

Working Paper

**Working
Paper
2/2013**

ILDA LONDO

**Limited Assistance
for Limited Impact:
International Media
Assistance in
Albania**

Limited Assistance for Limited Impact

International Media Assistance in Albania

Ilda Londo



Sarajevo/Tirana, 2013.

Title: Limited Assistance for Limited Impact: International Media Assistance in Albania

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Editors: Tarik Jusić and Kristina Irion

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Published by: Analitika – Center for Social Research & AMI – Albanian Media Institute

Year: 2013

Publisher Address:

Analitika – Center for Social Research
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Proofreading: Mirjana Evtov

Copy Editing: Mirela Rožajac Zulčić

Design: Brankica Ilić

DTP: Jasmin Leventta

Citation example

When referring to this working paper, please cite as follows:

Londo, Ilda (2013), Limited Assistance for Limited Impact: International Media Assistance in Albania, Working Paper Series on International Media Assistance in the Western Balkans, Working Paper 2/2013, prepared in the framework of the Regional Research Promotion Programme in the Western Balkans (RRPP) (Sarajevo: Analitika – Center for Social Research & Tirana: AMI – Albanian Media Institute).



Prepared in the framework of the Regional Research Promotion Programme in the Western Balkans (RRPP), which is run by the University of Fribourg upon a mandate of the Swiss Agency for Development and Cooperation, SDC, Federal Department of Foreign Affairs. The views expressed in this working paper are those of the authors and do not necessarily represent opinions of the SDC and the University of Fribourg, or of the publishers.



Democracy for Development
Demokraci për zhvillim
Demokratija za razvoj



Albanian Media Institute
Instituti Shqiptar i Medias



Center for Research and Policy Making

This publication is produced within the project “Development of Functional Media Institutions in Western Balkans - A Comparative Study” implemented in 2012 and 2013 by the Center for Social Research Analitika from Bosnia and Herzegovina, in cooperation with the Center for Research and Policy Making from Macedonia, the Albanian Media Institute, from Albania, and the Democracy for Development from Kosovo.



The project is funded by the Regional Research Promotion Programme (RRPP) Western Balkans. The RRPP is aimed at fostering and promoting social science research in the Western Balkans (Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia). The RRPP is coordinated and operated by the Interfaculty Institute for Central and Eastern Europe (IICEE) at the University of Fribourg (Switzerland). The programme is fully funded by the Swiss Agency for Development and Cooperation (SDC), Federal Department of Foreign Affairs.

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1.

Introduction

Albania has a population of just under three million, according to 2011 census. The country has undergone a profound economic transformation over the past two decades, from a centrally planned to a free-market economy. However, there is significant economic disparity between the capital, Tirana, and other nearby, developed cities, compared to more remote and isolated areas. The 2011 census revealed that Albanians make up 83% of the population, while Greeks, Roma, Aromanians, Macedonians, Egyptians or Montenegrins respectively make up less than 1% of the population. However, 14% of the population did not respond to the ethnicity question.¹ Albania's political system is that of a parliamentary multi-party democracy. The prime minister is designated by the parties that form a majority coalition. The president is elected by the parliament for a five-year term.

When the regime changed from a dictatorship to a pluralist democracy in early 1990s, Albania had a highly controlled media landscape, consisting of print media outlets that were owned by the party organs, professional organizations and trade unions, or state institutions. Apart from the newspaper of the Socialist Party, former state radio and television, currently the public service broadcaster *Radio Televizioni Shqiptar* (Albanian Radio and Television, RTSH), is the only media outlet that continued to operate after the fall of communism. In spite of its continuous challenges, Albanian journalism has entirely changed since the socialist period, when it primarily acted as a propaganda mouthpiece of the government. The main reasons for this are the disappearance of media outlets of the socialist era and the replacement of almost all journalists by a younger generation. While the younger generation was not trained as journalists, it has neither been part of the propaganda machine, so it provided a fresh start for emerging Albanian media.

In the last 20 years Albanian media outlets and institutions have benefited from international assistance and aid. This aid has certainly had its role in shaping the current media environment in the country. The assistance has spanned different fields, such as reform of media legislation and institutions, support for independent and local media, improvement of media professionalism, development of media institutions, etc.

