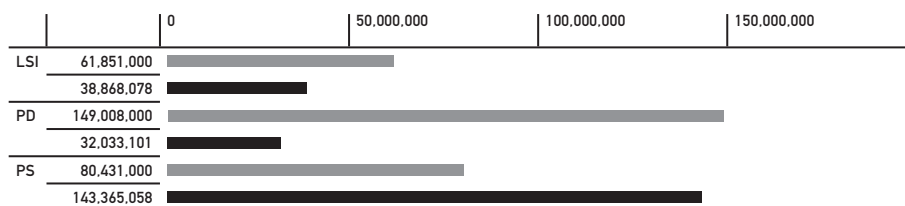
In general, attempts to verify information and transparency of media outlets have been targeted selectively at the media that have not been favourable to the government. The tactic of sending tax police to a specific media outlet after unfavourable coverage of the government or prime minister has been used for more than ten years in Albania, sometimes resulting in fines and sometimes not. Perhaps the most clamorous case was that of the fine imposed on Digitalb in 2007, in the amount of 12 million euro on grounds of tax evasion. "This fine followed repeated scrutiny of Top Channel television by the tax police during 2007, when the station took a rather critical stance toward the Government."¹⁰⁷ The fine has not yet been collected, as the company is still in the appeals process. However, this is one of the examples that show that attempts to increase transparency of media outlets have generally been politically motivated. The rest of the time neither the media, nor state authorities have treaded on this supposedly delicate ground.

MEDIA FUNDING DURING ELECTORAL CAMPAIGNS

The state seems to be part of the problem when it comes to media transparency (see section 3.2). However, the problem is not limited to the state only, but extends to political parties as well. While commercial advertisers dominate the market, in the election years, state and political parties' spending increases in view of electoral campaign advertising. These cases too raise transparency issues related to political parties' sources of finance and their reporting, as transparency watchdogs have been pointing out for years. The advertising expenditures reported by the political parties to the Central Elections Commission rarely match the estimates of organisations monitoring political parties' spending during electoral campaigns.

Chart 1 CAMPAIGN AD SPENDING IN 2013 ELECTION CAMPAIGN

ALTERNATIVE (■), OFFICIAL (■)



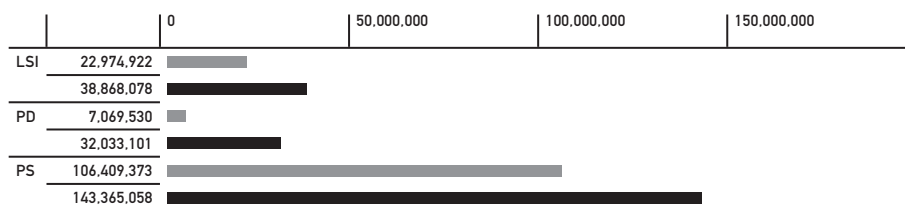
Source: Party Official Reports & Idramedia monitoring.¹⁰⁸

The figures on advertising expenses during the campaign of 2013 reported by political parties and those coming from a monitoring agency are clearly very different, as the chart above shows. While the methodology used might affect the final results, along with the discounts and the calculation of free time for political advertising as allowed by the Electoral Code, the difference to account for in the two reports is sizable, which points again to the lack of accurate data and problems with the transparency of media and political parties. In addition, the parties submit different formats when reporting to CEC, which makes it difficult to compare spending across parties.

Another problem with advertising expenditures for electoral campaigns is the debt that the political parties accumulate towards the media outlets. In some cases the debt accounts for more than half of the total spending.

Chart 2 UNPAID DUES IN 2013 ELECTION CAMPAIGN

UNPAID (■), TOTAL (■)



Source: Official reports of political parties to CEC.

This raises questions about the real sums the media outlets receive during electoral campaigns and the repercussions of delayed or missed payments. Another suspicious point is the donations made by the media themselves. A few media outlets had declared free advertising time for some of the parties as a donation to the parties' campaigns. While this is legally possible, it raises concrete doubts about the reasons for such donations, especially when knowing that electoral campaigns are considered a good source of advertising revenue.

SUSTAINABILITY OPTIONS FOR MEDIA OUTLETS

In the overall context of considerable informality in the country, with so many question marks over commercial and state advertising against the background of expanding media landscape, doubts remain about how media outlets manage to survive. The lack of transparency of media operations does not allow for an accurate answer in this regard. However, the long-standing perception, often voiced by representatives of the media community, is that other businesses of the media owners are used to support media outlets. "While these businesses were the basis for the considerable investment in the media scene, parallel ownership also makes these outlets vulnerable to economic and political interests."¹⁰⁹ Albanian media owners are, with extremely few exceptions, people with a significant business background who eventually founded media outlets or whole media groups (see section on media owners). The Albanian regulation on broadcast media does not prohibit sponsorship of the media outlets. However, in the financial reports these are just marked as sponsorship or donation, without further details and never prompting the regulator to further investigate the matter.

Hence, given minimal transparency, it is difficult to have a clear and accurate picture of the way media operate financially. On the other hand, having in mind other businesses of the media owners and assessing media content in this light, it is easy to see that the media serve as almost free advertising space, rather than as reporters on the matters of public interest. The stories on products or events related to other media owner's businesses are featured in newspapers and on televisions, presented not as advertisements but as news.

In addition, since political support is important for achieving economic success in the country, the relationship between media owners and politics is the other side of the equation. One of the international reports on Albania noted: "Business owners also freely used media outlets to gain favour and promote their interests with both major parties. Many media owners courted government leaders to gain favours or avoid taxes."¹¹⁰ In fact, for a long time this has been the most speculated and controversial form of media clientelism in the country. "In reality, in the countries of the Western Balkans the media are sandwiched between politics and business, sometimes because of the pressures they are faced with, but at other times because they voluntarily place themselves in this position. Thus,

the media appear to be an extension of politics on the one hand, and an annex of various businesses on the other.”¹¹¹

3.5 POSITIVE PRACTICES IN FINANCES

It is difficult to find bright aspects to media funding practices in Albania. Perhaps the commitment of particular media owners to invest in their media outlets, even if only through technology, needs to be mentioned. In addition, after the publication of data on the distribution of government advertising, there is greater public awareness of the way these funds are distributed. The current government had included fair and non-discriminatory distribution of state advertising to the media as part of its program vis-à-vis media. It remains to be seen whether there will be sufficient power and will to implement it, but having a good intention is a positive start.

