

MEDIA IN TRANSITION:

reflections three decades on

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CHAPTER 1

THE ALBANIAN MEDIA ON A 30-YEAR TRANSITION JOURNEY: A HISTORICAL OVERVIEW

I. THE WRITTEN PRESS: A BUMPY ROAD

A historical preface

After the collapse of the communist regime, which lasted for more than 45 years, during which the press was completely controlled by the government, the Albanian media embarked on a new development journey in 1990. A new kind of journalism came into being thanks to new social and political conditions created in the country over the course of the year 1990.

The birthdate of the press during this period of transition from the communist regime is considered to be January 5, 1991, when the first issue of the daily *Rilindja Demokratike* (Democratic Renaissance) hit the streets. Its publication marked the beginning of a new era of freedom of speech, for both the press and the Albanian society.

The first signs of changes to come for the Albanian press appeared some time before the anti-communist movement of December 1990. Some of these signs included a series of articles in the *Bashkimi* (The Union) newspaper, which ran contrary to the “party line” and professional guidelines of the time. These articles on economic matters aimed at opening up the Albanian society. Elements which challenged government policies also appeared on stories published by the newspaper *Drita* (The Light), as well as in some stories and articles published on *Zëri i Popullit* (The Voice of the People). Also, the publication of an interview with novelist Ismail Kadare by the newspaper *Zëri i Rinisë* (The Voice of the Youth), in March 1990, caused quite a sensation among the public.

A wave of public discussion and polemics followed the publication of an article by cardiologist Sali Berisha in the *Bashkimi* newspaper (September 1990), with the headline *Democracy and Humanism* (Demokracia dhe Humanizmi),

as well as a piece written by a member of the Academy of Sciences, Ylli Popa, *In Search of the Time Lost* (Në kërkim të kohës së humbur), which was published by Zëri i Popullit¹.

In some of the main newspapers of that time the unfolding of democratic ideas would go even further. To some extent the newspapers of the time served as sounding boards for new ideas and ideals. Of course, there was no shortage of pressure and tight control from “the top” on the press during that time, and yet, articles on ideas and opinions, which heralded the arrival of a new brand of journalism, kept popping up, which shows that even during that period journalists did not stay idle, but to some extent they were precursors of the massive anti-communist student movement. However, it should be pointed out that this was in no way an indication of widespread dissidence among journalists, rather the workings of a few individuals which were quicker in deciphering messages emanating from Eastern Europe, and the pressure applied by the West.

There are several particular takeaways from this period²: firstly, even though one could sense that the wind of change was about to blow in politics, economy and society, newspaper articles on everyday issues employed a “cautious” tone, rather than a straightforward one, and the public was supposed to read in between the lines; secondly, up until the moment Rilindja Demokratike came off the presses there were no opposition media in the country, which means that all media organizations followed the party line; thirdly, during this period of transition there were attempts to establish a media system built on democratic principles, but this process was marred by issues and problems reminiscent of the single-party state system, applied under the new conditions, especially with regards to party newspapers; fourthly, during this period of transition, the press was not able to free itself, especially during the early years, from the mindset which plagued the media under the old regime; and lastly, the press of the period of transition, in the beginning, grew and developed from within the media organizations of that era, which could be considered as the first phase of the transition.

¹ H. Boriçi & M. Marku, *Histori e shtypit shqiptar: Nga fillimet deri në ditët tona* (History of the Albanian press: From its beginnings to date) 2010.

² B. Fevziu, *Historia e shtypit shqiptar 1848 – 2005* (History of the Albanian press 1848 – 2005), 2005.

The emergence of the free press

The students' movement and the founding of the Democratic Party brought about a genuine renaissance of all aspects of life in the country. They toppled the mythical power of the dictatorship and neutralized its institutions of repression. Albanians started to experience unknown sensations after 50 years of dictatorship, such as freedom and human rights. In this environment Rilindja Demokratike was born, the newspaper of the Democratic Party.

The publication of Rilindja Demokratike was in itself a revolution for the Albanian press. It marked the end of the communist model and propaganda in the press; it created the right conditions for a new generation of journalists; established the foundations of opposition journalism, as an important element in a democratic society; it revolutionized methods of expression and graphic design, and it also recorded the sale of unprecedented numbers of copies. To some extent, Rilindja Demokratike marked the beginning of the truly modern and free Albanian press. Before that, Albania had never experienced a press that came anywhere close to international standards, and Rilindja Demokratike was a forerunner in this aspect.

This newspaper heralded the dawn of a new era of hopefulness, of a new political and social system, a harbinger of free media, in a society which was striving to establish a western-style democratic social system, in which everyone would enjoy their rights and freedoms. Rilindja Demokratike newspaper was very much welcomed by the public, as the circulation increased to 100,000 copies within a short period of time, but even that number was not enough.

Rilindja Demokratike was not just a newspaper reporting on daily events. It was mainly a newspaper publishing ideas and opinions, in other words, it was a platform of reflection on the dictatorship of the past and the democracy of the future. It established the first model of a serious opposition, which was getting ready to take over the country. Rilindja Demokratike reported eagerly and professionally on all the main political and historical events of that time. One could say that this newspaper was the sole witness, or almost the only witness, of one of the most important moments in the history of Albania.

At first, the newspaper was printed in broadsheet format with six pages, twice a week, but later it changed its periodicity and size. It started to hit the streets three times a week, and later it was published on a daily basis. The number of pages increased to eight, and later to 16. At the present it continues to be the newspaper of the Democratic Party, but it no longer enjoys the role and the importance of its early days.

As more political parties were founded, the number of politically-aligned newspapers increased accordingly. *Rilindja Demokratike* was followed by *Republika* newspaper of the Republican Party, *Alternativa-SD* of the Social-democratic Party, *Progresi Agrar* (Agrarian Progress) of the Agrarian Party, *Kombi* (The Nation) of the Party of National Unity in 1991, *Balli Kombëtar* (The National Front) of the National Front Party in 1992, *Atdheu* (Fatherland) of the Party of Legality Movement in 1993, etc³.

Among the publication of that time, it is worth to recall the newspaper *Sindikalisti* (Trade Unionist), which was first printed in April 1991, and had an impact on the events of that period. At first it came off the presses as a weekly newspaper, and later it changed to a biweekly publication. It was the first newspaper to publish a story on the scandal of humanitarian aid, which concluded with the imprisonment of former prime minister Fatos Nano, chairman of the Socialist Party at the time. However, after 1992 it was just another lackluster newspaper.

Aleanca (Alliance) newspaper was first printed in March 1993, and at the beginning it came out twice a week, later three times a week, and then it became a weekly newspaper. For a long period of time that newspaper was ranked among the top publications by circulation, but could not keep up with the competition in financial terms. In 1996 it merged with *Alternativa-SD* and established a newspaper called *Poli i Qendrës* (The Pole of the Center).

In April 1991 several newspapers of cultural organizations came off the presses for the first time, such as *Vatra amtare-Çamëria* (Motherland Hearth – Çamëria) published by the Çamëria organization. During that same month (April 19, 1991), the Pristina-based newspaper *Rilindja* (Renaissance) was published in Tirana, following the shutdown in Kosovo by Serbian authorities. Alongside political and independent newspapers, religious publications came into being, such as the magazine *Hylli i Dritës* (The Star of Light), and the newspaper *Drita Islame* (Islamic Light), which was later transformed into a monthly magazine⁴.

The number of new magazine and newspapers coming off the presses increased on a daily basis, while the newspapers of the communist period continued to be published, such as *Zëri i Popullit*, *Bashkimi*, *Zëri i Rinisë*, *Drita*, *Puna* (Labor) – which later changed its name to *Pasqyra* (Mirror), *Mësuesi* (Teacher), etc.

³ Të dhëna mbi median shqiptare 1991-1998, (Data on the Albanian media 1991-1998) 1998.

⁴ H. Boriçi, Një shekull e gjysmë publicistikë shqiptare, (A century and a half of Albanian journalism), 1997.

The new democratic press had a massive impact on these media organizations, leftovers from the previous regime, as they managed to achieve a certain degree of independence from institutions to which they once served, until they finally began to be published as independent newspapers, with the exception of *Zëri i Popullit*, which continued to be the newspaper of the Socialist Party.

Changes in the way press organizations functioned in Tirana also left their mark in some local newspapers, depending on the situation and conditions on the ground, as they were financed by the local steering committees of the communist party in the districts. For example, *Adriatiku* newspaper in the port city of Durrës distanced itself quite early from the old party line. In Korça, the newspaper *Përpara* (Forward) was renamed as *Koha* (Time), as a tribute to the newspaper of Mihal Grameno, which was published in the early years of the 20th century. In Lezha, the newspaper *Koha Jonë* (Our Time) was one of the first publications to break free, and soon became one of the bestselling daily newspapers in the country.

The first steps of the free press

The transformation of *Koha Jonë* newspaper, from a mouthpiece of the steering committee of the Party of Labor for the district of Lezha, to an independent newspaper, after it was privatized in May 1991, could be considered as a turning point in the process of conversion from a party publication system into an independent press.

Dwelling a bit longer on the *Koha Jonë* “phenomenon”: its first editor in chief was Nikollë Lesi, who in 1992 was joined by a new partner, which picked up 40 percent of the shares and became the new editor in chief, Aleksandër Frangaj. In 1992, the newspaper moved its operations to Tirana and it was printed twice a week. In September 1993 the newspaper was published three times a week, while in January 1994 it became a daily newspaper. *Koha Jonë* dominated the Albanian press market up until mid-1998. It played an immensely important role in shaping up the public opinion, especially during the last month of the Democratic Party (DP) government in 1997. It also played a special role in the development of journalism in the country. It was the first newspaper to function with a modern structure, and it revolutionized the Albanian press towards an information-oriented medium. *Koha Jonë* was the first newspaper to publish in 1994 a supplement called AKS (Arts, Culture, Sports).

The transformation of *Koha Jonë* into the largest circulation newspaper in the country was not an easy thing to accomplish. It survived a long and brutal

confrontation with the DP regime, a clash which included uninterrupted financial scrutiny and harassment, as well as criminal prosecution cases against its journalists.

This period of blossoming of the independent press - which we consider as the second phase in the development of the press, following the emergence of the partisan newspapers - continued with the publication of *Gazeta Shqiptare* (Albanian Gazette), by the company Edisud, which was a tribute to *Gazeta Shqiptare* published around the period 1920-30. It hit the streets for the first time in April 1993 as a bilingual newspaper, in Albanian and Italian. It continued like that for a while, until it switched to Albanian and a local editor in chief took over its management.

Dita Informacion (Day Information), an independent newspaper, was printed for the first time in April 1993 as a weekly publication, later it came out twice a week, and from 1996 on it became a daily newspaper. It was managed by Shpëtim Nazarko, who was also the owner of the publication. It was the first newspaper to break free from the traditional formats of the Albanian press, and the first one to print two of its pages in color. It ceased publication in 1997, but resumed operations in 2001, with a new format and new owners.

Newspaper *Populli Po* (Yes to the People) was published during the period 1993-1995. It was managed and owned by Ilirian Zhupa. It went through several stages, as a weekly, daily publication, and then it switched to twice a week, until it went bankrupt in 1995.

Newspaper *Albania* started to be published in September 1995 as a daily newspaper. It was published by Faik Konica Foundation, and it was managed by Ylli Rakipi. It was published in Albanian, but it also included a page in English. It was a newspaper which was politically aligned on the right side of the political spectrum, and initially it supported the Democratic Party and its government. From 1999 on, it adopted a more independent political stance. Another newspaper that should be mentioned here is the *Illyria* newspaper, a privately-published press outlet which started to be published in 1992, in New York. This newspaper was published in Albanian and English, and became one of the most important news sources for the Albanian diaspora, especially for emigrants in the US.

The state-run mass media was represented by the Albanian Telegraphic Agency (ATSH) and its newspaper *Lajmi i Ditës* (Daily News - a daily publication of the ATSH publishing house).

From pluralism to independence

Some 270 newspapers and magazines were published in Albania during the period 1991-1997⁵, in two distinct phases of development of the press. **The first phase** (1991-1994) in the development of the free press was dominated by politically-aligned newspapers, which were either mouthpieces of political parties or various organizations. On the other hand, **the second phase** (1994-1996) was largely dominated by independent newspapers and magazines.

In the early days their owners were businessmen interested solely in the media industry. However, after a few years' powerful businessmen started to invest heavily in the media, such as the case of the owner of *Shekulli* newspaper, Koço Kokëdhima.

During the period 1991-1997 the Albanian press gained insights and know-how that it had never experienced before. There were significant improvements in the format and graphic design, also thanks to a technological revolution in the field of printing.

After it managed to escape the clutches of censorship, the press was opened to all topics and ideas. It started to have a major impact in politics, society, and culture in the country. During these years the press accumulated so much power, that it truly became the fourth estate. Newspapers were met head on by competition in a free market, and they adapted to these new rules. The most important aspect is that during this period, for the first time, opinion columns and editorials were playing second fiddle to news and information.