¹ The latest census was conducted amidst a climate of contestation on methodology from ethnic and religious minorities. Hence, results should be taken with some reserve. Instituti i Statistikës (INSTAT), Population and Housing Census 2011 (Tirana: Instituti i Statistikës, 2012).

However, the development of Albanian media during the last two decades was not linear, and it went through two phases: the first phase was marked by the so-called politically engaged media, and the second by emergence and expansion of clientelistic media. The first period, from early to late 90s, was characterized by constant and severe struggle between the media and the government.² An open confrontation between journalists and politicians and lawsuits against journalists marked this period, amid growing concerns of politicians over increasing power of the media in the country. The pressure on the media became more sophisticated during the second period. At this time Albanian media rarely faced open threats or assaults on journalists. They rather experienced problems of an economic nature, such as financial pressure, distribution issues, and transparency of funding, ownership, labor relations, as well as corruption in the media.

Today, the country is characterized by a small and fragmented media market. The Albanian press covers the whole political spectrum, but few papers reach a significant readership, plagued by bad infrastructure of the print distribution system, a weak subscription system coupled with high prices, as well as a mounting competition from television stations. There is also a dual broadcasting system, with public-service broadcaster RTSH and a mushrooming commercial sector. Nevertheless, the high number of media outlets cannot be economically sustainable in such a small market. As a consequence, transparency of ownership, especially transparency of media funding, remains a controversial issue. Concerns over media's cross-subsidization from other businesses of their owners, the owners' relations to politics, allegations of politically allocated state advertising, and the influence of big commercial advertisers have all led to doubts on media standards and editorial independence.

Media legislation efforts ranged from periods of strict and detailed regulation to periods of lacking or relaxed regulation. Currently the freedom of the press is guaranteed by the Constitution and by the law, and there is no other regulation of press conduct. On the other hand, regulation of broadcasting has been a detailed one.

According to IREX Media Sustainability Index, Albanian media system has had significant progress over the years, but has experienced stagnation since 2005.

² Besnik Baka, *Media vs. Politics: Transition to (in)dependence*, 2011, p. 3.

Table 1, IREX Media Sustainability Index

Indicator	Year			
	2001	2005	2009	2013
Free speech	1.98	2.69	2.38	2.30
Professional journalism	1.40	2.07	2.22	2.18
Plurality of news sources	1.99	2.29	2.26	2.42
Business management	1.41	1.88	1.87	1.69
Supporting institutions	2.02	2.44	2.28	2.45
Overall score	1.76	2.27	2.2	2.23

Source: IREX, *Media Sustainability Index, 2001, 2005, 2009, 2013*.

Various reports continuously underline that social and legal norms do not sufficiently promote freedom of expression, more in terms of their implementation, rather than their formulation. Reports are more positive regarding the role of the media and its professional level, recognizing media “as one of the most successful sectors of society, with a significantly distinct contribution to furthering and protecting human rights, compared with other sectors.”³ Nonetheless, media development faces different challenges, such as slow legal reform, political influence on the regulator and the public-service broadcaster, editorial influence of media owners and their political clients, informality of the labor market and journalists’ poor organization, as well as disparity of development between national and local media.

The European Union (EU) Progress Reports on Albania have mirrored the same concerns over the years. In 2012, the report stated that freedom of expression is generally upheld in Albania, appreciating the progress made in amending defamation laws. “Good progress was made as regards defamation with the adoption in March 2012 of the amendments to the criminal and civil codes abolishing prison sentences and special protection of public officials.”⁴ However, the report underlined that the public service broadcaster’s editorial independence from the government has not improved and that the regulatory authority of electronic media still lacks sufficient administrative and technical capacity and its independence remains a concern. Other issues highlighted in the EU Progress Reports include economic pressure on the media market, the lack of working contracts for journalists, and self-censorship among journalists. All of these, along with lack of transparency in regard to media funding, have led to a situation where “editorial independence continues to be

³ International Research and Exchanges Board (IREX), “Albania,” in *Media Sustainability Index 2013: Development of Sustainable Independent Media in Europe and Eurasia* (Washington: IREX, 2013), p. 9.

⁴ European Commission, *Albania 2012 Progress Report* (Brussels: European Commission, October 10, 2012), Section on Human Rights and Protection of Minorities.

hampered by private political and economic interests”⁵ amid mounting concerns that public advertising is directed to television channels that are supportive of the government.