3.6 CONCLUSIONS AND RECOMMENDATIONS

Transparency of media finances and media business practices is very low. More than two decades after market liberalisation, the Albanians still do not have access to public and verified data showing the circulation, sales, and audiences of the media outlets. Moreover, the information on the size of advertising market is also not publicly available.

In this context, the ways in which advertisements are distributed are also not clear. Distribution of government advertising has become a risk for media integrity in recent years through a combination of unclear rules, low transparency, and media clientelism, with the media echoing the government’s interests being significantly favoured. On the other hand, commercial advertisers seem to be the main source of revenue for media outlets, a source they cannot afford to lose. As a result, direct or indirect influence on media content is clearly visible, also aided by the lack of self-regulation and developed professional rules, as well as financial pressure on the media outlets.

Finally, the sustainability of media outlets in a highly saturated media market has been questionable for years. Yet, the media continue to survive and even new ones emerge, indicating that funds from owners’ other businesses are a useful resource in this context. These practices are hardly transparent though. The regulators have not shown willingness to intervene in this area, while interventions from the government have been mainly politically motivated.

4.

PUBLIC SERVICE BROADCASTING

Radio Televizioni Shqiptar (RTSH), the public service broadcaster, is composed of *Radio Tirana* and *Televizioni Shqiptar (Albanian Television – TVSH)*. At present, *RTSH* broadcasts five programs, general and thematic ones, 2 national radio programs, 1 radio program in foreign languages, 1 radio program for Albanians living abroad, 4 regional TV and radio programs, and 1 TV satellite program. The analogue signal of *RTSH's Channel 1* covers 87 percent of the territory, and that of *Channel 2* 47 percent, as opposed to 69.8 percent and 62.1 percent covered by the other two commercial TV stations.¹¹²

The transformation of *RTSH* from the state to public broadcaster has been a difficult battle to fight. As time goes by, challenges to *RTSH* persist, mainly in the form of political pressure on the regulatory bodies and programming, weak editorial independence, and financial sustainability and management. With the change of government in 2013, a new initiative to start reforming the public broadcaster was launched. However, the challenges are numerous. The election of the Steering Council of *RTSH* has been delayed and is hostage to consensus among political parties in Parliament, which is absent at the moment. *RTSH* has been working without the Steering Council for two years now, because of the failure to elect new members. The public perception of *RTSH* has deteriorated, especially in relation to heavily biased news programs. On the other hand, the transparency of editorial, financial, and management decisions of the governing bodies is low, leading to an often uninformed, but mainly negative public debate on a matter of public interest.

4.1 GOVERNING, MANAGEMENT AND EDITORIAL STRUCTURES OF PSB

The Law on Audiovisual Media stipulates three governing bodies for *RTSH*: the Steering Council, the General Director and the Administration Board. Of these, the Steering Council is the highest body. The appointment of the council members has been a major problem in the political and public debate, often hindering the smooth functioning of *RTSH's* operations. The election of the new members is currently underway, two years after the term in office of some of its members expired. “The political disagreement that has persisted through the years has led to difficulties in implementing the law and enabling a normal functioning of the institution.”¹¹³

A major problem related to the council has been that of suspected political affiliations of its members. The approval of the new law on audiovisual media in March 2013 failed to address and solve this problem. In fact, after six years of debating the law, the two political wings still disagreed on the formula for the election of the Steering Council members. “Continuous amendments to the formula and criteria for the election of members, along with the formula in the new law testify to a trend where political balance has been of

higher priority and safer than professional credentials.”¹¹⁴ Although the law requires a long experience related to media and other fields, with a wide representation of groups, including various NGOs and interest groups, the allegations that in essence most of the members are politically influenced and affiliated remain. “*De jure* all interest groups are represented; *de facto* all political colours are represented.”¹¹⁵

In addition, the role of the Steering Council of *RTSH* is questioned, along with its ability to supervise, influence, and guide *RTSH* activity. The activity of this body has hardly been transparent and none of its decisions has been published. The annual report they submit to the Parliament would go unnoticed by the public if the media did not cover the event at the parliamentary commission. However, it seems that through the years the council has failed to take an active role in monitoring and guiding *RTSH* performance, as it is supposed to do. “Out of the eight years I’ve been serving as director of the Albanian public television, only in the first two years there was a serious discussion on *RTSH* accountability in the council. Even though my department submits reports on its work every six months, we do not have any feedback or extra requirements from the council.”¹¹⁶ There have been no indications of genuine concern and influence of the council on *RTSH* management and programming. The council’s role seems to be reduced to that of the mediator of the *RTSH* annual report to the parliament and it has not become more active or involved in assisting *RTSH* to fulfil its public mission.

Another problem that affects the *RTSH* performance is the relation of its three governing structures and the lack of the transparency of the decisions of these bodies. According to the law, the Administration Board is only a consultative body concerned with financial and management affairs; in reality, it has also served as a decision-making body, along with the General Director.¹¹⁷ In addition, the decisions made by each body are not transparent to the public and to the other structures of *RTSH* itself. “This practice leads to vulnerability of the institution and is a grey area that can be interpreted and used in many ways.”¹¹⁸ This has been a concern raised by *RTSH* staff and observers for a long time.¹¹⁹ The new law approved in 2013 did not correct the mechanism of checks and balances between the three bodies in *RTSH*, and the competencies and tasks remain almost the same as stipulated by the previous law, indicating that the problem will likely continue to exist.

Probably the most negative aspect of *RTSH* performance has been a failure to establish some degree of editorial independence in its news and current affairs programs. This has been a result of pressure from political actors but also part of the established culture within the institution. “Even when there have been no phone calls directing the media coverage, there have been cases when the news department adapted the news coverage to the supposed preferences of politicians.”¹²⁰ *TVSH* news bulletins have been under continuous attack by the opposition, parts of civil society, and sometimes the commercial

media, mainly on grounds of open support for the Government and the lack of editorial independence. In 2012, the news editions of *TVSH* devoted 36 percent of the time to Prime Minister and 25 percent to the government, while the ratio of the ruling party coverage to opposition coverage was 12 percent to 6 percent.¹²¹ The *RTSH* coverage of elections in June 2013 reflected a similar pattern: “*RTSH* did not meet its legal obligation of impartiality in the news editions, providing the *DP* and the government with coverage in a more positive tone (45 per cent for the *DP* compared to less than 1 per cent for the *SP*).”¹²²

The failure to report impartially and in the public interest has been the constant subject of public criticism of *RTSH*. However, although this topic is extremely important, the tendency to focus solely on this matter, while neglecting other important aspects of the public broadcaster is also limiting.