One of the main achievements of this period was the education and training of young journalists. Most of the journalists of the old times were somewhat compromised by their involvement in the communist-era press, and furthermore the medium had changed dramatically since then, so new classes of journalists joined this profession during the period 1991-1996. This new batch of professionals, which had received a more liberal education, and had no direct ties to the dictatorship, revolutionized the press in a calm and steady manner.

One of the main problems with the press of that time was the disregard or ignorance of rules of professional ethics, and news accuracy. For a long period of time newspapers were filled with bitter, back-and-forth accusations and replies among journalists, and it took quite some time for this phenomenon to finally go out of fashion. These problems arose mainly due to a fierce conflict between the party press and independent newspapers. The loss of the supremacy of party newspapers, the weakening of positions of editorials and political columns over journalism, and the market takeover by

independent media outlets, was in itself a revolution. This process involved improvements on all aspects of this profession, and brought the Albanian press closer to meeting international standards.

A turning point was the publication of *Shekulli* newspaper in September 1997⁶. *Shekulli* became the best-selling newspaper in the country within two years, and the press entered into a new dimension of professionalism. The press broke away from political alignment in support of this, or that other, political party, and began to serve the public ever more professionally. After 1999 it became more difficult to identify the political bias or leaning of most newspapers, as they quite often switched and changed allegiances according to the situation at hand, or the political beliefs of their managers and columnists. Even though the circulation of newspapers dropped significantly over the years, the number of press outlets increased all the time, and in 2005 there were 32 daily newspapers in Albania, including several sports newspapers.

Shekulli newspaper mirrored to some extent changes and developments of the Albanian society, and helped usher the media into a new era. *Shekulli* could be easily told apart because of its graphic design, the reporting of news stories, as well as its use of columns and editorials. This newspaper devoted more space and attention to social issues and problems, crime stories, and matters related to sports and culture. Even though politics continued to be the main subject of coverage, its role and importance within the newspaper was visibly reduced in comparison to previous models in the press.

Panorama newspaper came off the presses in 2002 as a daily newspaper, and it was fashioned according to the format of *Gazeta Shqiptare*. *Panorama* devoted a lot of space and attention to crime reporting, as well as special reports and dossiers on events of the past. It soon became one of the leading daily newspapers in the country. After 2001 several newspapers hit the streets, including *Sot* (Today), *Ballkan*, *Metropol*, *Ekspres*, etc.

An analysis of some of the problems and challenges that newspapers faced during the period 1992-2005, reveals that the main issues remained pretty much the same. Technical issues represented the most serious problems for the press. Heavy taxes and the necessity to import raw materials considerably increased production costs, and consequently the price of newspapers. Albanian newspapers in 1995 were the most expensive newspapers in all Eastern Europe, in relation to salaries.

Distribution was another serious problem. The distribution system that was established during communism was dismantled. The system of subscriptions also failed, and newspapers and magazine were only distributed in the main

cities of the country. As a result, some 60 percent of the population, living in villages and small towns, was deprived of the right to information.

The sale of newspapers also continued to take place in makeshift stands and facilities, often with newspaper salesmen standing on sidewalks depending in the climate. This meant that the sale of newspapers depended largely on the weather conditions at any given day, and not much more than that. Continuous efforts to improve this situation did not achieve any success.

This period was also marked by the publication of a large number of magazines. *Klan* magazine was first published in February 1997, and it was the first serious, western-style magazine to hit the stands. It revolutionized and completely transformed the Albanian market for weekly publications. It is also worth mentioning here two other magazines: *Spektër* and *Biznesi*, published by the same media group of *Shekulli* newspaper. *Spektër* (1999) was a typical general interest magazine, and it paid particular attention to pictures and graphic design. *Mapo* magazine arrived a bit later, in 2007, and at the time caused a bit of a sensation in the Albanian press market. Several women's magazines were also published during this period, such as *Femra moderne* (Modern Women) and *Jeta* (Life), as well as several literary magazines, such as: *Aleph*, *Mehr Licht*. Another magazine, *Përpyjekja* (Endeavor), included a mixture of literary interests and special focuses on history, philosophy, and sociology.

During this period the press market reached a point of stability, as four newspapers *Panorama*, *Shekulli*, *Gazeta Shqiptare* and *Shqip* (Albanian) dominated the press market in Albania. Three of these four newspapers with the largest circulation in the country were general interest publications: *Shekulli*, *Panorama*, *Shqip*, while *Gazeta Shqiptare* was a mixture of two models. Alongside the aforementioned newspapers, other dailies continued to be published in the country, such as *Koha Jonë*, *Standard*, *Tema*, *Sot*, *Metropol*, *Albania*, *Ballkan*. Other newspapers published mainly commentaries and columns, as well as several special interest publications.

Entering the age of internet

Newspapers started to get online since 1997, as soon as internet services were provided by private companies, and the state-run Albtelekom. At first access to internet was very expensive, but as time went by prices dropped, and that helped to reduce the financial burden on newspapers. After 1997, many newspapers cancelled their subscriptions to ATSH, which used to be the only source for foreign news at the time, as they could use the internet for

such purposes. Similarly, several newspapers cancelled their subscriptions to Reuters or AFP for stories and pictures, as it appeared that pictures and other media products could be retrieved free of charge from the internet. The online publication of newspapers and the ever-improving internet coverage, displaced a large number of readers from the offline world to the internet, which caused a considerable reduction in newspapers' circulations, even though this is not just a problem of the Albanian written media.

This repositioning of the print media, following the massive technological upheaval of everyday life by the internet, brought about the need to readjust to the new conditions in terms of financial survival and media products.

Some of the main problems affecting the written press nowadays, besides adapting to the new conditions, include a loss of credibility, commercialization, and clientelism. The loss of credibility is closely related to a weakening of professional standards in the media industry, as well as strong clientelistic tendencies in the press, even though the print media is not the only sector suffering from this problem. From an economic standpoint, a particularly huge problem for the print media continues to be the establishment of an efficient distribution network, especially when almost half the country is not yet covered by any distribution scheme. Newspaper sales are expected to drop year after year, while all the data on the advertising market show that companies are abandoning the print media, as they prefer to run ads online. These trends and developments have made it harder for the print media to survive, and have forced newspapers to reduce costs to a minimum, while some of them have emigrated online altogether. This whole process has been accompanied by a drastic reduction in the number of journalists in newsrooms, which has brought about a task overload for journalists, and yet another drop in the level of professional standards. Faced with this vicious circle, between ever-decreasing economic opportunities and decline in product quality, the future of the print media in Albania remains uncertain, which is also a reflection of a crisis that has plagued this industry on a global level.

II. AN OVERVIEW OF BROADCAST MEDIA IN ALBANIA

The emergence of private TV stations in Albania (1995-2000)

The first Albanian private TV station was Shijak TV, which started to broadcast on December 25, 1995, which is also the birthdate of private TV broadcasts in the country. The first show broadcasted by Shijak TV, on a VHS format, was footage of grade-school children celebrating Christmas and New Year which was shot with an amateur camera. From that moment, until November 1998, Shijak TV moved its operations to Tirana, and switched from VHS to Super VHS and Beta. Following this move, the TV station opened branch offices and hired correspondents in Shijak, Durrës, Kavaja, and Lezha, while 19 people were working full time, including seven journalists.

Telenorba Shqiptare (Albanian Telenorba - TNSH), which was based in Bari, Italy, started to broadcast around mid-1995, but however TNSH, as an affiliate of Telenorba Italia, received official permission by the government to broadcast in Albania in April 1996, which was the official date for the start of operations of this TV station in the country.

The first production studio was established late in 1995⁷, Gjeli Vizion (Rooster Vision) owned by Agim Buxheli. Gjeli Vizion was a mobile TV production studio, which was equipped with a four-camera broadcast mix.

This is a rundown of the first private TV stations in chronological order: Shijak TV on December 25, 1995; the second private TV station was Antena Jug (Antenna South) in Gjirokastra, on April 21, 1996; Alba TV, the first TV station to start broadcasts in Tirana, in May 1996; TVA in Tirana, and TV Rozafa in Shkodra, in December 1996; Teuta TV in Durrës in March 1997; TV Klan in October 1997; TV Koha in November 1998; Vizion TV in November 1999 in Tirana, etc⁸.

Following the approval of Law 8401, on September 30, 1998 “On public and private radio and television in the Republic of Albania”, and the establishment of the National Committee on Radio and Television (KKRT), which was later

⁵ H. Boriçi, “Një shekull e gjysmë publicistikë shqiptare” (A century and a half of Albanian journalism), 1997.

⁶ The data on this section are based on: <http://www.doktoratura.unitir.edu.al/wp-content/uploads/2014/02/Doktoratura-Sami-Neza-Fakulteti-i-Histori-Filologjise-Departamenti-i-Gazetarise.pdf>

⁷ <https://al.ejo-online.eu/media-dhe-politika/lindja-e-televizioneve-private-ne-shqiperi>

⁸ Ibid.

replaced by AMA, the parliament of Albania legally recognized the first private broadcasters in the country. Up until the approval of that law, as many as 31 TV stations and two production studios were operating in Albania, and most of them were licensed around the period October-December 2000.

There are two main aspects to be considered during this period on the emergence of private broadcasters in Albania. The first one regards the transformation of the state run broadcaster into a public institution, while the second aspect concerns the liberalization of the market and the emergence of the first private TV stations, which in the early days operated illegally⁹.

TV stations vary not only by their broadcasting status, but also based on their format. In Albania, a number of TV stations offered general-interest programming, which provided for a wide range of shows and programs: information, public affairs show, social or cultural programs, documentaries, movies, music, sports. On the other hand, another broadcasting format focused on special interest programming. They could be news television stations, or music only TV stations, as well as other broadcasters with mixed programming, providing a mixture of news and shows.

Most of the private TV stations that started operating before 2000 did not have a proper business plan and also were not experienced in the field. For example, around 75 percent of television studios and offices of private TV stations were situated in private apartments, a floor in a rented villa, etc.

With regards to funds, personnel and equipment of private broadcasters up until 1999, only three out of 30 TV stations at the time had employed more than 35 full-time people, four TV stations operated with personnel of 20-25 persons, while the rest had hired even fewer people than that. However, these data should be taken with a pinch of salt, as these figures were reported by the owners of these TV stations, at a time when a large part of their staff worked without contracts, or were registered as part-time employees.

Most of the private broadcasters started their operations using VHS amateur cameras, and later switched to semi-professional Umatic, or SVHS cameras. In 1999, only TV Klan, TNSH, and Alba TV, operated using professional Beta equipment, while the rest of private TV stations were still using semi-professional equipment.

Revenues from advertising until the end of 1998 were not sufficient to cover the expenses of a TV station, especially those operating in the districts.

⁹ <http://www.doktoratura.unitir.edu.al/wp-content/uploads/2017/04/Dotoratura-Ramadan-%C3%87ipuri.pdf>

From 1995 until the end of 1999 TV stations experienced a severe shortage of trained and experienced personnel. Even though some employees of TVSH privately provided some assistance to a few TV stations, most of the staff had no training or know-how in this field. Most of them were unable to properly use the equipment at their disposal, while the majority of the engineers and technical staff at the time had majored in electrical engineering.

Similarly, most of the journalists had previously worked in newspapers, or had just graduated in Albanian language and letters, business school, and later journalism.

During this period, some 30 private TV stations produced an average of seven hours of TV programming in Albanian, while the rest of the 24-hour cycle was filled with programming carried from foreign TV channels, from late in the evening until morning.

The first national-coverage TV stations

On November 14, 2000, KKRT granted the first national broadcasting licenses to private TV stations, respectively to TV Arbëria and TV Klan. Unlike most private TV stations at the time, Tele-Arbëria started to broadcast with 24-hour programming, and its signal covered only Tirana. From the very beginning the programming of TVA focused on entertainment.

TV Klan, the second broadcaster licensed by KKRT at the end of 2000 to cover with its signal the whole country, started broadcasting in Tirana, on October 25, 1997. Unlike other TV stations, Klan started operating on a Super VHS system, while its whole programming consisted of movies, with no Albanian translation. In June 1998, this TV station started to switch to a Beta system. Besides making use of more advanced technical equipment, when compared to other TV stations, Klan started to broadcast 24 hours a day, with seven and a half hours of Albanian programming. Up until then, this TV station produced two newscasts a day, at 19.30 and 23.00, but it later switched to a four-newscast programming. Klan TV employed 41 people, including 14 journalists and cameramen. According to KKRT data, TV Klan covered with signal 40.91 percent of the territory of Albania.

In the years that followed there was realignment and readjustment of the market, as Arbëria, one of the national license TV stations, went bankrupt in 2008.