This paper aims to provide an overview of the media system in Albania, focusing on its development as influenced by foreign assistance and funding during the last two decades. The paper will first describe the background of the political and media system in the country. It will also draw a picture of the main trends in international assistance to Albanian media, focusing on strategies, approaches, and aims. The assistance will be further detailed in three case studies that have benefited from the international media development and assistance programs. The case studies will include the regulator *Këshilli Kombëtar i Radios dhe Televizionit* (National Council of Radio and Television, KKRT), public-service broadcaster RTSH, and *Unioni i Gazetarëve Shqiptarë* (Union of Albanian Journalists, UGSH). These institutions are key to the local media system and are often described as weak or politically influenced. Since international assistance was an important part of the history of these institutions, these cases would shed more light on the process and effects of media assistance in Albania.

⁵ Ibid.

2.

Background: Political System and Media System

According to Zielonka and Mancini⁶ and Hallin and Mancini⁷, several key aspects of the relationship between media and the wider society need to be considered in order to understand the dynamic developments in and around media system after a change of regime: weak media market; fuzzy media ownership and commercial pressures; floating laws and informality; political pressures; journalistic autonomy and professionalization; and the role of civil society.

2.1 Weak and Fragmented Media Market

The Albanian media market has changed profoundly in the last twenty years, but it is far from consolidated. Currently, 26 national daily newspapers are published in Albania, which is a significant number compared to countries with a population greater than that of Albania.⁸ While the number of copies sold and circulation figures are not public, the total circulation is believed not to exceed 100,000 copies, with the highest circulation being 25,000 copies.⁹ There are 56 local radio and two analogue private national radios, in addition to the public radio channels and its four regional branches.¹⁰ Apart from the public broadcaster and its three local branches, there are two national television stations in the country and 71 local

⁶ Jan Zielonka and Paolo Mancini, *Executive Summary: A Media Map of Central and Eastern Europe* (Oxford: University of Oxford, 2011).

⁷ Daniel Hallin and Paolo Mancini, *Comparing Media Systems: Three Models of Media and Politics* (Cambridge: Cambridge University Press, 2004).

⁸ International Research and Exchanges Board, *Media Sustainability Index 2013*, “Croatia” “Bosnia and Herzegovina,” and “Serbia” chapters: Croatia has a population of 4,5 million and 11 national dailies, Bosnia and Herzegovina has a population of 4,6 million and 8 national dailies, and Serbia has a population of 7,2 million and 20 national dailies.

⁹ International Research and Exchanges Board, “Albania,” 2013, p. 14.

¹⁰ Autoriteti i Mediave Audiovizive (AMA). “Radios.”

television broadcasting in analogue, as well as two satellite stations and 83 cable TV stations.¹¹

There are no public systematic and reliable data on media funding, which does not allow for an accurate assessment of the economic size of the media market. The few public surveys and studies indicate that print media are constantly losing ground. Monitoring in 2010 found that the advertising revenue of daily newspapers dropped to €3-3.5 million, or 5-7% of the total media advertising market, compared to 10% in 2008.¹² Competition from television and new media, combined with a stagnant quality of reporting, has led to a steady fall in the popularity of newspapers, especially among young people. In a survey of more than 2,000 people aged 15-39, almost 72% said that they did not read newspapers at all.¹³

At the same time, television advertising seems to be increasing, or at least remain stable.¹⁴ Television seems to receive the lion's share of the advertising spending, reaching almost 67% in 2011, as the following table indicates:

Table 2. – Advertising Market Time-Series Spending Data in Albania, 2004-2011¹⁵

Media	2004	2005	2006	2007	2008	2009	2010	2011
Television	86.3%	81.1%	78.2%	63.6%	63.8%	68.7%	65.4%	66.8%
Radio	1.2	1.4	1.2	1.4	1.4	1.3	1.4	1.4
Press	6.4	8.1	5.8	20.1	17.8	8.5	10.7	8.5
Outdoor	6.1	9.4	14.3	15.6	17.4	21.8	20.8	22.4
Cinema	na	na	na	na	na	na	na	na
Internet	na	na	na	0.5	0.8	1.1	0.9	0.9
Ad Market (€ million)	14.5	19.8	24.38	27.18	42.23	49.3	57.4	54.34

Source: Abacus Research, November 2012

Even though television ad spending might increase, the overall advertising market seems to decrease. The estimated data from 2012 generally point to a smaller advertising revenue, compared to 2011, while 2013 is expected to bring in

¹¹ Autoriteti i Mediave Audiovizive (AMA). "Televisions."