One of the claims of *TVSH* to counter negative criticism is that it has increased its production significantly, taking it from 17 percent of programme output in 2006 to 98 percent in 2013.¹²³ “In programming, priority goes to social-oriented programs. We only produce one weekly political current affairs program, apart from news editions, and the other programs reflect a wide range of topics and interests.”¹²⁴ In addition, *RTSH* branches broadcast part of their programs in Greek and Macedonian for the ethnic minorities in the south and southeast of the country, while recently a program in Romani has also started.

In spite of all claims, it is difficult to speak accurately of the success or failure of *RTSH* in the eyes of the public, due to the lack of audience measurements. “We have done a lot, but we should always do more in terms of programs produced. However, I believe no one among us, the media, knows where we stand, as long as we do not have audience measurements. When that time comes, we can all start from scratch.”¹²⁵

4.2 PSB FINANCING

Legislation lists a wide range of funding possibilities for *RTSH*: licence fee, contracts with third parties, sale of programs, public shows and performances, advertisements, sponsorship and donations, and state budget.¹²⁶ However, despite the wide array of sources available, it seems that funding is rarely adequate and it could significantly improve, both in terms of regulation and in terms of management of funds.

Table 5 RTSH BUDGET 2006-2013 (IN EURO)

REVENUE	2006	2007	2008	2009	2010	2011	2012	2013
STATE BUDGET	2,438,925	2,720,067	4,031,617	3,953,149	3,107,445	2,712,434	3,048,233	2,509,267
LICENCE FEE	558,416	307,900	442,181	2,192,258	2,610,928	3,122,592	5,922,232	4,024,565
RENT TO OTHERS	999,959	1,039,299	1,019,384	905,887	831,325	717,648	1,309,391	266,374
RADIO BROADCASTING FOR OTHERS	1,595,081	1,321,557	1,157,884	1,209,979	1,224,461	1,217,506	727,439	1,200,563
ADVERTISING	302,109	527,265	807,411	680,114	1,269,864	841,774	1,225,161	419,161
CHINESE COOPERATION	487,785	460,070	407,232	428,571	471,663	477,956	536,008	499,001
OTHER	682899	781,853	1,185,396	456,707	525,818	435,154	482,407	1,019,389
TOTAL	7,065,176	7,158,014	9,051,107	9,776,235	10,042,812	9,525,067	13,250,874	9,938,323

Source: *RTSH* Annual Reports 2006-2013.

COLLECTING THE FUNDS

Licence fee is supposed to be the main source of funding for the public broadcaster, but in Albania its collection has been a major problem from the very start. Apart from the difficulties with collecting licence fees, the problem is also the non-transparent transfer of funds to *RTSH*. The licence fee is paid through the electricity bills at a fixed amount for each household. Until 2006, the *RTSH* budget had not detailed the total sum collected from the licence fee.¹²⁷ The amount collected from the licence fee was passed directly to the state treasury rather than to *RTSH*, and in a way returned to it through the state budget allotted yearly to the broadcaster. However, there was no exact way of knowing what was the *RTSH*'s revenue accrued from licence fee.

After a series of negotiations with the Ministry of Finances, in 2006 it was agreed that the money would go directly to the *RTSH* annual budget. However, since the electricity company claims that a sizable part of households do not pay electricity bills, the loss of revenue also affects *RTSH*. For example, if we divide the total amount *RTSH* has received through licence fees in 2012 by the licence fee rate, it turns out that about 644,500 households paid the fee. According to the latest census of 2011, Albania has almost 722,262 households.¹²⁸ Furthermore, since 2011, the fee is paid not only by households, but also by state and private enterprises and other offices that have a TV set. Hence, the number of paying units should be significantly higher, translating into improved funding for *RTSH*. There is no doubt that the collection of the licence fee has improved. Compared to 2006, it has increased more than 10 times.¹²⁹ The collection scheme is still far from perfect, in line with the informality that exists in this sector.

Another problem was the licence fee rate: until 2010, it had been 500 leks (approx. 4 euro) for each household for the whole year. After the management of *RTSH* complained about the low fee and having in mind the preparations for digital switchover, the Ministry of Finances decided to double the amount from 2011 to 1,200 leks (approx. 8.5 euro) per year per household, payable in monthly rates. In 2012 the collected licence fees made up 58 percent of the *RTSH* total budget, compared to 45 percent in 2011.¹³⁰ However, despite improved funding, the problems persist and the financial future of *RTSH* is far from secure. This is related to both the rate of licence fee payments and to the way these payments are disbursed to the public broadcaster. “The general public perception is that *RTSH* starts the year with so many millions at its disposal. In fact, the tax comes in several instalments during the year, rather than as a lump sum in the beginning. So, nothing is concrete and there are no guarantees until the tax is collected.”¹³¹

THE ROLE OF THE STATE IN THE PUBLIC BROADCASTER FUNDING

State funding is another myth surrounding public perception that needs to be clarified. Often irritated by the lack of political balance in news and current affairs programs, public discussions regarding *RTSH* insist that state funding should not be made available to *RTSH* because it does not deserve it. These discussions indicate that the public is not widely aware of the fact that for many years the government has been providing funds only for the orchestra of the *RTSH*, its annual song contest and the services for Albanians abroad. All other daily activities are covered from other sources of funding, mainly licence fee, rent of antennas and other facilities, and advertisements.¹³²

However, state funding will become fundamental soon, in the wake of digital switchover. While the commercial multiplexes have been active for almost ten years now, *RTSH* only recently started to broadcast digitally (five channels). However, it still needs to build its transmission networks and start its own multiplex. The Strategy for Digital Switchover approved in 2012 entitles *RTSH* to two multiplexes for its own channels and for local TV stations that might wish to use its platforms. The needed budget for these platforms was estimated to be approximately 26 million euro.¹³³ The Strategy lays out the funding options for multiplexes, mainly consisting of state funding, or state guaranteeing the loans needed to build the platforms. In the spring of 2013, the Ministry of Innovation and ICT invited tenders for the construction of the transmission network for the public broadcaster *RTSH*. Despite disputes triggered by the opposition which claimed that it was not appropriate to undertake projects of such a scale immediately before the election period, the tender was carried out. In a decision dated 17 June 2013, the Ministry announced two winners.¹³⁴ One of the winning companies opposed the selection procedure for the tender and at the end of August, the former Minister of Innovation and ICT annulled the tender procedures altogether.