Top Channel, another TV station with national broadcast license, was established in July 30, 2001, with an ambitious plan to become, as stated in

its official website, “the best TV station for all Albanians, with a programming based on information, entertainment, and education.” Top Channel started broadcasts on December 20, 2001, and quickly became the best TV station in the country, thanks to the recruitment of creative personnel and journalists, modern technologies and up to date equipment, as well as innovative ideas on programming and distribution. On May 10, 2009, Top Channel started broadcasting in HD, during the finale show of *Top Fest 6*, thus becoming the first TV station in Albania, and the region, to use this technology.

Vizion Plus started broadcasting in 1999, as a local TV station, but it later expanded its area of coverage. The TV station was granted a national broadcast license in 2008, and it received in 2016 one of five national licenses to broadcast digitally. Vizion Plus also broadcasts by satellite, and through the terrestrial digital platform Tring. Throughout the years Vizion+ has experimented with various forms of shows, by providing a wide array of programming to the public.

Satellite and terrestrial digital platforms

Digital broadcasting arrived in Albania as an unwelcomed and unexpected guest, as the country was unprepared from a legal and institutional point of view. The first terrestrial digital platform, Digitalb, started broadcasting on July 15, 2004, amid fierce controversy and objections from regulators and other TV stations, as there was no legal framework on digital broadcasting. The legal regulation of the operations of such companies was debated fiercely, with the involvement of the regulating body, the parliament, international organizations, and media representatives. Even though they were operating as “outlaws,” since the law failed to regulate their workings, digital broadcasters were playing a very important role in the Albanian media market, and were taking a large share of advertising funds. The legal framework on digital broadcasts was approved in summer 2007, but these sets of laws would be revised several times, with the adoption of new laws and regulations.

Even though Digitalb was carrying on with its operations in a murky legal situation, it continued to grow rapidly, and within the first four years it had managed to accumulate some 120,000 clients in Albania and abroad, according to the data provided by the company. Three other digital platforms entered the market, Sat+, Tring, and Supersport. Supersport was a branch of Digitalb.

Soon after Digitalb, another company, SAT+, entered the market, but it did not last long. Another digital broadcaster, Tring TV, entered the market in 2008. Tring is a satellite and terrestrial digital platform owned by Tring TV Sh.a.

Tring started digital broadcasts in 2008, and its signal covered the main cities in the country. On satellite, Tring could be accessed all over Albania, Europe, and elsewhere through My Tring IPTV. Tring digital platform is a branch of EdilAl Group, together with national coverage TV station Vizion Plus HD, and special interest channel, Living HD. In 2012, Tring switched several channels to HDTV.

After a lengthy legislative process, debates, changes in some of the initial regulations, and several court proceedings, digital broadcast licenses were finally assigned in 2016 to Top Channel, TV Klan, Digitalb, and later to Vizion Plus. In 2017, another license was granted to ADTN, a company which is owned 100 percent by Digitalb.

The Albanian public broadcaster from its beginnings to the digital era

The Albanian public TV station, TVSH, started to broadcast on April 29, 1960, covering with signal only a small portion of Tirana. In 1966, the area of coverage included the city of Durrës¹⁰. In the early 90s it went through a process of radical change to transform this institution into a public broadcaster. This reform aimed at providing balanced, independent, and impartial information to the public, in-depth programming on domestic and foreign public affairs, and the production of TV shows which would depict contemporary everyday life in Albania. As a public broadcaster, TVSH should contribute in the shaping of a national identity, and represent a common denominator to the whole population. As a public broadcaster, TVSH should produce high quality programming for pre-school and school children. TVSH should also be the main platform to broadcast to the public the main national and international sporting events with participation by Albanians. It should also purchase high quality European TV shows and programming.

Year after year, TVSH has been devoting more attention to political shows, as their airtime has nearly doubled over the recent years. This also due to live broadcasts of parliament hearings and special sessions, which significantly increase the amount of airtime for this category of shows.

¹⁰ <http://www.doktoratura.unitir.edu.al/wp-content/uploads/2018/09/doktoratura-Raimonda-Nelku.pdf>

TVSH programming includes a number of shows that take full advantage of their facilities and personnel. TVSH has broadcasted some iconic shows over the years, such as *Trupi dhe shëndeti* (Body and Health), *Hapësirë e Blertë* (Green Space). Morning shows, such as *Jo vetëm kafe* (Not Just Coffee), *Kafeja e së dielës* (Coffee on a Sunday), and *Mirësevjen* (Welcome) have been part of TVSH programming over the years, presenting a press review of newspapers, reporting on daily events, music and entertainment, as well as interviews and information tailored to the needs of early morning viewers¹¹.

TVSH is also required by law to report on main events of official religious institutions.

The department for the production of shows for children and youth was a leftover from the old communist days, but that gave TVSH an edge, as they were in a much better position than private TV stations in the production of shows for children, such as *Mini Mini Show*, *Troç* (Tell It Straight), etc.

The process of the implementation of the digitalization project of TVSH broadcasts was another novelty in improving the quality of its public service, as the TV station would now broadcast in 12 channels, and provide support to local broadcasters in the process. The kick start of the digitalization process for RTSH was a serious challenge, regarding the adoption of a legal framework, as well as the process of public tendering, and project financing. In the meantime, this process afforded RTSH an opportunity to improve its programming, the quality of its signal, and extend its area of coverage. Presently, the digital platform of RTSH broadcasts in 12 channels. Three of them broadcast general interest programming, while the rest are thematic channels, such as Albanian movies, arts and culture, sports, children shows, educational programming, news, etc. RTSH-2 carries newscasts in five languages of ethnic minorities: Arumanian, Greek, Macedonian, Roma, and Serbian. The digital platform also carries broadcasts of two TVSH affiliates in the districts, TV Gjirokastra, and TV Korça. RTSH has been competing more aggressively to buy broadcasting rights of sporting events, and in 2018 it broadcasted all the matches of the world soccer championship free-of-charge, and it is making efforts to broadcast more international sports free-of-charge in its digital platform.

The public broadcaster, Albanian Radio Television – RTSH, approved in 2016 its first code of conduct and regulation, Editorial Principles of RTSH. The regulation and its guidelines were fashioned according to the code of conduct of BBC, and editorial principles of Slovenian public broadcaster.

¹¹ Yearly report of RTSH 2018, <https://www.rtsh.al/raporti-ekonomiko-financiar/>

RTSH managers have tried to compile an exhaustive list of ethical dilemmas in the editorial principles, and its authors have included in it topics and details that are not even covered by the Code of Ethics. Principle guidelines cover several topics, such as editorial and professional standards, diversity and balanced reporting, electoral campaigns, reporting on politics and the parliament, production standards, relations with state authorities, imitation and antisocial behavior, investigative reporting, clear and understandable information, the respect of values and public feelings, special interest programming for certain groups, inclusion of certain social groups, children and teenagers in RTSH programming, etc.

III. THE DEVELOPMENT OF RADIO STATIONS

A brief historical overview

Radio broadcasts in Albania date back to 75 years ago. Over the years, radio has tried to keep up with the needs of the public and the situation in various stages of recent history. These changes and transformations were related not just to technical and technological improvements, but radio also had to adapt to an ever-changing media landscape, to change its approach to information, and to try to strike a balance between information and entertainment. A challenge to this medium remains its precarious position in the market, in relation to the fierce competition by other media, especially television.

There have been two main leaps in the development of the Albanian radio market, set over 20 years apart. The first one was recorded in the second half of 1994, when private radio stations started broadcasting, alongside the traditional Radio Tirana, and its branches in Korça, Gjirokastra, Shkodra, and Kukës. Within a short period of time private radio stations popped up all over the place, and significantly improved the quality of radio broadcasting in the country. The second leap took place around the end of 2006, and the beginning of 2007, when Albanian radio stations turned their gaze to the internet, and started to broadcast not only on air, but also online, making the jump into multimedia¹².

¹² <http://www.doktoratura.unitir.edu.al/wp-content/uploads/2015/05/Doktoratura-Arben-Muka-Fakulteti-i-Histori-Filologjise-Departamenti-i-Gazetarise.pdf>

Both these leaps have had an undisputable effect on the Albanian radio market. On one hand, commercial or non-commercial private radios are at the forefront of technical and technological improvements inside and outside of studios, an element which fosters competition between them, as well as between the public and private sectors. Radio journalists used to work on a magnetic tape to produce their news stories and shows, but with time these “crafty” and labor intensive processes were soon replaced by digital editing thanks to the introduction of computers and special software in radio newsrooms, where the editing process took place on a computer screen, with clicks and taps on a keyboard.

Radio and the wide diffusion of internet

Radio, just like other media, could not remain unscathed from the effects of the online revolution. In Albania, just like anywhere else in the world, these technological developments compelled radio to adapt to the new conditions, in trying to find new ways to keep up - as other media have done as well - and rethink the way it delivered information and entertainment, how it interacted with the public, and how to deal with advertising. Radio stations' websites and their social media accounts have steered radio stations towards multimedia products, by broadcasting both on air and online, and by adding other elements other than sound waves: picture, text, video, anime, etc.

The first private radio station in Albania, Radio Vlora, started to broadcast on November 17, 1994. This is a very important moment in the history of Albanian radio, as it marked the loss of the monopoly of state radio over sound waves. At a later stage, within two years, during the period 1997-1998, as many as 31 private radio stations were established in Albania, and most of them were based in Tirana¹³.

Radio Tirana and its local branches in Korça, Gjirokastra, Shkodra, and Kukës were faced with fierce competition at the time, especially with regards to the technological aspect. Top Albania Radio (TAR) started broadcasting around that time, with up to date equipment, and it introduced a revolution in radio journalism in Albania, thus becoming a “beacon” and model to other radio stations, with upbeat and entertaining DJs, aggressive brand promotion, a new entertaining way of advertising, music selection, etc. One of its main competitors at the time was Club FM.

¹³ <http://www.doktoratura.unitir.edu.al/wp-content/uploads/2015/05/Doktoratura-Arben-Muka-Fakulteti-i-Histori-Filologjise-Departamenti-i-Gazetarise.pdf>

For the first time in Albania, public broadcaster RTSH lost its monopoly on election reporting. A private radio station, *Radio Koha* (Radio Time), reported live the casting of votes for the parliamentary elections of June 29, 1997, only ten days after the radio station had gone on air. The reporting on the ground, in Tirana and other cities, was carried out by journalists of *Koha Jonë* newspaper, which was owned by the same company.

Other radio stations were established in other towns, such as Kruja, Gjirokastra, Durrës, Memaliaj, Gramsh, Kavaja, Korça, etc. The mushrooming of radio stations at the time was also assisted by the lack of regulations.

Present situation and challenges

As many as 64 radio stations operate at the present in Albania, including six public broadcasters (Radio Tirana, Radio Tirana 2, Radio Korça, Radio Gjirokastra, Radio Shkodra, and Radio Kukës), while the rest are private radios¹⁴.

Around the end of 2006 and the beginning of 2007 radio stations in Albania started to cross over into online broadcasting, by adding another dimension to the work carried out in their newsrooms, all the while they continued their normal operations: broadcasting their programming on-air. However, despite massive transformations in technology, mobility, changes in consumer behavior in accessing radio programming, and competition by other media, some owners and managers of Albanian radio stations still seem to stick to their old ways, and focus more on traditional on-air broadcasts.

Around 35 percent of radio stations do not have websites, mainly due to financial restraints, or other issues regarding the functioning of radio stations. In the meantime, 10 percent of radio managers believe a website is not necessary¹⁵.

The websites' content is updated randomly, in most cases without a plan, and in a non-creative way. On the other hand, only 20 percent of radio stations with a functioning website have hired an online editor, or a team that deals specifically with online content. In other radio stations this process is covered by members of the newsroom tasked with other duties. Some of the radio stations have not yet understood that the media products uploaded

¹⁴ List of broadcasters, AMA, ama.gov.al

¹⁵ <http://www.doktoratura.unitir.edu.al/wp-content/uploads/2015/05/Doktoratura-Arben-Muka-Fakulteti-i-Histori-Filologjise-Departamenti-i-Gazetarise.pdf>

on websites should be edited for the internet, rather than import online the same content and style of on-air broadcasts.

The job of a multimedia journalist is not yet fully understood, as very few journalists take pictures or shoot short videos to match the text published on the website.

The process of transition from analogue to digital broadcasting in Albania will serve the needs and interests of the public, but it was also carried out to meet international standards, in keeping up with developments in the global market.

IV. THE DEVELOPMENT OF THE ONLINE MEDIA

Novelties and challenges

The landscape of online media has blossomed in recent years, even though, no one can say with any degree of certainty what is the number of online media outlets in the country. It is also not easy to identify the people working in the online media, as well as other aspects related to them. The improvement of access to internet, and high rates of cellphone use among the population, has contributed to the proliferation of online media outlets. The “digital migration” of well-known journalists to the online media, or their partial involvement in online journalism, is becoming the new normal, and that is an indication of how attractive the online media are at the moment. In the meantime, the development of online media has created the right conditions to target specific groups, by reporting more in depth on certain topics than the general interest media.