¹² Ornella Liperi, "Special: Advertisement 2010," *Revista Monitor*, March 2011, p. 52.

¹³ Fondacioni Shoqëria e Hapur për Shqipërinë, "Përdorimi i Facebook, Twitter, YouTube dhe Blogjeve për ligjërim politik mes të rinjve dhe kandidatëve për bashki e komuna" [Use of Facebook, Twitter, YouTube, and Blogging for Political Deliberation between the Youth and Candidates for Local Office].

¹⁴ Instituti i Medias, *Roli i reklamave në zhvillimin e medias* [Role of Advertising in Media Development] (Tirana: Instituti i Medias, 2012).

¹⁵ Thanas Goga, *The Era of Cross-Platform Media and Its Impact on the Market*, 2013.

greater revenue, considering it is an election year, possibly reaching the levels of the period 2009-2010, i.e. at about € 50 million.¹⁶

In spite of variations in advertising market trends, almost all sources point to conclusions that media outlets are not profitable businesses on their own. “Most media are supported by other businesses of the media’s main shareholders, which display a strong tendency to use these media as a tool to promote and protect their interests.”¹⁷ Clientelism of the media outlets and its effect on media professionalism and independence is quoted as one of the most immediate problems that Albanian media face.¹⁸ It is precisely this media clientelism of media outlets that leaves a significant imprint on media professionalism, and constitutes a formidable challenge for journalists and media standards.

2.2 Reflections of Political Parallelism in Albanian Media

Considering the weak and unconsolidated market, it is not surprising that there is a close relation and mutual influence between the political and media systems, as Hallin and Mancini deduced in their seminal contribution.¹⁹ While the authors argue that political parallelism might appear in different components of the media system, in the Albanian case the most relevant ones would be the media content and the tendency for the career paths of journalists to be shaped by their political affiliations.

Media content produced in the country closely mirrors the increasing political divide of the society, with the public service broadcaster and a part of the commercial media constantly being accused of openly favoring the government. This trend of openly supporting one political party varies between different media outlets in degrees of subtlety, not in principle, especially recently. The main illustrations of this are the selection of news events to cover, the tone used in reporting, and the selection of sources of information.²⁰ This was particularly evident during election campaigns. The general elections of June 2009, according to the OSCE/ODIHR report, marked a low point for the Albanian media which served as loudspeakers

¹⁶ Ibid.

¹⁷ International Research and Exchanges Board, “Albania”, 2013, p. 13.

¹⁸ Ibid, p. 7.

¹⁹ Hallin and Mancini, *Comparing Media Systems*, p. 65.

²⁰ International Research and Exchanges Board, “Albania”, 2013, p. 7.

for political parties.²¹ Campaign coverage was largely reduced to broadcasting footage and commentary provided by the political parties themselves. Such control over editorial policies by political parties resulted in the absence of voices and opinions which could have been considered critical or inconvenient to a given outlet's allegiance, the report concluded.²²

While political parallelism in the media is most visible in terms of media content, the tendency for the career paths of journalists and other media personnel to be shaped by their political affiliation is also present, though in a more subtle way. The cases of journalists who change their career to spokespersons, media advisors, or other related jobs in government or political parties are an increasingly popular phenomenon. From a larger perspective, "people that started in journalism in 1991 right after the fall of Communism and are still in the profession can be counted with fingers of both hands. Many journalists entered politics, public administration, or other professions – a tendency that continues to this day."²³ The political loyalty of the media outlet is of crucial importance for the future career of journalists.