Recently, the public broadcaster has made investments in digital equipment and has started broadcasting four thematic channels apart from the main channel. However, no further steps have been made regarding the construction of the transmission network, pending on the outcome of the tender. This is a significant investment and *RTSH* will have to depend on the government or on loans guaranteed by the government to complete the network. At this point it is unclear what the funding model for digital switchover of public broadcaster will be. The work group that the government has established also includes *RTSH* representatives, but the government has made it clear that full funding will be difficult and will need further discussions and negotiations in the coming months.

MONITORING AND TRANSPARENCY AS MAJOR FLAWS

Low transparency of financial decisions and processes in *RTSH* is a major setback for the public broadcaster. *RTSH* is accountable to the Parliament and reports annually to the Parliamentary Media Commission. However, although the management has never treated the annual financial reports as secret information, it has never made an effort to publish them online or in any other form. Hence, this lack of clarity further inflames the existing prejudice and dissatisfaction and damages the image of *RTSH* in an unnecessary way.¹³⁵ In addition, the public broadcaster also seems to suffer from a continuous lack of transparency of decision-making and financial procedures within the institution itself. “Financial decisions are not published for us or for the public, although this is a flaw that can be corrected very easily just by publishing them online.”¹³⁶

Even though there are no active attempts to achieve transparency vis-à-vis the public, *RTSH*'s financial procedures are supervised by the Supreme State Audit. The auditing is not done in regular intervals, but rather on *ad hoc* basis. The last audit took place at the end of 2013, almost eight years after the previous audit carried out in 2005. The audit only checks if financial activity is in accordance with the legislation, rather than analyzing if the funds have been used properly and efficiently. “The audit treats the public broadcaster just as any other state or public institutions. It does not take into account that the main aim of our activity is production, and hence we have a remarkably different nature of work and should be audited accordingly. In addition, the conclusions only recommend what to do in order to obey financial laws, not what to do in order to manage our funds to better fulfill our remit.”¹³⁷

In fact, it seems that internal organisation and functioning of the *RTSH* structures is far from perfect. Coordination among units is weak, which might lead to inefficient use of funds and human resources. “There is very little cooperation between the television, the radio, the radio program for Albanians living abroad, and our branches in the districts. When there are important events, it often happens that each unit sends a team for the

same event, which makes no sense and certainly does not maximize our human resources but leads to unnecessary expenses.”¹³⁸ By the same token, the work of the central headquarters and that of district offices sometimes seems to overlap and there are no efforts to divide the work and resources in this respect.¹³⁹

A continuous public debate on the reform and future of public broadcaster is lacking. However, commercial media, especially newspapers, often publish opinions and interviews with various personalities on this topic. The overwhelming part of these pieces cast a negative view on the conduct of *RTSH*, contributing to the further weakening of its public image. “The media in this country are free to publish what they want. However, I find it unfair competition that private media all speak badly of *RTSH*, while they in the first place are not interested in having a strong *RTSH*.”¹⁴⁰ The rare auditing reports from the State Audit also serve to fuel the verbal assaults against *RTSH* in the media. “Media often publish extracts from audit reports. The selected extracts focus on trivial details and do not deal with the fundamental problems that *RTSH* faces. These reports are misused and the public can take the media reports for granted, leading to damage for *RTSH* reputation.”¹⁴¹

4.4

POSITIVE EXAMPLES

While the financing scheme remains problematic, the improvement of the licence fee collection rate is remarkable and has greatly increased the budget of the public broadcaster. Furthermore, the program scheduling and production has become more stable in the last years, seeking to create a profile that might be compatible with the public remit of *RTSH*. Even though there are still shortcomings and the management recognizes them, the overall concept of public broadcasting and programs that might be adequate for this purpose is firmer now.

4.5

CONCLUSIONS

The public broadcaster *RTSH* faces several challenges at the moment, both internal and external. The election of its governing bodies is still part of the political battle and the impact of the Steering Council on *RTSH* work has been questionable. The funding scheme needs to be improved to overcome informality in the country, as do the procedures observed in transferring the collected licence fees to *RTSH*. The transparency of *RTSH* itself remains a problem, sometimes leading to unnecessarily negative public perception of the institution. Problems with achieving an efficient management of *RTSH* persist in some areas. It also seems that an internal culture of independence has not been established, while editorial independence regarding news and current affairs is a key concern.

5.

JOURNALISTS

The development of Albanian media in the last decades can be roughly divided into two phases: the first phase was marked by the so-called politically engaged media, and the second by the emergence and expansion of clientelistic media. The first period, from the early to the late 1990s, was characterized by constant and severe struggle between the media and the government.¹⁴² In the second period, with the change of ownership patterns in the media, the pressure on the media became more sophisticated. Today the Albanian media rarely face open threats or assaults, but rather experience problems of an economic nature, such as financial pressure, distribution issues, the transparency of funding and ownership, labour relations, and corruption in the media.¹⁴³

Media have often found themselves sandwiched between politics and business, facing constant challenges, but also making important achievements. Some of the challenges are the poor organisation of journalists, lack of solidarity, slow development of investigative journalism, weak public support for media freedom, and labour relations. Faced with these challenges and the financial crisis, Albanian media more often than not resort to self-censorship, while there are also attempts to keep professionalism alive.

5.1

PROFESSIONAL CAPACITIES

After 1990, there was a boom of new media outlets in Albania. Alongside this boom, a young generation of journalists emerged in the 1990s, rich in passion and ambitions, but poor in professional skills.¹⁴⁴ In fact, Albania's tradition and history of providing education in journalism has had a rather late start. The first school was the one established within the Department of Political-Judicial sciences, fashioned after the Soviet model. This school lasted for ten years, until the early 1970s, and was succeeded by various courses taught by the same teachers.¹⁴⁵ Therefore, proper education for journalists was scarce during the Communist period, and it was introduced only in 1992 as part of the Department of History and Philology at the public University of Tirana.¹⁴⁶ From its establishment until 2010, more than 1,100 students are estimated to have graduated in journalism from this department.¹⁴⁷ Currently the public university has also journalism departments in two other cities, Elbasan and Shkoder. A few private universities also began to offer journalism and communication studies, but gradually they converted their curricula into communication and public relations studies. This trend seems to respond to the market demand, broadening the course to cover other areas and thus increase in theory the potential for doing other jobs, apart from journalism.