When it comes to professional resources, online news sites do not differ from other media, as they suffer from shortage of personnel and heavy workload, as well as intense competition from their colleagues. In this context, the online media, just like the traditional media, is switching to indoor journalisms, as reporters can scarcely afford to leave their offices, and report from the field¹⁶.

Of the main problems for the survival and sustainability of the online media in Albania is financial security. Just like in other countries, the online media

¹⁶ Instituti Shqiptar i Medias, Peizazh i medias online në Shqipëri (Albanian Media Institute, An overview of the online media in Albania) 2018.

in Albania cannot seem to come up with a clear and precise business plan. Even though most of the online media outlets appeared optimistic about their financial future, the path to financial sustainability remained as yet unknown. However, it is important to point out that in 2017 online media advertising revenues exceeded the amount of money spent by advertisers in the print media. Another modest source of income for the online media in Albania used to be donations by foreign or local donors. However, the past has shown that donations can help to keep things going at the beginning, but they are not a long-term solution.

Similarly, to traditional media, online media outlets operate with insufficient personnel, which are also not always professionally trained. The pressure to speed up the process of publication of stories, fierce competition from rivals, and limited human resources have brought about a situation in which the accuracy of news stories is quite often the victim. Furthermore, the struggle to garner a few more clicks has exacerbated the tendency to rely heavily on sensationalism, as a way to attract attention, while the content is found wanting. At the same time, journalists appear to be increasingly distancing themselves from their sources of information, and they often prefer internet research and communication rather than reporting from the field, even though this tendency is pervasive in the traditional media as well.

The ethical conduct of online media outlets is one of the most widely debated issues regarding the media, which has even prompted authorities to take steps towards the adoption of legislative measures. Even though these efforts have not succeeded as yet, it is clear that there is mounting pressure on this front, while efforts to self-regulate would be the preferred option. The lack of regulations or self-regulating mechanisms to oversee ethical behavior in the media, as well as widespread plagiarism using the copy-paste method, are some aspects that have had a serious impact on the level of professionalism in the online media¹⁷.

The development of online journalism has been closely related to the development of the internet, which provides the technological infrastructure for this branch of journalism. Up until the end of 2019, the number of people with access to broadband internet through cellphones stood at 1,789,158, while as many as 273,435 subscriptions had access to broadband internet from fixed lines¹⁸. Presently it would appear that the level of access to

¹⁷ Ibid.

¹⁸ AKEP, "Treguesit Statistikorë të Tregut të Komunikimeve Elektronike," (AKEP, "Statistical Indicators of the Electronic Communication Market") 2020, https://akep.al/wp-content/uploads/2019/01/Raport-T4_2019.pdf

internet in Albania is comparable to levels of internet penetration in many western European countries.

Digital migration

In the early days of the online media, content produced by traditional media outlets was simply uploaded on the website, a mechanical transplantation of print media stories on the internet. With the passage of time, the websites of main traditional media outlets improved in terms of graphic design, and media products started to be edited specifically for the internet.

As it was mentioned previously, one of the main tendencies in the world of media is the phenomenon of digital migration. Many well-known journalists have established their own news websites to take advantage of lower costs, as well as enjoy more editorial independence. Even though the majority of them continue to appear on TV shows or write columns on newspapers, there is a clear tendency to jump ship and switch to online journalism, which confirms the strengthening of the online media at the expense of traditional media outlets.

One of the successful migrations to the web¹⁹ could be the case of analyst Çim Peka, who took over the management of news website *syri.net* on June 1, 2015, an online portal which is trying to produce original news content by its own staff. A similar instance of digital migration is the case of journalist and manager of traditional media outlets Anila Basha. She quit her day job on these media in January 2015 and joined force with other colleagues to establish the online agency *newsbomb.al* as well as another one sometime later, *newsport.al*. There have been other cases of digital migration of managers, or well-known journalists, that have left the traditional media and established their own online news sites. A typical example is the case of well-known journalist and analyst Sami Neza, who worked as editor in chief of several media outlets, but he recently switched to the online media and established *droni.al* news website. In another case, two well-known TV and newspaper analysts Armand Shkullaku and Andi Bushati established *lapsi.al* while continuing their commitments in the traditional media. *Lapsi.al* was established in September 2014. Analyst Artur Zheji also created his news website *360grade.al* in May 2016. This list includes other well-known traditional media personalities, such as Blendi Fevziu, Rudina Xhunga, who

¹⁹ The data on this chapter is based on a study conducted by the Albanian Media Institute "Online media in Albania: legislation, self-regulation, development, main tendencies and characteristics," 2016.

established respectively *opinion.al* and *dritare.al*. After leaving newspaper Mapo, Alfred Lela opened his news website *politiko.al*, focusing primarily on political news and analysis, rather than cover different topics like any other general interest news website. Similarly, Mira Kazhani founded her own online media *tiranapost.al*, where she has been trying to engage public personalities in writing their own columns. Another online media is managed by the Nazarko brothers, *Konica.al*, and the list goes on with Enkel Demi and his website *27.al*, Ylli Rakipi and *tpz.al*, Arian Çani and *zoneelire.al*, Sokol Balla and *realstory.al*, Elvi Fundo and *cna.al*, Eni Vasili and *hapur.al*, Alfred Peza and *alpenews.al*, Skënder Minxhozi and *javanews.al*, etc.

The digital native media, those news sites that started online (as opposed to those that started in broadcast or through paper-based publication), have adapted more easily to digital techniques and operational novelties²⁰. They are free of work models and routine of traditional media outlets, and they are freer and more inclined to experiment both in design and news content.

The digital native media first appeared in Albania soon after 2000, but for nearly a decade there were very few of them, and they were weak. One of the few success stories is *albeu.com*, a pioneer of the field, which was established in July 2003. During this period of time, Albeu managed not only to survive but it transformed itself into a serious online media outlet, and a successful media business. Three years after the establishment of *albeu.com*, in 2006, two other successful digital native news websites started operations, respectively *noa.al* and *ikub.al*, which started as news and online content aggregators. Later they expanded the scope of their activities to include a wide range of online services. For a long period of time this category of online media was snubbed by the traditional media, and it was often viewed by other journalists as unprofessional, dishonest, and were considered as websites that did nothing but take advantage of the media content that was produced by others in the internet. They have also been accused of copyright infringements, for publishing superfluous content aimed only at increasing the number of visitors, and click baiting. However, regardless of these disparaging opinions in several digital native media sites managed to improve their products and appearance, and they succeeded in dominating the online media landscape.

One of the most interesting websites is *Jetaoshqef*, which mainly publishes entertainment-oriented, human interest and satirical content. Besides soft news, this website also relies heavily on user generated content.

²⁰ Ibid.

This tendency to focus on soft news stories, while attempting to find a niche in the market, has brought about a proliferation of online magazines. Unlike online news agencies, internet magazines are publications which are not oriented to breaking news stories. In general, the information they publish is not time-sensitive. By focusing mainly on soft news stories, celebrity gossip and news, arts and culture, fashion, etc, online magazines take advantage of the apparent fascination of the internet public on these kinds of news stories. There are dozens of online publications that fall under this category in Albania, including *living.al*, *bordo.al*, *anabelmagazine.com*, *elegance.al*, *iconstyle.al*, *magazinesvip.al*, etc.

One of the most successful magazines is undoubtedly Monitor - *monitor.al* - which specializes in business reporting, and was established in 2006 by Media Union company. Besides the print edition, *monitor.al* publishes time after time breaking news stories and analysis on economy and finance.

What are some of the main tendencies in reporting by the online media? What is the quality of reporting and publishing, and is there any respect for professional standards? What are the main challenges? The paragraphs below offer an analysis of the main tendencies in the online media, which were identified through direct and continuous monitoring of the online media outlets, focusing primarily on news portals, while also drawing on previous research and monitoring²¹.

- *Speedy reporting versus in-depth reporting*

The race to be the first one to publish breaking stories appears to be consuming the online media, not unlike the traditional media. As a result, the publishing of stories continues at breakneck pace, as news websites often publish very short stories, sometimes just a paragraph, without providing any context to events. In the meantime, these types of stories have become the new normal in the Albanian media, at the expense of investigations and in-depth reporting.

- *More news, less information?!*

Even though the number of news stories published every day by online news sites appears to very high, this does not necessarily mean that the public is better informed. Given that a large portion of stories and postings

²¹ The information relating to media reporting tendencies in the online media is based on the AMI report. "Peizazh i medias online në Shqipëri (An overview of the online media in Albania),"2018.

are merely statements or one-source news items, the public usually gets only one side of the story. However, taking into consideration trends in news reporting, and data collected from interviews with representatives of online media outlets, it would appear that publishing news stories with more than one source of information has become a luxury.

- *News accuracy and verification of information: an outdated practice*

The quality of news stories and the accuracy of published news items are closely related to this new habit of publishing one-source stories. Almost all online news sites publish statements and information retrieved from Facebook, Twitter or official webpages, and the accuracy of this news material is almost never verified. As a rule, statements are simply published by news sites, the information therein is not verified, and this process is undermining the role of journalists as watchdogs. It also affects in an adverse way the accuracy of information received by the public.

- *Sensationalism and bombastic headlines: a war of clicks*

The online media are often chock full of headlines which vie to attract the attention of readers, prompting them to click and read stories, a method which has proven beneficial to online media outlets and their accounts on social media. In such cases, the only role played by these headlines is to make readers click on the link, and often the content of the story is not necessarily related to the headline.

CHAPTER 2

THE ARDUOUS JOURNEY TOWARDS MEDIA FREEDOM

Origins of free media in Albania

Efforts to establish a free media in Albania could be traced back to the early days after the collapse of the communist regime, following the replacing of a single-party system with political pluralism. During the first years of democracy, the media was in a state of chaos, poorly funded and structured. Politics was the one responsible for the establishment of free media in post-communist Albania, and as a result the new media model was shaped by political frameworks. This is also due to the fact that, up until that moment, the country lacked a tradition of free press. Therefore, the concept of freedom of press was mainly limited to the freedom of political debate, thus establishing a close correlation to politics. Even though there were efforts to establish a free media, this did not mean that the end product would be an independent media.

Researchers and scholars in the field of media analyze the development of media and freedom of press over the period from 1990 - to date, based on two main criteria: *the media legal framework* and *media ownership / relations with politics*. We will also refer to these criteria in this research paper, due to their fundamental importance in the development of a free and independent media. On the other hand, researcher Jonila Godole, drawing on the work of other scholars, proposes a new analysis approach to the development of media in Albania, in three distinct stages of development. According to this model the evolution of the media system in Albania could be divided into three phases: *a) the phase of liberalization (1988-1994)*, which includes the final years of the communist regime (1988-1990) and the early years of transition and liberalization (1990-1994); *b) the phase of democratization (1994-1998)*; and *c) the phase of consolidation (1998 - to date)*. Each one of these phases displays its own characteristics of media development. For example, the first phase was dominated by partisan journalism, propaganda, and efforts to achieve a decentralization of the media. The second phase was characterized by a process of democratization, pluralism, institutionalization,

and a free press, though not yet an independent press. On the other hand, during the third phase efforts are focused on the strengthening and growth of the media system, journalistic culture, as well as the takeover of media ownership by powerful businessmen. However, even this three-phase analysis is based on the aforementioned two main criteria. At first we will discuss media regulation in Albania, as the most important aspect of establishing and guaranteeing the freedom of press.

The “Law on Press” and limitations to the freedom of press

The “Law on Press” No. 7756, adopted by parliament in 1993, was an important development at the time. Article 1 reads that *“The press is free”*, but then follows the phrase *“The freedom of the press is limited only by provisions of the Constitution and articles of this law.”* This law was imported without much modification from the German state of Nordrhein-Westfalen. The media was not consulted during this process, which prompted protests by journalists regarding limitations prescribed in the law. The International Federation of Journalists²², Article XIX²³ and other international bodies²⁴ also reacted against the law. According to international experts, sources of concern regarding this law included: a) legitimization of prior restraint, as the law allowed authorities to block any publications for various reasons; b) limitations on who could become an editor-in-chief of a publication, and legal provisions compelling media organizations to allow the right of reply; c) financial penalties against publishers and managing editors (undue financial pressure). In other terms, the law included a series of limitations on the free press.

Besides this law, during that same year the parliament approved several amendments to the Criminal Code, which called for criminal prosecution on cases of “slander and libel against constitutional institutions”, “insults against the state and its symbols”, “slander and libel against the president of the republic”, “insults against institutions and representatives of other countries”²⁵. During the period this law was in effect, Albania scored the worst results of the whole transition era in reports by Freedom House, over the 1994-1996 period. Albania was considered a country where the media was “not free.”

²² International Federation of Journalists (1996). Media Freedom in Albania. An analysis of Media Legislation.

²³ Article XIX (1997) Albania: Towards Broadcasting Freedom. An analysis of the New Broadcasting Law. Article 19.