However, apart from high political parallelism, Albanian media exhibit strong external pluralism as well. External pluralism is pluralism achieved at the level of the media system as a whole, through the existence of a range of media outlets or organizations reflecting the points of view of different groups or tendencies in society.²⁴ While it is difficult to identify any political or social groups that are denied access to the media, their coverage and access varies from one media outlet to the other. However, the large number of media outlets, despite their political preferences or affiliations, seems to guarantee in itself a certain degree of pluralism: "News that is censored by one television station or newspaper may be covered by another."²⁵ Media coverage, although plural, is certainly a highly polarized one, changing the priority of news coverage and agenda even on issues of obvious public interest.²⁶

Against this background, it is hard to detect any signs of internal pluralism, defined as pluralism achieved within each individual media outlet or organization,

²¹ Organization for Security and Co-operation in Europe (OSCE), Office of Democratic Institutions and Human Rights (ODIHR), Republic of Albania: Parliamentary Elections 28 June 2009: OSCE/ODHIR Election Observation Mission Final Report 2009 (Warsaw: OSCE; ODIHR, September 14, 2009).

²² Ibid.

²³ International Research and Exchanges Board (IREX), "Albania," in *Media Sustainability Index 2009: Development of Sustainable Independent Media in Europe and Eurasia* (Washington: IREX, 2009), p. 10.

²⁴ Hallin and Mancini, *Comparing Media Systems*, p. 29.

²⁵ International Research and Exchanges Board (IREX), "Albania," In *Media Sustainability Index 2010: Development of Sustainable Independent Media in Europe and Eurasia* (Washington: IREX, 2010), p. 9.

²⁶ International Research and Exchanges Board, "Albania", 2013, p. 8.

where media organizations both avoid institutional ties to political groups and attempt to maintain neutrality and “balance” in their content.²⁷ Attempts of having different political voices and views within the same media have not been welcomed in the media outlets. “Not only are journalists unable to publish a story that the outlet owners or the political wing supporting the newspaper do not like, but they have started to adapt reports and comments in accordance with the preferences of owners or political parties.”²⁸ As a result, within the same media outlet or media group the political stance is more or less uniform, with little or no tolerance for internal pluralism and often leading to self-censorship.

2.3 Business Parallelism and Fuzzy Media Ownership

Another important characteristic of Albanian media system is the presence of business parallelism: a situation where the mass media are owned by and depend on economic and business interests rather than solely political and social organizations.²⁹ Annual reports from IREX, Freedom House, the US Department of State, and other non-periodic reports, have highlighted the problematic triangle of business, politics, and the media as the factor that has mostly affected Albanian media scene in the last ten years or so. “The entanglements between business, politics and the media remain the greatest challenge in media independence.”³⁰ Along the same lines, a report addressing media situation for 2012 states: “Business owners also freely used media outlets to gain favor and promote their interests with both major parties. Many media owners courted government leaders to gain favors or avoid taxes.”³¹ In the last decade, the public debate on the media has been dominated by controversial influence of relations between media owners, business, and politicians.

Overall, the media market is also characterized by what Zielonka and Mancini call a fuzzy ownership.³² The current model of media owners and moguls is that of persons with economic interests in other businesses, lacking media experience, with little transparency of their media funding practices. “While these businesses were the

²⁷ Hallin and Mancini, *Comparing Media Systems*, p. 29.

²⁸ Ibid.

²⁹ Zielonka and Mancini, *Executive Summary: A Media Map of Central and Eastern Europe*, p. 4.

³⁰ Fundacion para las Relaciones Internacionales y el Dialogo Exterior (FRIDE), *Democracy Monitoring Report: Albania 2010* (Madrid: FRIDE, 2010), p. 17.

³¹ United States Department of State, Bureau of Democracy, Human Rights and Labor, Albania 2012 Human Rights Report.

³² Zielonka and Mancini, *Executive Summary: A Media Map of Central and Eastern Europe*, p. 5.

basis for the considerable investment in the media scene, parallel ownership also makes these outlets vulnerable to economic and political interests.”³³ In this murky relation between ownership and media vulnerability, direct links to politicians and their families have been the exception rather than the norm. Usage of the media to increase political capital has been more common. Different media experts in Albania conclude that media owners have used the media not as a business, but as a tool that brings profit by courting politicians through media coverage.³⁴

2.4 Floating Laws

Floating laws and procedures³⁵ is another trend of post-communist media system development that Albania exhibits. While the press was left largely unregulated after an unsuccessful early attempt of over-regulation, the electronic media law has been amended seven times. The new law which was to be in line with the EU Audiovisual Media Services Directive was under discussion from 2008, and it was finally approved in March 2013. Similarly, the Strategy for Digital Switchover was approved only in May 2012, after almost seven years from its first draft. These delays have not contributed to strengthening of the media sector. Instead, they resulted in legal uncertainty and in a strong presence of informal rules (see section 4.1.).