"A considerable portion of the young journalists entering the field in Albania are graduates of these programs."¹⁴⁸ However, a full overview on the education and training of

working journalists all over the country has been missing. The last data in this respect originate from 2002 and these indicate that most journalists were in the 18-24 age group. This new generation of journalists rarely had a formal training in journalism, while a considerable percentage were students.¹⁴⁹ This kind of survey was never repeated at a national scale, but a later survey using a significantly smaller sample showed that 47 percent of journalists had a degree in journalism, marking a considerable increase.¹⁵⁰ The 2009 data, although not strictly representative, also indicated that a majority of journalists were now in the age group 24-35, which indicates an increased stability and consolidation within the profession compared to data collected in 2002.¹⁵¹

Apart from formal education in journalism, few other actors have been involved in improving media professionalism. The main actor initially was the Soros Media Center and then the Albanian Media Institute. The two later merged, offering training courses that emphasize practical aspects of journalists' work.¹⁵² These training opportunities are offered for free and are generally accessible to interested journalists. Education at the public university is also generally free, apart from the administrative fees, while admission is tied to entrance exams, the same as at all public universities. While there have been continuous training opportunities, there is also training fatigue sometimes, as well as a limited ability to use the skills gained in everyday work. "While young journalists passionately participate in training courses that teach journalism standards of today, this passion is lost when they go to the newsroom, where there are other rules and standards, not so much related to journalism, but to the interests of the owners and to the politics of the day."¹⁵³ As long as there are double standards in training and in the application of principles to work, the impact of training will remain limited.

5.2 PROFESSIONAL SELF-ORGANISATION OF JOURNALISTS

Journalists have always found it difficult to organize themselves, both in terms of protecting and advancing their rights, and uniting in the name of professional goals and identity. The two oldest organisations are the League of Albanian Journalists and the Association of Professional Journalists, established in the early 1990s. In addition, there are other associations, of a general nature or organized on the basis of geography or the topic that journalists cover, such as health, justice, politics, etc. However, rather than becoming organized on their own initiative, these associations usually start under the umbrella of donors or international organisations, with the aim of promoting professionalism. Most of these associations have slowly faded, with no active membership and with a very sporadic and weak professional activity. This trend confirms the difficulty with importing models of professional organisation into a context where this culture has been very weak in the past. Faced with a lack of enthusiasm and lack of funding, these associations have

not managed to make a lasting impact or serve as examples of professional organizing. In fact, most journalists interviewed were sceptical of the role and efficacy of associations. Most journalists interviewed indicated that the credibility of associations has been damaged and that there is no coordination or professional solidarity among journalists.¹⁵⁴

The vague interest and willingness to organize and advance the profession is evident also in the slow progress of self-regulation in the Albanian media. The Code of Ethics was first drafted in 1996 by the Albanian Media Institute in cooperation with the main journalists associations at the time, but it was never formally adopted by media outlets. The revised Code of Ethics in 2006 had the same fate, in spite of intensified efforts to set up a self-regulatory body. Apart from these attempts to organize self-regulation on a national or broad scale, the media outlets have also failed to adopt of their own accord formal guidelines on their conduct. The only exception has been the daily newspaper *Shekulli*, which, when founded in 1998, had its Code of Ethics. In addition, the newspaper also had the Ethics Bureau, which, rather than working on readers' complaints, did retrospective weekly reviews of journalists' work from the ethical point of view. However, this novelty did not originate in the newspaper, but came from the owner of the newspaper.¹⁵⁵ The same owner decided to dispense with it a few years later, due to financial crisis and lack of interest, but also indicating the volatility of such new initiatives in the Albanian media environment.

In general, the media community has raised concerns on ethical issues and seems interested in improving their practices, while recognizing the challenges. However, there are different opinions on the challenges to self-organisation of journalists. The most common one is the economic factor, indicating that ethics is the last priority in a media outlet and sometimes a luxury. Based on his experience with in-house training on ethics in media outlets, the author of the Code of Ethics says: "The work conditions and the level of salaries is one of the main factors that affect implementation of the code of ethics. Of course, there is no guarantee that a much higher salary will give us a significantly more ethical journalist, but it is a factor that cannot be neglected."¹⁵⁶ In addition, financial crisis has led to a continuous downsizing of staff, especially in print media. "The size of newspapers is very small and some of them will soon employ only four or five journalists. Journalists do not have time to do journalism properly and it is very difficult to speak of ethics in a context that does not promote professional development."¹⁵⁷ The market pressure and competition also do not help. "We as media are lacking the common rules for the game. If one media violates ethical rules, it ruins everything, as it creates a chain reaction. I made a decision not to broadcast a story, but my rival did broadcast it and gained audience. So, next time I will think twice about this decision,"¹⁵⁸ said one of the editors interviewed.

Another challenge seems to be the weak position of journalists vis-à-vis the managers and owners of media outlets. Many journalists interviewed suggested that if journalists

took the initiative to introduce ethical mechanisms or raised their voices about salaries or other problems, they would face the pressure from owners and could even be fired.¹⁵⁹ Some interviewees also mentioned the tendency among journalists “to settle” rather than fight for their profession as an increasingly preferred solution. “Journalists prefer to play it safe and try to solve the problems within the media where they work.”¹⁶⁰ An experienced journalist, while admitting the pressure of owners on journalists, also confirms that some journalists prefer it this way: “Now there is less journalism. Everything is superficial, there is pressure from owners on journalists. However, journalists also take advantage of this pressure in a dishonest way, in order to escape doing their job.”¹⁶¹

The lack of motivation on the part of journalists is also fed by the relatively passive stance of other actors to appreciate media reports and their role in society. The practice of giving out awards for professional achievements of journalists is only a recent phenomenon and quite a sporadic one, reflecting also the lack of funds earmarked for this purpose. The Union of Albanian Journalists has distributed awards for economic journalists in the last three years, while there are specific organisations focusing on children, LGBT, or human rights in general that have also offered from time to time awards for journalists.

5.3 JOB SECURITY AND WAGES

According to the reports of the trade union of journalists, most of the journalists work without contracts or have contracts but these can be terminated in an arbitrary way. A 2012 survey by the trade union revealed that only 42 percent of surveyed journalists had a regular contract during the whole period of employment, 26 percent had a contract for part of this employment period, while 32 percent did not have any contract at all.¹⁶² The contracts are drafted unilaterally by the media management¹⁶³ and interviews with journalists also confirm that there are problems in the drafting and implementation of contracts. “The contract can be interrupted in a unilateral and arbitrary way. While the contract demands that I notify the owner three months ahead if I’m leaving the job, I can be fired the very next day and do not enjoy the same notification period. There are even cases when the owner can pressure other media outlets to not hire you. So, work contracts are a significant pressure on journalists.”¹⁶⁴