²⁴ Minnesota Advocates for Human Rights (1995) Press Restriction in Albania.

²⁵ Minnesota Advocates for Human Rights (1995) Press Restriction in Albania. Page 6.

Several incidents involving journalists were recorded over that period, including harassment of journalists, fines and persecutions against journalists, even imprisonment of media people. A number of journalists were criminally prosecuted, including Idajet Beqiri (found guilty of insults against the office of the president), who was sentenced to six months in jail, and served three months of that sentence in prison. Other journalists included Nikollë Lesi (prosecuted for libel, found guilty and fined); Aleksandër Frangaj (prosecuted for endangering national security, sentenced to one month in house arrest), Fatmir Zanaj (received a suspended sentence of two months in jail, and one-year probation), Shyqyri Meka (fined with Lek 80,000 / \$1,000), Ilirian Zhupa (sentenced to two months in prison). However, this long list of attacks on journalists paled by comparison to the criminal prosecution of Martin Leka, a journalist at Koha Jonë, and Aleksandër Frangaj, managing editor of that newspaper. According to a report by Minnesota Advocates for Human Rights “The charges against them were based on a story Leka authored in January 1994, reporting and criticizing an order sent to military officers surrendering their weapons while off duty. Although Frangaj was initially acquitted, Leka, who had been charged with libel, was sentenced to 18 month in prison for “colluding to reveal a state secret.”²⁶ He was later pardoned, while still in prison, by then-president Sali Berisha, on May 3, 1994, on International Press Day, together with Ilirian Zhupa, Shyqyri Meka, and Luftar Matohiti.

That was the most difficult period for the press in Albania, at a time when considerable efforts were underway to ensure its freedom. The Law on Press was in effect until 1997, when a new parliament abrogated that law, as it was deemed unsuitable to the situation in the country²⁷. The new law contained only two articles: “The press is free,” and “The freedom of the press is protected by law.”

The transition from a restrictive law to unqualified freedom

The abrogation of the press law and its replacement by the two aforementioned articles, which made up Law no. 8239 “On the press”, was a gesture which was hailed and welcomed by the local media community and international organizations, even though there were some diverging opinions regarding the need for another law on press, in order to avoid a completely unregulated media. It was argued that there was a need for a gradual process

²⁶ Ibid, page 7

²⁷ Londo, I (2014). Media Integrity Matters. Albanian Media Institute, page 58.

of regulation scale down, to avoid jumping from over-regulation to total liberalization. Debates regarding the need to draft a proper law on the press, and consequences on the development of the media, and consequently on the strengthening of democracy, continued for some time.

According to Godole, the new law perpetuated the institutional chaos, instead of improving the situation.²⁸ The very fact that there was no law on the media created a vacuum which left room for abuse²⁹. The lack of a special law to regulate the press forced the courts to try and sentence cases according to Criminal Code stipulations, and what was even worse, is that journalists and sources of information became fair game, as confidential sources of information enjoyed no special protection under the law. Regarding this issue, Helen Darbishire said that “so much was lost because of that, such as the right of journalists to protect confidential sources of information. The right of media to have access to information was lost with the scraping of the old press law. Now, the right of journalists to receive information is supported by the law on access to information, but the right of journalists to protect the anonymity of their confidential sources should be guaranteed by a proper law on press.”³⁰

Changes to the legislation, according to researcher Ilda Londo, “are considered as a liberal stance towards the media and editorial content, but at the same time they imply that the press is in charge of editorial responsibility, steering the process towards self-regulation.”³¹ The abrogation of the law on press also improved Albania’s position in Freedom House reports by 19 points, jumping from 75 points in 1996, which placed it in the “not free” category, to 56 points in 1997. This new evaluation placed Albania in the “partially free” category, where it stayed, almost stationary, for many years, as it is shown in the chart below. To date, Albania is still listed in the “partially free” category.

²⁸ Godole, A. (2014) *Gazetaria Shqiptare në Tranzicion: Struktura, Aktorët dhe Tipologjitë Profesionale* (Albanian Journalism in Transition: Structure, Stakeholders, and Professional Characteristics). Page 27.

²⁹ *Gazetaria shqiptare përballë dhunës*. (1997). *Intervistë me Remzi Lanin* (Albanian journalism is faced with violence. 1997. Interview with Remzi Lani), Page 19-20

³⁰ *Gazetaria shqiptare përballë dhunës*. (Albanian journalism is facing violence) 1997. *Intervistë me Helena Darbishire, Konsulente e programit të Artikullit 19 për Evropën Qendrore dhe Lindore* (Interview with Helen Darbishire, consultant of Article 19 program on Central and Eastern Europe).

³¹ Londo, I (2016) *Media online në Shqipëri. Legjislacioni, vetërregullimi dhe prirjet kryesore*. (Online media in Albania. Legislation, self-regulation, and main tendencies). Page 11.

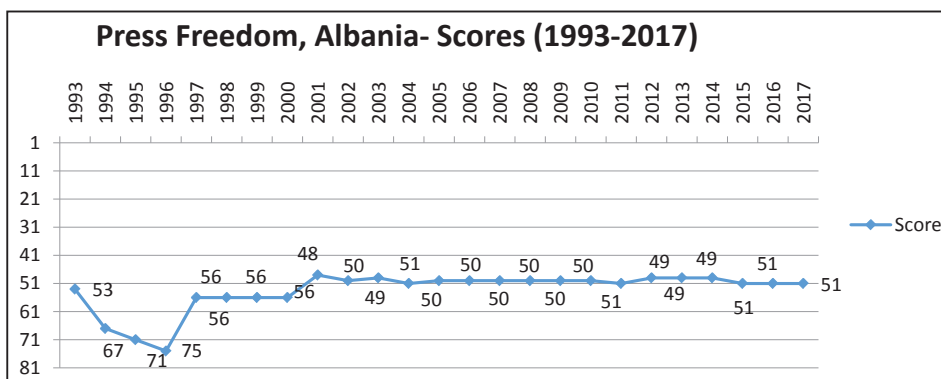


Chart No. 1- Based on the data provided by Freedom House, Press Freedom Reports (1993-2017)

Efforts to regulate the press

In this environment of unqualified freedom, the parliament approved in 1998 the Law on Broadcasts, which was also faced with resistance from journalists, as Londo points out. The first private TV station started broadcasting in 1995, but regulation on the broadcast media was introduced in 1998, while the regulation body was established only in 2000. During this five-year vacuum, the number of unlicensed broadcasters amounted to nearly 100 radio and TV stations. The broadcast media would now be regulated by the Law No. 8410 “On Private and Public Radio and Television.” This law, which has been amended six times since its adoption in 1998, aims at regulating all aspects of the activity of the broadcast media, including the public broadcaster, private TV stations, cable and satellite service providers. This law laid the foundation for the establishment of the National Council on Radio and Television, as the top regulatory body of the public broadcaster, vested with monitoring and regulatory powers. The Law on Radio and Television was abrogated in 2013, when the parliament approved the new law “On Audiovisual Media in the Republic of Albania” which regulated the functioning of broadcast media outlets and supporting services, on the basis of technological impartiality in the territory of the Republic of Albania³². The new law provided for the establishment of the Audiovisual Media Authority (AMA), which would act as the regulatory body in the field of radio and TV broadcasts, as well as other supporting services in the territory of the Republic of Albania.

³² Law No. 97/2003 Për Mediat Audiovizive në Republikën e Shqipërisë (Law No. 97/2003 On Audiovisual Media in the Republic of Albania)

AMA was tasked with granting licenses and authorizations, and to enforce regulation. The main problem throughout the history of regulatory bodies – at first KKRT, and later AMA – was their inability to function in an effective way, independently from other institutions or factors, mainly politics. The formula of the election of the members of the regulatory body has changed several times at the proposal, and with the intervention of politicians in this process, which shows that this institution has become functional, but it also reveals the interest and interference of politics in the workings of this institution.³³

In 1999, the parliament approved Law No. 8503, on the Right of Information on Official Documents, and made changes to the existing legal framework on the media.³⁴ This law regulated the right of information on official documents, and recognized the right of all citizens to request information on official documents related to the activity of state institutions and public officials. The request could be filed without providing a reason for obtaining said information. However, there were some limitations to the availability of documents, which were deemed as classified information by other legislation (such as the Law on State Secret, or the Law on the Protection of Personal Data). In cases of refusal of information, the public authorities were required to provide a written explanation about the reasons for refusal. Applicants obtaining information on official documents would be required to pay a fee, according to this law, if the process of making this information available would incur expenses, but in any case this fee could not be higher than what it cost to provide such service. One of the most important aspects of this law were time limits and deadlines on providing information, especially regarding requests submitted by journalists, who are plagued by time constraints throughout their careers. According to this law, a public authority could decide within 15 days of the submission of the request whether to provide or refuse the disclosure of information, and in case of approval the information should be available within 40 days of the filing of the request. Journalists objected to this section of the law, as they were convinced that this delay in providing information would affect the quality of information and journalism provided to the public. This element of the law attracted the attention of international organizations, which reviewed the law and provided recommendations. For example, OSCE stated that the 15-day approval period was in accordance

³³ Albanian Media Institute (2018) *Media Shqiptare dhe Standardet Evropiane. Raport i bazuar mbi treguesit e Këshillit të Evropës mbi median në demokraci* (Albanian Media and European Standards. Report based on indicators of the Council of Europe on median in a democracy). Page 44.

³⁴ Londo, I (2014) *Media Integrity Matters*, page 53.

with international standards, but the 40-day period was deemed as an unacceptable delay in providing information. This law was amended by the parliament and changes to the law were proposed by the Justice Initiative, New York, following consultations with stakeholders.

The Law No.119/2014 On the Right to Information, which regulates the right of access to information that is produced and stored by public authorities, was approved in 2014. Unlike the previous law, the term “public authority” was expanded and explained in this new piece of legislation, thus clarifying this term and making it more understandable. The right of access to information remained unchanged, so every person could “enjoy the right of access to public information, without having to explain their reasons”³⁵ and the public authority is compelled to inform the applicant whether it possesses or not the requested information. Regarding the cost of providing the information, the state institutions can levy a fee that has been established and made public beforehand by the public authority, but this fee could not exceed the real cost of replicating the documents. The main difference from the previous law is that the public authority should process the request for information within 10 days of the application. An additional element in this law is the forwarding of the request for information to another public authority, which is required to reply within 15 working days from the date of the filing of the request with the first public institution. There have also been several changes in stipulations, expanding the scope of limitations on the right to information, including restrictions on indispensability, proportionality, violations of the right to privacy, trade secrets, copyright, and patents. Suggestions by international experts helped to make the law more specific, and to match international standards in the field of the right to information.

Other important pieces of legislation include the Law on Digital Broadcasts, the Law on Telecommunications in the Republic of Albania, and the Law on the Regulatory Body on Telecommunications, which established the second regulatory institution, the Regulatory Body on Telecommunications (ERT). The Regulatory Body has witnessed significant changes in the landscape of the Albanian media. Political interference in the election of KKRT members, resistance to its rulings, or interference by other means has often undermined the relationship between the regulatory institution and broadcasters. In 2006, the parliament approved significant changes in the regulatory legislation, which raised serious concerns regarding the fragility of the media when it comes to politics.

³⁵ The Law No. 119/2014 On the Right to Information, Article 3

The Law No. 9472 On Digital Broadcasts in the Republic of Albania, which was approved in 2007, and the Strategy³⁶, aimed at addressing issues which concerned access and sustainability in the framework of the switch to digital broadcasting. The law compelled broadcasters to use universal decoders to provide to all subscribers free-of-charge access to all channels.³⁷ The Strategy on Transition to Digital Broadcasts, the official document which guided the passage to digital broadcasting, was only approved in 2012. During this whole time, a private digital TV platform had started operations and went bankrupt, while two other commercial digital platforms continued to operate normally. Considering these developments, and faced with pressure by companies operating digital platforms, that wanted to protect their own interests, the Strategy decided that licenses on national digital networks would be assigned in beauty contest procedures, which meant that the competition would take place between existing digital platforms and those broadcast media companies which were deemed sufficiently experienced to take this job on. Even though the companies that entered the licensing process were probably the only commercial entities interested, and capable to operate these networks, the application of beauty contest principle violated the rules of fair competition. The switch to digital broadcasting in Albania is still a work in progress, and the Strategy of Transition to Digital Technology has assigned to the public broadcaster the task to build two national digital platforms, a portion of which should host broadcasts of private radio and TV stations.³⁸

A very important development for the freedom of press and media in Albania were the amendments of legal provisions of the Criminal Code on defamation, getting in line with European democratic standards. This legislative reform was the crowning achievement of seven years of efforts and perseverance by a group of civil society organizations, the Albanian Media Institute, and the Justice Initiative, which managed to garner the necessary political and media consensus in order to adopt these amendments. As a result of these changes in the legislation, standards of guaranteeing the freedom of expression improved significantly, while the criteria that courts have to take into consideration when deliberating on cases of injuries to reputation were clarified. Furthermore, changes in this

³⁶ Strategy of the Transition from Analogue to Digital Broadcasts (2012)

³⁷ OSFA (2012) The development of Digital Media: Albania. Report on Albania. Page 77

³⁸ Albanian Media Institute (2018) Media

law made sure that journalists would not suffer imprisonment because of their jobs, but defamation is still not completely decriminalized.³⁹

The most important changes in the criminal code, as far as the media is concerned, included the lifting of special protection to public officials, who have to go through the same procedures as ordinary citizens in case they claim injury to their reputation, and the abrogation of imprisonment for defamation. On the other hand, amendments to the civil code identified clear, specific and exhaustive criteria for judges in providing damages in cases of libel and slander. Also, one of the changes was the introduction of the proportionality concept in awarding damages, and defined the criteria that the courts should take into account in determining liability and damages. These criteria included an analysis on whether the author of the allegations had respected the rules of professional ethics, whether allegations or quotes have been reported truthfully or misrepresented, whether such allegations violated the privacy of the plaintiff, the public interest in publishing the story, whether the information provided was a fact or an opinion, as well as the veracity of published statements. In addition, the courts should also consider the financial burden that the damages awarded will impose on the defendant, which is especially relevant in lawsuits against media outlets.