2.5 Professional Journalism: A Long Way Home

Hallin and Mancini distinguish three dimensions of professionalization of journalists: autonomy, professional norms, and public service orientation. The journalistic autonomy is the fundamental characteristic of the profession, where authority over journalists is exercised through professional standards and self-regulation by fellow journalists.³⁶

In general, journalistic professionalism in Albania is underdeveloped. Proper education for journalists was non-existent during the Communist period, and it was introduced only in 1992.³⁷ Apart from formal education on journalism, few other actors have been involved in improving media professionalism.

³³ Ilda Londo, *Mapping Digital Media: Albania* (London: Open Society Foundations, 2012).

³⁴ *Ibid.*, p. 67.

³⁵ Zielonka and Mancini, *Executive Summary: A Media Map of Central and Eastern Europe*.

³⁶ Hallin and Mancini, *Comparing Media Systems*.

³⁷ Albanian Media Institute, *Journalism Education in Mainstream Media: Education Trends and Training Needs* (Tirana: Albanian Media Institute, 2009).

Also the process of introducing professional norms and standards has been long and slow. To this day, no media outlet has its own code of ethics, and the practice of self-regulatory mechanisms is largely unknown. The inability to establish self-regulatory mechanisms is also reflection of Hallin & Mancini's third dimension of professionalism of journalists, namely public service orientation. The development of self-regulatory mechanisms is viewed as one of the clearest indicators of having an ethic of public service in the profession.³⁸ In Albania, this ethic was clearly having difficulties in taking root (see section 3.2.2). Journalists have found it difficult to organize themselves even for their own good. Lacking a tradition of organizing in professional associations and trade unions, the current trade union organization was established in 2005 and is still weak (see section 4.3).

Against this background of low professionalization in the media, Hallin and Mancini point out that it is easier for instrumentalization of the media to prevail. They define instrumentalization as "control of the media by outside actors – parties, politicians, social groups or movements, or economic actors seeking political influence – who use them to intervene in the world of politics."³⁹ Albanian media is deeply related to and dependent on political developments and actors in the country (see section 2.2.). This situation naturally leads to low professionalization of journalists, with media strongly linked to politics and journalists lacking both autonomy and a distinct sense of their profession and purpose.⁴⁰

2.6 Role of Civil Society

There are numerous civil society organizations in Albania, but overwhelmingly they are not seen as an active and thoroughly influential actor in domestic affairs. The main reasons for this might be found in the total lack of an Albanian civil society in the recent past.

Oppression of all forms of social resistance, a legal ban on independent organizations practically since 1956 and the creation of shell organizations to communicate the party line contributed to create a mummified social space where party and society was indistinguishable. Consequently, the idea and practice of civil society in Albania lacked

³⁸ Ibid, p. 37.

³⁹ Ibid.

⁴⁰ Ibid.

the normative attributes it gained in other post-communist countries as an important actor of regime change.⁴¹

In Albania the regime change was not significantly backed and influenced by an active civil society, let alone civil resistance. Civil society had to be mobilized and created from scratch, faced with the lack of tradition of civic organization, participation, and engagement.

Civil society organizations and efficacy of their activity still face a lack of trust among Albanian public, while civil society itself seems to be often politically divided. Albanian non-governmental organizations are often not neutral advocates of a given social concern or cause but are largely divided between supporters of either government or the opposition.⁴² According to another source, “current associations have still to assert their political autonomy against an increasing trend of politicization, as many NGOs often serve as political auxiliaries rather than autonomous public entities.”⁴³ Albanian NGOs are also invariably dependent on foreign funding, often lacking sufficient financial and human resources. Since 2009, state aid is also available for NGOs through an agency set up for this purpose. This agency has received criticism from civil society on the allocation of funding; civil society claiming that loyalty to the government is the main criterion for awarding funds.⁴⁴

Against this backdrop, civil society finds it difficult to make a lasting impact on media development. However, there are several professional and human rights organizations involved in promoting media freedom, such as Albanian Media Institute, Albanian Helsinki Committee, Albanian Human Rights Group, and *Mjaft* movement.⁴⁵ Their role is mainly monitoring and reacting to flagrant cases of violations of media freedom, rather than a concerted and continuous effort to achieve systemic improvements in the media. However, in the last years civil society contribution was strengthened, especially in the realm of legal reform. For example, a comprehensive reform of criminal and civil libel and defamation laws was achieved after a seven-year effort by the Albanian Media Institute and the Open Society Justice Initiative.⁴⁶ Another effort to amend regulation on access to information is presently ongoing.