The survey mentioned above also showed that 65 percent of journalists reported that the years they worked with a contract did not match the years they actually worked in the media.¹⁶⁵ After union lobbying in recent years, the major commercial outlets have agreed to sign contracts. However, problems persist, especially in the form of delays in paying salaries. On September 2013, the union stated that “in the last six months the salaries of journalists were delayed in 75 percent of media outlets in the country for a period of two to six months.”¹⁶⁶ In the same period, journalists had started 48 lawsuits for unjustified firing or

failure to respect the Code of Labour, according to the union.¹⁶⁷ The failure to pay social insurance for journalists has also been a common phenomenon. The contributions either have not been paid at all or have been paid for part of the years.¹⁶⁸

Massive staff reductions and layoffs are another phenomenon that has intensified with the ongoing crisis. This crisis has not spared media outlets that are considered successful: about 300 employees have been laid off in these media in the summer of 2013, 130 of whom were journalists, the union reported.¹⁶⁹

However, if it were not for the statements of the trade union, these events would almost go unnoticed by the public. The failure of journalists to organize and protect their rights plus the lack of solidarity among colleagues in such circumstances make it difficult to pressure the state and other relevant actors towards improving protection of journalists. "This is one of the communities that has the least degree of solidarity, among other things because of pressure from owners, political divisions, the lack of reaction and impunity [of those who exert pressure]."¹⁷⁰ Other journalists said that owners can threaten them with replacement if they demand better salaries or working conditions, which makes it difficult to fight for their rights and those of other colleagues.¹⁷¹

In such circumstances, even in cases when media outlets have closed down and left journalists with months of unpaid salaries, the protests have been scarce. Most journalists also try to avoid litigation, because the processes may drag on for a long time, the court fees are high, and there is a general distrust of the judiciary.¹⁷² In this context, the only actor that tries to raise these concerns is the union. The Union of Albanian Journalists was established in 2005 after several failed attempts, indicating both the weak organisation tradition and the pressure journalists face from other actors. The union has 870 members now, out of estimated 5,000 media employees in the country, approximately 3,000 of whom are journalists.¹⁷³ However, the union faces financial difficulties because of the failure of members to regularly pay contributions.¹⁷⁴ In addition, the weak implementation of the Code of Labour in the country as a whole does not help with the union's goals and reputation.

Most journalists interviewed cited the situation with labour relations as one of the factors that affect gravely their quality of work and their freedom. "The situation with salaries remains the main problem of print media. This fails to motivate journalists and is confusing for their work."¹⁷⁵ "There are problems with job security, related to lack of contracts, salary, insurance. In this way, working in the media becomes increasingly uninspiring and it is difficult to motivate yourself,"¹⁷⁶ said another journalist. All journalists interviewed said that this situation was a major factor that leads to self-censorship. In fact, this is an increasingly pervasive phenomenon according to journalists and media experts. "Self-censorship not only exists, but it is absolute and it is cemented now."¹⁷⁷

5.4

EDITORS' APPOINTMENTS AND DECISIONS

The hiring of journalists and editors has never been a result of formal merit-based competition. In addition, there have been no formal arrangements to guarantee editorial independence for editors and journalists. The existing work contracts cover merely administrative matters and do not refer to anything similar to the conscience clause, failing to address matters related to content altogether.¹⁷⁸ According to all journalists interviewed, the editor of a media outlet has the last word on a story, while some of them added that in delicate and controversial stories the publisher or owner of the media has the final word.¹⁷⁹ Journalists also reported cases of stories that have been modified or not published at all.¹⁸⁰ "There are also interventions to interview specific persons. It happens that the journalist does a story that is recast by the editor to make it more gratifying for a specific political party."¹⁸¹ Journalists agreed that these cases have been more common in the coverage of politics and economics, while social issues and crime reporting are generally less pressured.¹⁸²

In general, there have been no public cases of disputes between the editors and journalists or editors and media owners, which indicates that there is a mutual understanding on how the news should be reported, as well as the degree of self-censorship. "The journalists sense the interest of the media outlet and understand what lines they should never cross, usually at the expense of news quality."¹⁸³ Other journalists said that when you understand the political leaning of the media you work for, you adapt to its editorial policy, as this makes your life easier.¹⁸⁴ Some journalists said that with the passing of time, self-censorship has been refined, becoming an integral part of journalists' work.¹⁸⁵

One of the few public discussions concerning the firing of an editor occurred in May 2010, when the shareholders' board of *Vizion Plus TV* decided to terminate without explanation the work contracts of Arban Hasani, the news director of this station, and Mero Baze, the host of the program *Faktori+*, which was later discontinued. Both Hasani and Baze, as well as several journalism associations, claimed that this decision was made under government pressure, given the critical stance of *Faktori+* and the critical editorial stance on the Government adopted by the television station.¹⁸⁶ The media company issued a statement that "the insinuations were without arguments and insubstantial,"¹⁸⁷ and that while legal aspects would be fully respected, "business interests determine the guidelines of the company, including editorial activity."¹⁸⁸ This was one of the few controversial cases when decisions on personnel and consequent disputes were made public, while generally the relation between editors and owners remains an internal matter of media outlets.

5.5

VIOLENCE AND ATTACKS ON JOURNALISTS

The cases of violence or attacks on journalists are quite rare. However, they might intensify in periods of elections or political tension. For example, when the opposition

organized an event that marked the anniversary of the opposition party protest in which four protesters were killed, the moving studios of the TV stations that wanted to cover this event were not allowed to access the street and broadcast live the documentary on the victims of January 21.¹⁸⁹ In April 2013, a cameraman of a national commercial TV station was detained by the police after a football match that led to confrontations between football club fans and police officers. While in detention in a Tirana police station, he alleged that the deputy director for public safety in the Albanian capital assaulted him before he was freed.¹⁹⁰ The police officer was suspended for a period afterwards. However, these are rare and isolated episodes and in general there is no physical violence exerted by state authorities against the journalists.

Violence might sometimes be committed by private persons. In June 2012, a journalist that had reported on the foreign owner of a cement factory was assaulted by the owner's bodyguards right in front of the police station, but the police did not intervene.¹⁹¹ Similarly, another reporter was assaulted by unknown persons in front of his newsroom in December 2012, and the perpetrators remained unknown. This culture of impunity is also another factor that contributes to intimidation of journalists and eventually to self-censorship. In general, the public reaction to media freedom violations is also quite weak, if not inexistent.¹⁹²

5.6 INVESTIGATIVE JOURNALISTS

Investigative journalism has had a slow development in the country, but some programs and journalists are now well established. The most famous one is Fiks Fare, a daily satirical investigative program broadcast by *Top Channel TV*. "Alarm" is another similar daily investigative program, run by *Ora News TV*, while Xhungel is a program broadcast by *News 24 TV*, produced by one of the most well-known investigative journalists in the country, Artan Hoxha. BIRN is also present in Tirana and the articles it produces are re-published by Albanian media.