These changes to the criminal and civil code were demanded by the media community, and signified a step up in the efforts to ensure freedom of press and media, but in December 2019 the parliament adopted amendments to media legislation, also known as the “anti-defamation package.” These changes aim at “regulating the rights, obligations and responsibilities of physical and legal persons providing audio and audiovisual services, electronic publishing services, through electronic communication networks, as well as to promote media pluralism and other important issues related to media services, in accordance with international standards and conventions.”⁴⁰ This law covers linear radio and TV broadcasts, nonlinear radio and TV broadcasts, their supporting services and services of electronic publishing, but not the print media. Even though the law clearly states that its provisions “cannot be interpreted in such a way as to allow censorship or to limit the right to freedom of speech and expression,” the Albanian media

³⁹ Londo, I., Zguri, Rr (2014) *Media online në Shqipëri: legjislacioni, vetë-rregullimi, zhvillimi dhe prirjet kryesore* (Online media in Albania: legislation, self-regulation, development and main trends). Page, 9-10. Albanian Media Institute, Tirana.

⁴⁰ Law No. 91/2019 On some changes and amendments to the law no.97/2013 on audiovisual media in the Republic of Albania, revised (Për disa ndryshime dhe shtesa në ligjin nr.97/2013 për mediat audiovizive në Republikën e Shqipërisë, të ndryshuar). Article 1

and the international community has expressed concerns that this type of legislation may “increase the risk of censorship and self-censorship in the local media, and could contribute to further setbacks on media freedom and freedom of expression in Albania, which, based on the June 2019 assessment of seven international organizations, is ‘deteriorating.’”⁴¹ Reporters Without Borders stated that “the laws would further deteriorate the situation of press freedom in a country where government regularly restricts access of journalists to official information and controls the TV market via the attribution of broadcast licenses.”⁴² The President of the Republic of Albania also vetoed this law, in January 2020, expressing concerns that these changes in the legislation would violate the constitution, and potentially undermine the freedom of the media.⁴³

The Venice Commission has also reacted⁴⁴ regarding this law, and according to them, first of all, the notion of “electronic publications” is too nebulously and broadly defined, therefore jeopardizing clarity and foreseeability of the scope of application of the law. In particular, it is unclear whether individual bloggers, or people having personal pages on social network platforms (Facebook, Instagram, Twitter etc.) publishing information from the media will be covered by this definition.

Secondly, the commission states that the area of application of the law extends beyond professional media outlets and nothing prevents this law from applying not only to the online publication of the printed press but also to everyone interested in imparting information, ideas, views to entertain, inform or educate the general public by online publications. This may produce a chilling effect on ordinary individuals that would be deterred from expressing any view online, for fear of possible sanctions left at the discretion of the AMA. In a country where pluralism in the current media environment is, to an important extent, stemming from individual bloggers and journalists, this raises serious concerns.

Thirdly, the commission was concerned about the professional qualification of the members of the AMA and the Complaints Committee. Their qualification

⁴¹ Retrieved from <https://balkaninsight.com/2019/07/19/censorship-bill-albania-rights-organizations-slams-anti-defamation-package/>. Accessed on June 6, 2030, at 13.30

⁴² Retrieved from <https://rsf.org/en/albania> Accessed on June 6, 2020, at 13.09

⁴³ <https://balkaninsight.com/2020/01/13/president-turns-down-albania-controversial-anti-defamation-law/>

⁴⁴ European Commission for Democracy through law (Venice Commission). Opinion on the law no.97/2013 on the audiovisual media service with draft amendments adopted on December 18, 2019.

should be sufficient to perform the tasks they will be entrusted with, namely assessing facts and legal concepts which, in principle, fall within the competence of a judge and require a fair balancing exercise between freedom of expression and information, and the individual rights of others and the interests of the society as a whole. According to the Venice Commission, clear eligibility criteria as regards the skills and experience needed for those who wanted to be members of the Complaints Committee should be applied. In summary, the Venice Commission considers that the law would have a chilling effect on free speech and political speech, and that this law suffers from vagueness, which further complicates its application.

The approval of the anti-defamation package also affected Albania's ranking and evaluation by Reporters Without Borders for the year 2019, as the country was ranked in the 82nd place, after dropping seven positions from the previous year rankings. Albania was ranked 75th in the press freedom index classification in 2018. The chart below shows a steady decline in Albania's rankings over the years, starting from 2003, when the country was ranked 34th (the best ranking ever). Since then, Albania has been sliding down the table of classification year after year, and it reached rock bottom in 2013, when it was ranked in 102nd place.



Chart No. 2 Based on the data provided by RFS for the period 2003-2019

Similarly, the Media Sustainability Index, by IREX, has assigned Albania 2.71 points for the year 2019 regarding free speech, a slight drop compared to last year's 2.76 points evaluation, as depicted in the chart below. That means that the country falls in the category of countries where the independent media is “nearly sustainable.” The best result was achieved in 2016 with 2.82 points. Albania appears to have held a steady position for many years in this classification since 2001, with slight changes year after year, as the all-time low stood at 1.98 and the all-time high was recorded at 2.82.

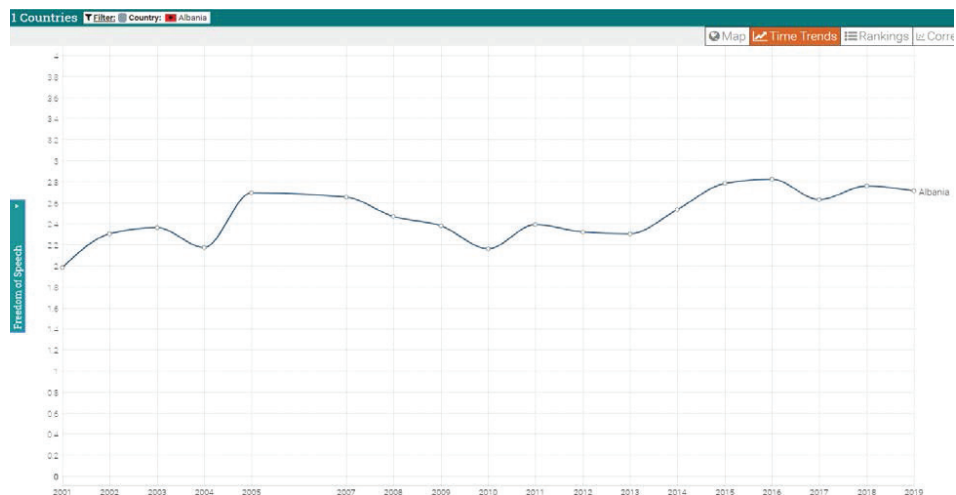


Chart No.3 – Based on the data provided by Media Sustainability Index, IREX (2001-2019)

According to researcher Rrapo Zguri the classification of Albanian media as “partially free” is merely one of the symptoms of the “partial syndrome”: a partially free country has a partially free media, which is partially trusted by the public, and only partially meets international standards. In other words, this is an indication of a work-in-progress democracy, still with a long way to go to achieve the democracy levels of developed countries.⁴⁵

⁴⁵ Zguri, Rr. (2019) Media image among the public and media trust in Albania. Albanian Media Institute, page 30.

The relationship between media and politics (1990-2020)

In the early 90s, the media and politics engaged in a close and complex relationship. Researcher Besnik Baka has identified three phases of media development in relation to politics: (1) the establishment of the party media (1990-92), (2) the establishment of the political media (1992-98), and (3) the establishment of the clientelistic media (1998-2011)⁴⁶. According to him, the media in Albania (as well as other countries in the Western Balkans) appears to be more of an extension of politics, rather than an independent instrument of information. As a result, he believed that politics was the most important factor in the development of post-communist pluralist media.

Also, according to Godole, the early 90s were characterized by a relatively powerful media which engaged in an “oppositional relationship” with politics. The politicians that came into power following the parliamentary elections in 1992 were inclined to adopt the old model of control over the press and the freedom of speech, preferring a subdued press and a submissive journalism community. However, the press was vying to increase its influence on the recently liberated public forum, and the reporting by newspapers was aggressive and antagonistic.⁴⁷ During the period 1994-1996, the government (the anticommunist majority) displayed clear signs of authoritarianism, which culminated into physical attacks and imprisonment against politicians of the opposition and critical journalists. Because of that, the transition from dictatorship to democracy had to go through an intermediate stage, which according to some researchers, should be considered as the phase of new authoritarianism.⁴⁸

In the meantime, during this period journalist became owners of media outlets, but the community of journalists was still young and inexperienced, as far as western media models were concerned, according to Godole. In this new environment of pluralism and freedom of speech, journalism could not, and should not, remain a domain of political parties, therefore it started to transform itself into a domain of the professionals of the field. This period also witnessed the first serious attempts to establish a media system decoupled from political parties, marking the emergence of a press eagerly anticipated

⁴⁶ Baka, B. (2011) *Media dhe Politika: Tranzicioni drejt (pa)varësisë politike* (Media and Politics: The transition to political (in)dependence).

⁴⁷ Godole, A. (2014) *Gazetaria shqiptare në tranzicion. Struktura, aktorët dhe tipologjia profesionale* (Albanian journalism in transition. Structure, stakeholders and professional characteristics). Papyrus.

⁴⁸ Zguri, Rr. (2017) *Marrëdhëniet mes medias dhe politikës* (The relationship between media and politics). AMI.

by the public, a precursor to the establishment of the free press. In the meantime, the independent media and politics faced each other off as two estates in distant immovable positions, without any close relations between the two camps: on one side stood the media, critical and oppositional to the government, while on the other side stood an authoritarian regime, which was unmoved by media criticism.

Until 1998, the media developed largely as an institution of the political world and a literary endeavor, rather than an entrepreneurial pursuit. After 1998, following the emergence and strengthening of Albanian capital and capitalists, the market started to play an important role. Powerful businessmen from the construction industry, and other fields, started to invest in the media. During this period, media organizations started to respond primarily to market demands, by overlooking or neglecting their public role, and serving the business and political interests of their publishers. This is one of the reasons why various researchers (Zguri, 2017; Lani, 2011; Baka, 2011, etc.) refer to this third period of development as the phase of clientelistic media. Investing in TV stations and newspapers became a new trend for businessmen, as they were trying to assert their positions and secure protection and political leverage. As a result of this situation, the media market developed in a rather fast pace, more in terms of numbers than in quality.⁴⁹ While repression against the media and journalists begun to fade gradually, the pressure on media outlets became more sophisticated, in accordance with the developments in the country, switching to the phase of transition from “repression to pressure” in which “imprisonments and physical attacks against journalists seem to be left in the past, but the pressure they face remains, and as a matter of fact, it is becoming more and more sophisticated.” This pressure, as well as the lack of financial security, have reduced the level of independence of journalists, and are responsible for the weakening of professional standards in the media industry, and biased reporting.