While there are investigative programs and journalists that appear to be fairly popular, they are still part of the media outlets for which they work, meaning that they represent their interests. Their service to the society is unquestionable, but the motivation for investigative journalism not always seems to be the highest public interest. "There are cases when media institutions might investigate having in mind a specific company's interest in a specific public tender, or they might advance charges formulated by political parties. There are also numerous cases when the interested actor is the media itself, which might target a company that has not accepted its advertising offer."¹⁹³

In view of the situation with salaries and labour relations in general, and given the lack of public acknowledgement for investigative work, the Albanian environment is not favourable for investigative journalism. "Tirana's body of reporters is now made of

disappointed journalists who are financially maltreated, and of editors that serve as puppets or censors for media owners ... Apart from the lack of freedom, investigative journalists demand long-time research, which few media can afford.”¹⁹⁴ With the continuous shortage of staff in media outlets, the future of investigative journalism is likely to be even more unstable. However, one of the famous investigative journalists appears to be more optimistic on the future of this genre: “The pressure of the power, the lack of funding and human resources, the interference of media owners’ interests have led to the surrender of many investigative journalists. However, the ones that had a genuine passion and had the courage not only refused to give up, but they have intensified their rhythm, making investigative journalism more professional. The best players in the field are still there, resisting the temptation of power, challenging risks and failure. As a result, now every citizen knows where to go every time they have a problem or face injustice from the power.”¹⁹⁵

In 2012, as part of a USAID-supported program, the Association of Journalists for Justice, a network of investigative journalists, was established. They publish their stories on an online portal.¹⁹⁶ The idea of transferring investigative stories that might not be welcome in traditional media to the online environment has gained popularity recently; there have been several such initiatives, mostly supported by the Soros Foundation or other programs. However, the funding from donors at a time when this kind of funding is decreasing raises questions on their sustainability.

5.7 CLIENTELISM AND CORRUPTION AMONG JOURNALISTS

In view of the informality of labour relations in the country, it is difficult to estimate the level of journalists’ salaries. According to the union, the average wage for journalists in the country is approximately 320 euro. However, the situation of journalists varies dramatically depending on the media and especially on the location. Local media are significantly poorer than national ones, based in the capital.¹⁹⁷ In addition, within the media community there are huge differences in wages, with young journalists generally underpaid, while media directors or talk show hosts receive very high salaries.¹⁹⁸

It is difficult to establish whether the level of salaries and the problems with labour relations in general have encouraged corruption and bribery among journalists. There has been only one public case when a local journalist of the official news agency was arrested after blackmailing one of the border police officers in order to not make public a tape he had.¹⁹⁹ While the journalists interviewed for this survey generally acknowledged that corruption is present in the media, they also said that it mostly involves media management, rather than reporters.²⁰⁰ Another source stated: “Some reporters have used the information discovered during investigation for extortion or to gain favours.”²⁰¹ However, in general the public perception is that the corruption in the media is low, especially compared to that in other fields.

In the 2013 Global Corruption Barometer, the media was considered corrupt by 34 percent of people, ranking the third least corrupt actor after religious bodies and businesses.²⁰²

5.8

JOURNALISTIC AND MEDIA PRACTICES

MEDIA AND THE COVERAGE OF ELECTIONS

On 3 June 2013, the Central Elections Commission (CEC) passed the decision “On the coverage of the election campaign in private Radio/Television, based on the materials made available from electoral subjects for the Assembly elections of 23 June 2013.” This CEC decision made it mandatory for commercial television operators to include in their news editions and special electoral campaigns footage prepared and supplied by the electoral subjects. The decision also imposed special rules for broadcasting such footage. According to this decision, the operator had the option of refusing to broadcast the material prepared by the electoral subject, but only on technical grounds.

This decision came after the media coverage of the previous, 2009 elections had been assessed as a low point, since the media broadcast footage prepared by the parties, rather than reporting on campaign activities. According to the 2009 OSCE/ODIHR report on elections, campaign coverage was largely reduced to broadcasting footage and commentary provided by the political parties themselves. Before the 2013 elections, some commercial media had already made preliminary decisions not to accept such party-prepared footage. The decision of the CEC was condemned by the union, which also staged a protest with some journalists and contacted the People’s Advocate, who recommended the CEC to withdraw its decision. However, this did not happen and the media were again forced to broadcast footage presenting the elections through the eyes of political parties, rather than through the eyes of reporters. Even though some of the media outlets had learnt from the past and attempted to resist, political distrust was high and the CEC decision valued political interest over public interest and media freedom, legally transforming media into an instrument for the campaign.

COVERAGE OF TOPICS IN ALBANIAN MEDIA

The Albanian media cover a wide range of social issues, but they are not covered sufficiently.²⁰³ Meanwhile, politics is the main topic of the day in the news coverage in the Albanian media. The media coverage reflects profound political polarisation of Albanian society. Media monitoring reports are rare and unsystematic. However, the few that exist reveal the dominance of politics at the expense of other topics that might be of greater public interest. The monitoring of the main television stations’ news programs in 2009 revealed that politics and coverage of the government comprise 54 percent of the news bulletins, with the economy, culture, and sports allotted 11 percent of the time each, and

social issues receiving only 9 percent.²⁰⁴ The percentage of news covering government and politics was highest on the public service broadcaster, with 66 percent, while the other three main stations allocated at least 48 percent to these topics. The press monitoring yielded the same results: newspapers lean mostly toward politics and to a much lesser degree cover crime and court proceedings, while social issues occupy only a minor space.²⁰⁵

THE PROTESTS OF 21 JANUARY 2011 AND ALBANIAN MEDIA

On 21 January 2011, the then opposition party organized a protest in front of the government headquarters. Four persons were killed in the protests, allegedly by the Republican Guard. Given the climate of tension and warnings against violence that preceded the protest, as well as some violent acts of protesters, the government tried to spin the situation by saying that the victims were killed by infiltrators who had guns masked as umbrellas, rather than by the guard officers. However, Artan Hoxha of *News 24 TV* showed footage shot by the cameras of this media outlet that seemed to prove that the protesters were killed by the bullets fired from the guns of the guard officers. Soon after he broadcast this information, some other media outlets also joined in and provided their footage. “Thanks to the courage and work of all cameramen that have seen and shot the scenes of gun shooting, we can reconstruct the events of 21 January on our own,”²⁰⁶ Artan Hoxha said.

5.9 THE BRIGHT SIDE OF ALBANIAN JOURNALISM

Perhaps the intensified activity of the union in recent years is a positive example that assists media integrity. After many years, some of the main media outlets have signed work contracts with employees, although they might be just formal ones. In addition, the union has been active in organizing protests, issuing statements, and even praising journalists’ activity by giving awards. For the first time, the union has a structure and local branches, showing some signs of organisation. However, the turnout at protests is quite low and solidarity is weak. The union itself faces financial hardship due to the lack of funding and irregular payment of membership fees. In addition, the weak implementation of the labour code in the country also makes it more difficult for the union to achieve visible results and strengthen organisation of journalists.

It should also be said that the role of the media in particular moments has been significant. For example, their involvement in shedding light on the 21 January protests was a positive and courageous example of informing the public opinion on what really happened, as well as one of the few examples of investigative stories with a clear public impact. Of course, the fact that the media that exposed the events were considered closer to the opposition at the time is also significant and might affect the overall outcome. However, it cannot be denied that there are examples of media’s attempts to serve the public interest,

even though this might coincide with political interests. In addition, the protest against the CEC-ordered coverage of elections, although weak and unsuccessful, was still a sign of rebellion and the awareness of the need for media to detach from politics.

5.10

CONCLUSIONS

Media professionalism faces several challenges related to the environment in which it operates, such as weak implementation of labour relations in the country, ongoing financial crisis in the media, pressure on journalists from external and internal sources, and a general lack of solidarity both within the journalists' circle and from the public. Furthermore, the journalists lack a tradition of organizing for their own good, while the trade union, despite its efforts, is still weak. In this context, quality journalism and especially investigative journalism are not especially strong, reflecting the specific conditions in which journalists work. However, a general apathy and discouragement of journalists from the profession, sometimes combined with corruptive practices, also affects the state of journalism in the country. Nonetheless, there are also positive examples of media coverage and progress done over the years is visible.

6.

GENERAL CONCLUSIONS

Albanian media legislation is in place and is generally considered satisfactory, but problems with its implementation persist. Media policy making is affected mainly by political actors and by commercial players, even though civil society has strengthened its lobbying efforts regarding the drafting and passing of legislation. The regulatory body has struggled to establish its authority in the face of political pressure, pressure of operators, and existing informality. While legislation efforts have improved, influenced also by EU conditionality in harmonizing legislation, the attempts to implement the law to the letter will take much longer.

Apart from legislative processes, the media environment and journalism are ultimately affected by an array of other factors. The media landscape mirrors the political divide in the country, with media content displaying affinities for one party over another. Political influence over media is exerted through direct involvement of the media owners in politics, hidden shares, or media owners' affiliations with particular politicians. This clientelistic relationship became most visible in 2013, when it was revealed that a series of advertisements for state institutions was awarded to a particular media group. Clientelism also manifests itself in other ways, for example, through blind obedience to large commercial advertisers and advertisements for media owners' other companies in news reports. The

businesses of media owners seem to have a major role in keeping alive the distorted media landscape, prolonging in this way dubious business practices that see media as a tool to promote other political and economic interests.

In this environment, it is difficult to speak of quality journalism. Financial crisis has hit certain media sectors hard, increasing the burden on remaining journalists, while strengthening a feeling of insecurity within the profession. The weak implementation of the labour relations in the country had not spared media and journalists. The failure of the latter to organize in unions and demand their rights does not help in this regard. Furthermore, the lack of professionalism, corrupt practices, and compromises are also factors to account for in assessing the overall state of journalism. A result of the interplay of many of these factors is self-censorship that seems to have become a common phenomenon.

Overall, despite the progress that has been made, it seems that the risks to media integrity are numerous and visible. They include the lack of transparency of media funding and of business practices, a weak public broadcaster, and the dominance of political and private interests over public interests in developing and implementing media policies.

RECOMMENDATIONS

MEDIA POLICY

- (1) Existing legislation should be improved. Defamation is not fully decriminalized, while FOIA has proved to be inadequate to information needs.
- (2) Media policies and legislation adoption should be enhanced. While the circle of actors that provide feedback on media legislation has increased, the reflection on their contribution remains limited. Expanding the base of actors that can contribute and ensuring through various discussion forums that their contribution, if relevant, becomes part of the legislation, would be helpful. Furthermore, the bodies responsible for drafting media policies should try to base their decisions on existing studies and research rather than solely on the feedback from actors that have vested interests.
- (3) The independence and authority of regulators should be strengthened by adopting formulas that limit political interference and pressure and by establishing a suitable funding scheme, while demanding their greater accountability to the public and increased transparency.
- (4) Civil society organisations should regularly monitor both the process of media policies drafting and their implementation in practice.

MEDIA OWNERSHIP

- (1) Transparency of official data provided by the regulator should be increased. The regulatory authority should establish an online register of the registered media outlets, listing ownership data and other relevant information.
- (2) The monitoring of dubious practices in ownership patterns should be increased. Apart from the regulatory body for broadcast media, this role can also be carried out by the competition authority, ensuring that controversial or hidden cases of ownership are investigated in a fair and transparent manner.
- (3) Cross-ownership rules should be reconsidered, given the tendencies towards concentration of the media market.

MEDIA FINANCES

- (1) A publication of financial reports of media companies should be considered by the tax authorities or other relevant bodies.
- (2) Every move that aims to improve financial transparency of the media should be encouraged, e.g. the publication of annual reports and balances by the media itself, publication of market studies, etc.

- (3) Joint industry initiatives should be promoted, aimed at increasing the transparency of the media performance, the advertising market, and other aspects of media finances.
- (4) Distribution and transparency of the rules for government advertising should be improved and related practices continuously monitored.

PUBLIC SERVICE BROADCASTING

- (1) Political interference in the election of the Steering Council and in the daily operations of PSB should be eliminated.
- (2) The financing scheme of PSB should be improved and greater accountability, in terms of finances, management, and fulfilment of the public service role should be required.
- (3) Practices that increase transparency of an institution vis-a-vis the public should be encouraged.
- (4) Amendments of strict legal and financial rules that might be restricting PSB in view of its specific nature should be considered.
- (5) Fair competition practices should be encouraged, to ensure that PSB and commercial media are at the same level (respect for intellectual property, respect for labour relations, etc).

JOURNALISTS AND JOURNALISM

- (1) The implementation of journalists' labour rights should be enhanced.
- (2) Professional journalism should be encouraged through competitions, distribution of awards, and other initiatives.
- (3) Regular debates and exchange among journalists should be promoted to keep alive the discussion on professional norms and potential self-regulation.

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