During the period 2000-2010, the relationship between media and politics was characterized by the exposure of the media to political pressure; the exploitation of the media for political purposes, which was evident and escalating all the time; a significantly weaker resistance by the media, and an opening to political influence in exchange for business benefits. The media was facing “capitalistic tendencies and financial pressures,” and problems such as transparency, corruption, and the ownership of

⁴⁹ Ibid.

media outlets. During this period, media organizations were divided in two groups: (1) media outlets that were fighting for survival, which made them more susceptible to political pressure; and (2) media whose primary aim was to support businesses and clientelistic interests of their owners, rather than informing the public.⁵⁰ It should be pointed out that the access of political parties in the media has never been a problem, as a result of the large number of political and public affairs shows in the main TV stations, which run almost on a daily basis, as well as strict laws on media reporting during electoral campaigns. Furthermore, the balance of political representation on TV debates has become a rule on most political shows. On the other hand, there have been restrictions of media access to political events, and journalists have been prevented from reporting on these activities, because political parties want to produce their own TV stories on electoral campaign events. This situation is becoming a source of concern for the media, is demotivating journalists, and has drawn harsh criticism from the media regarding the coverage of political events.⁵¹

Relations between parties changed gradually, following a re-dimensioning of the domineering politician-journalist relationship of the past years, and the start of a new phase of direct interaction between media owners and political elites. This new phase is also characterized by authoritarian management of newsrooms by media owners. This compromised media impartiality has had an adverse impact on professional standards in journalism. In Albania, the structure of media ownership has been considered over the years as a peculiarity associated with various stages of the development of the media, but the hidden ownership of the state over media has never been considered a problem for the media. However, this does not mean that the relationship of the state with the media ownership has not affected the media landscape, not only in the sense of direct and indirect ownership of shares in media companies.⁵²

During the period 2013-2018, the situation regarding the freedom of the media improved slightly, but at the same time politics became increasingly dependent and reliant on the media, which was manifested by the

⁵⁰ Baka, B. (2011) *Media dhe Politika. Tranzicioni drejt (pa)varësisë politike* (Media and Politics: The transition to political (in)dependence).

⁵¹ Albanian Media Institute (2018). *Media Shqiptare dhe Standardet Evropiane. Raport i bazuar mbi treguesit e Këshillit të Evropës mbi median në demokraci* (Albanian Media and European Standards. Report based on indicators of the Council of Europe on media in democracy).

⁵² *Ibid*, page

establishment of TV stations used by political parties and politicians, as well as the increase in the amount of air time or space devoted to politics in the mass media.⁵³ This mediatization of politics stems from media's increased influence and the significant impact it can have in achieving political goals. In these recent years it would appear that almost all the main media organizations, with few exceptions, attempt to align themselves on the side of the government, thus abandoning their public mission for the sake of business interests, and giving up the role of the "fourth estate." Even the position of the editors in chief has weakened within Albanian media outlets, "at a time when media owners and other characters, mainly politicians, appear to become more assertive," which is a reflection of the state of media development in the country.⁵⁴

The dependence of the media on business interests of its owners, and its functioning on a clientelistic basis is closely related to the level of public (miss) trust in the media. There is a positive correlation between the freedom of the media and the level of public trust, meaning that the more independent and the freer the media is (including independence from clientelistic practices), the stronger will be public's trust in the media, and vice-versa. In a study conducted by the Albanian Media Institute (2019) on *The image of the media among the public and media trust in Albania*, researcher Zguri believes that some of the main problems that the media face in Albania are: 1) bias, prejudice, and political clientelism; 2) dependence on business interests of media owners; and 3) verbal harassment and physical attacks against journalists⁵⁵. The persistence of such serious problems, which threaten the functioning of the media and the fulfilling of its public mission, explains the fact why the Albanian media is still only partially free. On the other hand, the existence of such problems at the top of the list of issues facing the Albanian media shows that there are serious shortcomings and challenges regarding certain aspects of media freedom and independence. The study also concluded that the management of media organizations – including owners, managers, editors in chief, editors, and analysts – enjoy the lowest level of public trust, when it comes to their independence and impartiality.

⁵³ Zguri, Rr (2017) Marrëdhëniet mes medias dhe politikës (The relationship between media and politics). Page 36.

⁵⁴ Londo, I (2016) Roli i kryeredaktorëve në mbrojtjen e integritetit të medias në Shqipëri. Rënia e rolit dhe ndikimit të kryeredaktorëve. (The role of editors-in-chief in safeguarding media integrity in Albania. The fall of the role and impact of editors-in-chief). South East European Media Observatory.

⁵⁵ Zguri, R. (2019) Media image amongst the public and media trust in Albania. Albanian Media Institute

A conclusion

In providing a short summary on the freedom of press and media in Albania over the last 30 years, it should be pointed out that the situation has shifted from a complete control over media into a partially free media. Similarly, the Albanian legislation on press, since the early 90s to date, has moved primarily along two main lines, starting with restrictive legislation and then moving on to unqualified freedom, including short bursts of self-regulation along the way, which have proven unsuccessful, regardless of efforts over the years to introduce self-regulation in the media.

There has been a blatant lack of vision or strategy in changes to legislation over the years, as most of changes and amendments were born out of momentary necessity, rather than a clear vision to assist in the development of the media. However, one of the positive aspects of debates on media regulation has been the transformation of the process of approval and adoption of policies on the media, which has shifted gradually from a political domain into a process of consultation involving all stakeholders, which is also thanks to international pressure.

The 2012 changes in the criminal and civil codes were an important achievement in the field of freedom of press and freedom of media in Albania, as those changes in the legislation improved considerably standards of guaranteeing the freedom of speech, as well as clarified the criteria the courts should take into consideration before determining liability and damages. In addition, changes in the law made sure that journalists would not suffer imprisonment because of their jobs, but defamation is still not completely decriminalized. On the other hand, the adoption of the anti-defamation package in 2019 was a step back regarding the freedom of speech, media and press in Albania. This package not only cannot solve the problem of fake news, conspiracy theories, and defamation, but it causes more harm and limits the freedom of speech.

The phenomenon of “media proletariat” is present in Albania, and the owners of the media dictate editorial policy based on their political and business connections, which perpetuates the culture of self-censorship between media professionals. Media oppression by the government is not detectable, but the financial pressure has increased over the years, and that fosters clientelism, including political favors. Because of this situation the media in Albania is not independent, even though it is still pluralistic.

Despite all the changes in the legislation over the years, the press in Albania, continues to be classified as partially free (according to Freedom House

Index), in precarious conditions (according to RSF Index), and partially sustainable (according to Irex Index). There is still much left to do regarding the development of a free and independent media in Albania, and the transition to the category of free press, in accordance with international standards.

CHAPTER 3

PROFESSIONAL CHALLENGES: THE MEDIA BETWEEN BUSINESS AND POLITICS

Difficult working conditions: an endless status quo

The development of the Albanian media over the last three decades can be divided in two phases: the first phase was characterized by the so-called politically engaged media, while the second phase was dominated by the establishment and the development of clientelistic media. The first phase, which spanned from early 90s until the turn of the century, was characterized by a constant and fierce struggle between the media and the government⁵⁶. During the second stage of development, models of media ownership changed, and media organizations were consumed by financial problems, and other challenges, such as the inability of journalists to organize in unions, weak support by the public for the freedom of the media, as well as problematic work relations.

According to a study on the labor market in Albania, conducted by IDRA⁵⁷, over 60 percent of journalists in Albania are younger than 30 years of age, while 80 percent of them are under the age 35. These data show that the media market is dominated by young people.

There are no official data on the economic and social situation of journalists. Based on some data and information collected by various NGOs it is clear that journalists find themselves in precarious positions in the media industry. They often lack even the minimum of social protection to successfully play their role in the society. Journalists' associations and NGOs that deal with the freedom of media, and especially the Union of Journalists, have repeatedly warned that the socio-economic situation of journalists in the country has been worsening over the years.

The labor rights of media professionals are not regulated with any special regulation, besides the Code of Labor, which regulates work relations for all

⁵⁶ Baka, *Media vs. Politika: Tranzicion drejt (pa)varësisë*, 2011, f. 3.

⁵⁷ IDRA, "Tregu i punës në media," 2019, <https://idracompany.com/files/ALB-Studimi%20mbi%20hendekun%20e%20aft%C3%ABsive%20n%C3%AB%20media.pdf>

Albanian citizens. The lack of a special legal protection for their profession exposes journalists to the same social problems facing the whole workforce in the country. Failure to pay social contributions, delays in salaries, long hours at work, failure to pay overtime or paid vacations, are some of the main problems in work relations.

Employment continues to be a gray area in the Albanian media. A survey of the Media Institute in 2018⁵⁸ identified problems that have plagued journalism in Albania over the years, such as problems with contracts, fictitious payroll data, violation of rights at work, problems with salaries, etc. Namely, one third of the respondents said that they did not have work contracts, while only 24 percent of the respondents said that they had signed a contract during their career in the media. On the other hand, 55 percent of the respondents said that their pay was lower than the average wage in the public sector, while 59 percent of them said that there have been delays in receiving salaries, either regularly or on occasion, while at times pay was delayed for months.

According to a report by the Albanian Helsinki Committee⁵⁹ the number of media employees dropped in 2019, for the first time, from 6,200 to 5,900 people. The main reason is the shutdown of several media outlets, as well as the abandonment of their profession by journalists due to unsatisfactory working conditions.

Based on the findings of this study, journalists in districts quite often work in more difficult conditions than their colleagues in Tirana. Their job security and salaries are lower than journalists working in the capital city. Informality (no work contracts) and anonymity are reportedly more widespread amongst journalists of online news sites. This does not allow them to claim copyright of their work, or build a professional profile for themselves, making it more difficult to become an equal member of the community of professional journalists. Similarly, young journalists report that their employers treat them worse than experienced journalists. In the meantime, there is also gender discrimination in the workplace. Female journalists are harassed in the workplace, and they complain especially about the reluctance to grant them maternity leave, which affects their life choices.

⁵⁸ Albanian Media Institute, *Skicimi i statusit të gazetarit dhe statusi i shoqatave të gazetarëve dhe organizatave të medias* (Outlining the status of journalists, and the status of associations of journalists and media organizations), 2018.

⁵⁹ Albanian Helsinki Committee, *Raport studimor mbi të drejtat e punës së gazetarëve* (Study report on labor rights of journalists), 2020, https://ahc.org.al/wp-content/uploads/2020/06/Raport-Studimor_Te-drejta-pune-per-gazetaret_ALB-1.pdf

A report by the Union of Journalists⁶⁰ points out the difficult situation regarding working conditions in over 90 percent of media outlets, including the public news agency Albanian Telegraphic Agency, and the public broadcaster Albanian Radio Television. Journalists are not paid overtime in none of these media.

There are no official data on the level of salaries in the media. However, the Union states that there are three levels of wages for journalists, depending on their position, the media they work for, and its location. Journalists with high salaries are paid in average USD 550 – 600 per month, the second tier is paid USD 450 - 500, while lower level media pay their journalists an average salary of USD 300 a month.⁶¹ In the meantime, there is a huge difference between the Tirana-based media, and those in the districts. The average salary of journalists in local media outlets is around USD 150 - 220, and they usually work for more than one medium, in a totally informal way.⁶² The Union says that journalists in the districts make up 45 percent of the total number of journalists, which means that there is an urgent need for action in this field⁶³.

Interviews with journalists and the experience of the Union over the years reveal another source of concern: lost years of work, which have gone unrecorded due to failure to pay social contribution for many years. In a survey conducted by the Union, 65 percent of the responding journalists reported that the number of years they had worked under contracts did not match the number of years they had really spent working in the media.⁶⁴ Media employees have also been cheated and lied at, as payments of social contributions have not been paid at all, or have been paid only for a few years.⁶⁵ Furthermore, the data provided by the Union, as well as interviews with journalists, reveal a new trend in work relations: even when social contributions are paid by employers, they are based on the minimum salary, rather than the actual wage of media employees, raising once more concerns regarding the level of informality in the media industry. According to the

⁶⁰ Union of Albanian Journalists, *Gazetari i pasiguruar dhe financat e munguara për një pension bazik për gazetarët (The uninsured journalists and missing resources to pay them basic pensions)*, 2020.

⁶¹ Interview with Aleksandër Çipa.

⁶² Interview with Aleksandër Çipa.

⁶³ Ibid.

⁶⁴ Union of Albanian Journalists, *Praktikat informale të punës në mediat shqiptare (Informal work practices in the Albanian media)*, 2012, page 21.

⁶⁵ Interview with Aleksandër Çipa.

Union, 98 percent of media outlets do not report the accurate level of salaries of their employees.⁶⁶

As IDRA⁶⁷ points out, journalism in Albania resembles more an off-balance sweatshop, as working conditions are poor, and work relations are clearly dysfunctional. As a result, journalists still lack a well-defined professional status in accordance with acceptable and respectable legal standards.

Professional dilemmas

Media outlets mushroomed in Albania since the 90s, and around the same time a new generation of journalists came along, rich in ambition and passion, but poor in professional knowledge.⁶⁸ In fact, journalism education in Albania had quite a late start. The first school of journalism was established within the Department of Social Sciences and Law, which was built according to the soviet model. The school functioned for ten years, until the early 70s, and was later replaced by a number of classes which were taught by the same professors.⁶⁹ As a result, journalism education was a scarce commodity during the communist period, and it was reintroduced in the university system only in 1992, as a branch of the Department of History-Philology in the University of Tirana, a public university.⁷⁰

A study conducted by IDRA⁷¹ with 800 journalists, revealed that 46 percent of the respondents held a master's degree (MA), and almost one third of them had a bachelor diploma (BA - 29 percent). Almost half of media professionals (46 percent) have not majored in journalism, and do not have any other formal qualification in the field of journalism. An overwhelming number of journalists (90%), regardless of their education, have studied in Albania.

The principle of editorial independence is formally guaranteed by law, but no other measures have been put in place to enforce this principle on the everyday work of the media. In reality, there are no institutions or

⁶⁶ Ibid.

⁶⁷ IDRA, *Tregu i punës në media (The media labor market)*, 2019.

⁶⁸ Bejtja et al., *Education of Journalists in Albania*, 2001.

⁶⁹ Albanian Media Institute, *Journalism Education in Mainstream Media: Education Trends and Training Needs*, July 2009.

⁷⁰ Ibid.

⁷¹ IDRA, *Studim për profesionistët e medias: Panoramë e medias në Shqipëri (Study on media professionals: An overview of the Albanian media)*, 2019, <https://www.idrainstitute.org/files/Panoram%C3%ABn%20e%20Medias%20n%C3%AB%20Shqip%C3%ABri.pdf>

instruments to protect journalists from interference by media owners. The autonomy and independence of journalists is probably one of the most neglected aspects of the media legislation, and to some extent has been ignored by the public opinion as well. Media organizations often identify themselves with their owners and their interests, and as a result, the lack of journalists' professional autonomy is considered a *fait accompli*. This issue becomes a topic of discussion only when there are new incidents or developments, and it does not appear to be a constant source of concern regarding the safeguard of media independence.

A series of studies on the freedom of media and professionalism in journalism confirm that self-censorship is deeply ingrained in the Albanian media, which are more interested in protecting the political and business interests of their owners, rather than the public interest. A study conducted by BIRN⁷², regarding self-censorship in the media, revealed that 73 percent of respondents believed that Albanian journalists avoid reporting on stories that might harm the interests of their media organization. Media employees were asked to provide information regarding their personal experiences on this issue, and it turned out that 48 percent of them had avoided reporting on certain stories or events, often or occasionally during their careers.⁷³ When asked regarding the structure of newsrooms and other elements that might encourage self-censorship, 56 percent of the respondents said that such decisions to suppress information would come as a result of signals or direct orders by editors and media owners.⁷⁴

Self-censorship is quite common amongst media professionals in Albania, says another study conducted by IDRA on the situation of journalists in the country⁷⁵. The respondents believed that "almost all media outlets censor themselves" (41 percent), and that "some media exercise self-censorship" (36 percent). Stories are "suspended" or "postponed" because of: i) pressure by government, ii) pressure by political parties, and iii) pressure by businesses, all equally intimidating. Around 36 percent of the respondents stated that they "were pressured" by their editors to avoid writing stories on certain topics or events. Similarly, around 38 percent of the respondents stated that they had been pressured by their owner or media manager.

⁷² BIRN Albania, *Të mbyllësh një sy ndaj lajmit: Autocensura në median shqiptare (Journalists look the other way: Self-censorship in the Albanian media)*, 2015, <https://birn.eu.com/wp-content/uploads/2017/06/Brochure-Vetecensura.pdf>

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ IDRA, "Studim për profesionistët e medias: Panoramë e medias në Shqipëri (Study on media professionals: An overview of the Albanian media)," 2019.

According to the Transformation Index of the Bertelsmann Foundation (BTI), the Albanian media landscape is diverse, as all the main political party have their own media liaison offices, and a wide array of media outlets has improved over the years their coverage of political processes, government policies and missteps (which take up a considerable portion of media's attention). However, the media is usually financed by businesses, which tend to use them as instruments to gain political credit and lucrative contracts in exchange of favorable political coverage, complicating this way the quality of media reporting.

The report found that an analysis of the limitations of the freedom of speech has identified three main restrictive factors, which were mentioned more often as responsible for third party interference: meddling by politicians (62 percent), intervention by the government (61 percent), and pressure by media owners (60 percent). Another important factor appears to be interference by businessmen and the business community (43 percent). More than 30 percent of respondents also reported that self-censorship and corruption are some of the main factors that limit the freedom of speech (respectively 39 and 31 percent)⁷⁶.

Time after time journalism circles engage in reflections and discussions on ethical issues, but this usually happens in times of crisis, or in cases of problematic and controversial reports. This shows that journalists are aware and concerned regarding the respect of ethical standards in the media, but however the media community has not yet decided to relinquish a portion of its "sovereignty," and to yield to the authority of self-regulating institutions. The weak support by media professionals to self-regulation initiatives could be caused by the difficult financial situation of journalists, the fear of losing their jobs, as well as valuing business interest above professionalism in journalism by a majority of media organizations in the country.

The first Code of Ethics was drafted in 1996 by the Albanian Media Institute, in cooperation with the two main journalism associations at the time, but there was no endorsement or official adoption of the Code. In another push in 2006, the Code of Ethics was amended and updated in joint efforts between the Albanian Media Institute and a group of local media experts. They also put forth the idea of establishing a self-regulating instrument or institution, based on models adopted by other countries. At the time, consultations took place with the owners of the main media outlets in the country, editors, media experts, and journalists. Even though most of them agreed in principle, the main media actors in the country hesitated to endorse the establishment of

⁷⁶ Ibid.

self-regulating instruments, which would oversee the enforcement of the ethical guidelines of the Code, and take decisions that would be accepted and acknowledged by all media organizations.

The Code of Ethics was revised again in 2018 by a group of experts under the leadership of the Albanian Media Institute, including the drafting of a series of guidelines on ethical behavior in the online media. The new Code of Ethics identifies the rights and obligations of journalists during their everyday work, and presents its point of view on the role that free press and journalism should play in a society. This code has a similar approach to ethical regulations in other countries, regarding issues taken under consideration, such as accuracy in reporting, separating fact from opinion, respect for minorities, victims and people in need, protection of editorial independence, serving of public interest, respecting the principle of innocent until proven guilty, right of reply and rebuttal, clear separation of editorial and advertising content, respect of privacy, copyright, etc.

Conflicts of interest are also included in the Code of Ethics, even though it deals only briefly with this problem. Among other issues, the Code points out that news should not be exploited for personal gain, and that journalists should refrain from reporting on topics and sectors in which they could have a vested interest.

In 2017, the Albanian Media Institute brought together a group of experts to review the Code, and draft the guidebook *Ethical Guidelines for Online Journalism*. Both these documents went through a process of consultation with the media community. Besides the Code of Ethics, other regulations and guidelines have been drafted on various journalism sectors and topics, such as investigative journalism, reporting on victims of trafficking, reporting on minorities, reporting on marginalized groups, reporting on elections, etc. Even in these cases the respect of ethical guidelines is left up to journalists, and their conscience, but there are no penalties in play for any violation of rules.

One of the recent developments is the establishment of the Media Council in 2015 by a group of journalists, which was supported by the Council of Europe. The council aimed at pushing for the improvement of professional standards in journalism through the respect of Code of Ethics guidelines⁷⁷. So far, this council has established its offices and has selected a board of complaints, with the support of foreign donors. However, it is still too soon

⁷⁷ Press statement announcing the establishment of the Media Council, <http://www.javanews.al/fomohet-keshilli-i-medias/>

to judge the effect that this council could have on media self-regulation in the country.

Besides these initiatives, the Complaints Committee of the regulatory body Audiovisual Media Authority processes complaints lodged by the public or public institutions regarding media content, which could be insulting to human dignity, and in violation of human rights.

In Albania, the right to reply and the publishing of corrections are protected by law. Article 43 of the criminal code says that the courts have discretion to compel the guilty party to pay for the publishing of the court decision in one or several newspapers, as well as radio and TV stations. Similarly, article 617 of the civil code regulates the publication of false or misleading information. It says that the court, upon request of the injured party, can order the guilty party, which published false, truncated, or misleading information, to publish a refutation and correction. The law on broadcast media also deals at length with the right of reply (article 53), while the Audiovisual Media Authority has approved guidelines and procedures regulating the right of reply in broadcast media.⁷⁸ The right of reply is also included in the Code of Ethics. There have been several court decisions, in which the right of reply and corrections was used to restore the honor and reputation of individuals, but there are no data on their voluntary use by the media following complaints lodged by the public. It is believed that these cases are few and far in between, because there are almost no instruments to facilitate the dialogue between the media and the public.

Many media outlets, little pluralism

Even though there is a substantial number of media outlets in Albania, quantity by itself does not necessarily guarantee a satisfactory level of media pluralism. As a matter of fact, media experts believe that the 2016 decision by the Constitutional Court to lift restrictions on the ownership of national broadcasting licenses has opened the way to monopolies, or at the very least, it has caused media concentration in a few hands. Presently, four out of five licenses to operate national digital networks have been granted to two main private media groups, which is a source of concern regarding the future of pluralism in the media industry.

⁷⁸ AMA, *Guidelines on procedures of processing complaints and the exercise of the right of reply*, <http://ama.gov.al/preview/wp-content/uploads/2015/03/RREGULLORE-MBI-PROCEDURAT-P%C3%8BR-TRAJTIMIN-E-ANKESAVE-DHE-P%C3%8BR-USHTRIMIN-E-S%C3%8B-DREJT%C3%8BS-S%C3%8B-P%C3%8BRGJIGJES.pdf>

According to the latest report by the Center for Pluralism and Media Freedom⁷⁹, when it comes to market pluralism, the Albanian media landscape is classified as high risk (80 percent), due to a lack of transparency regarding media ownership, as well as the influence of commercial interests, business and political interests of media owners over the media editorial policy.

The number of media outlets (traditional media and new ones) is quite high, considering the size of the domestic market. The number of media outlets is very high - in relation to the size of the population and the advertising market - but there are no bankruptcies, and that may lead one to deduce that media organizations are not abiding by the rules of the market. It would appear that the real challenge for Albania is to have fewer media outlets, rather than a lot. Although the media industry is turning its gaze towards the internet (online media 19 percent), with newspapers retreating (at 13 percent), TV still remains the most important medium (64 percent).

Even after 30 years of market liberalization, there have not been any meaningful developments in collecting and publishing reliable and systematic data on the media market, and finances of media outlets. The lack of these data hampers the discussion on the direction that the media market is taking. However, it clearly appears that the lifting of restrictions on media ownership is a step back regarding the guaranteeing of pluralism in the media.

In 2018, a study conducted by Reporters without Borders, and BIRN Albania⁸⁰ showed that there is a huge concentration of ownership in the media industry. The data provided by a poll agency, showed that there is a mid-level concentration of ownership in the TV market, in which media outlets owned by four businessmen accounted for 48.93 percent of the public. On the other hand, the data provided by another polling agency showed a larger market concentration at the hands of these four owners, at 58.60 percent of the public. Estimates on the concentration of ownership in radio and newspaper markets show a similar trend: radio stations owned by four businessmen account for 63.96 percent of the public, while four owners of newspapers reach 43.29 percent of the public. On the other hand, the measuring of such concentration, based on the percentage of the

⁷⁹ European University Institute, *Monitoring Media Pluralism in the Digital Era: Application of the Media Pluralism Monitor in the European Union, Albania and Turkey in the years 2018-2019*, 2020, Country report Albania by Likmeta, Voko, & Matlija: https://cadmus.eui.eu/bitstream/handle/1814/67816/albania_results_mpm_2020_cmpf.pdf?sequence=1&isAllowed=y

⁸⁰ See <https://albania.mom-rsf.org/sq/>

public which follows these media, presents even more alarming data: the two main families that own TV stations control over 70 percent of the TV market, while the four owners mentioned above account for 89,6 percent of the market.

This concentration of ownership is translated into a concentration of funds and advertising, which hinders the ability of other media outlets to collect a sufficient or satisfactory amount of revenue to support their operations. This may also cause a narrowing of narrative in the media, even though experience would suggest that funds and fair competition are not necessarily translated into pluralism of content in the media.

The advertising market in Albania is relatively small, especially when taking into account the large number of media outlets in the country. The market clearly favors TV stations, which claim the lion's share of advertising funds. While the press media continues to free fall, the online news sites have grown stronger, even though the dominance of TV stations in the advertising market is stronger than ever. Radio continues to claim its small, but unchanged, share of advertising funds.

Transparency in the media market in Albania regarding audience levels continues to be very poor, and as a result advertising funds are distributed subjectively. On the other hand, the emergence and strengthening of new companies in the media market, such as advertising agencies, and partner companies of media outlets, complicates even further the situation, and increases the number of factors that affect the bottom line of media organizations. As a result, the absence of a rich advertising market, or alternative means of providing financial support to the media, are factors that influence to some extent editorial policies and the media content that reaches the public.

Efforts to improve legislation on public advertising have been few and far in between. The present regulation does not guarantee full transparency of this process, and allows a wide range of actors to benefit from government funds for public advertising or campaigns. This makes it harder to analyze and evaluate the way that public funds are used, in relation to media outlets. Similarly, poor transparency in the management of media companies and the advertising market makes this process even more difficult.

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