⁴¹ Bertelsmann Stiftung, *Bertelsmann Transformation Index 2012: Albania Country Report* (Gütersloh: Bertelsmann Stiftung, 2012), p. 22.

⁴² Ulrike Stern and Sarah Wohlfield, *Albania's Long Road into the European Union: Internal Political Power Struggle Blocks Central Reforms* (Berlin: Deutsche Gesellschaft für Auswärtige Politik – DGAP, 2012), p. 11.

⁴³ Bertelsmann Stiftung, *Bertelsmann Transformation Index 2012*, p. 23.

⁴⁴ Stern and Wohlfield, *Albania's Long Road into the European Union*, p. 12.

⁴⁵ International Research and Exchanges Board, “Albania”, 2013, p. 14.

⁴⁶ Darian Pavli, *Running the Marathon: the Effort to Reform Albania's Defamation Laws* (Tirana: Albanian Media Institute, 2013).

3.

Democratization and Media Assistance: An Overview

Existing literature does not abound with overviews of media assistance efforts and strategies in Albania. Perhaps the most comprehensive information comes from the assessment completed by Aaron Rhodes, “Ten years of media support to the Balkans,” on behalf of the Media Task Force of the Stability Pact for SEE. IREX Media Sustainability Index reports annually provide information on the status of supporting media institutions, even though their focus is not the international media assistance as such. The following sections attempt to shed more light on the main trends and characteristics of media assistance, focusing on key actors, strategies employed, and the sustainability and impact of their efforts in Albania.

3.1 Key Actors and Trends in Media Assistance

Since 1990, with the change of political regimes and the advent of new and opposition media, numerous organizations and donors have assisted democratization and media in Albania. The bulk of the support has come from aid agencies of Western states, but multilateral organizations such as UN agencies, OSCE, World Bank, etc, have also been active. Until recently, some of the most active donors have included the Soros Foundation, DANIDA, Swiss Development Agency, German government, SIDA, USAID, Press Now, UNESCO, etc. In recent years, the EU has also issued calls for projects that aim to assist media, either within the human rights or civil society frameworks.

There is no accurate information on the amount of international assistance that was invested in developing the Albanian media system. According to the assessment carried out by Rhodes, in the period 1996-2006, support for media in Albania amounted to 10.6 million euros.⁴⁷ This sum constitutes just 3.9% of the donor support for the Western Balkans, making Albania the country that, in this

⁴⁷ Aaron Rhodes, *Ten Years of Media Support to the Balkans: An Assessment* (Media Task Force of the Stability Pact for South East Europe, 2007), p. 15.

field, received less support than any other but Montenegro, which is considerably smaller.⁴⁸

“With little violence aside from a period of internal instability and strife, and no major threat of internal ethnic conflict, it attracted far less media support from abroad despite suffering from greater deficits than its Yugoslav neighbors in the public understanding of independent media and civil society, and media professionalism itself.”⁴⁹

Between 1996 and 2006, 64% of 10.6 million media assistance in Albania was spent on training, 17% on direct support and the remaining 19% on media environment i.e. projects related to media policies, media associations, self-regulation, etc.⁵⁰

No formal structure for coordinating foreign media aid in Albania existed until 2005, when the Albanian Government created the Department of Strategy and Donor Coordination, aiming to coordinate planning and budgeting process of the government with the external assistance that targeted national priorities.⁵¹ According to this department’s data, in the period 2000-2008, the total donor commitment to Albania in the fields of civil society and the media amounts to approximately €20 million, with a disbursement rate of 58%.⁵² The US was the largest donor in this sector, followed by the EU, Germany, Sweden, and the Netherlands.⁵³

⁴⁸ Ibid.

⁴⁹ Ibid, p. 17.

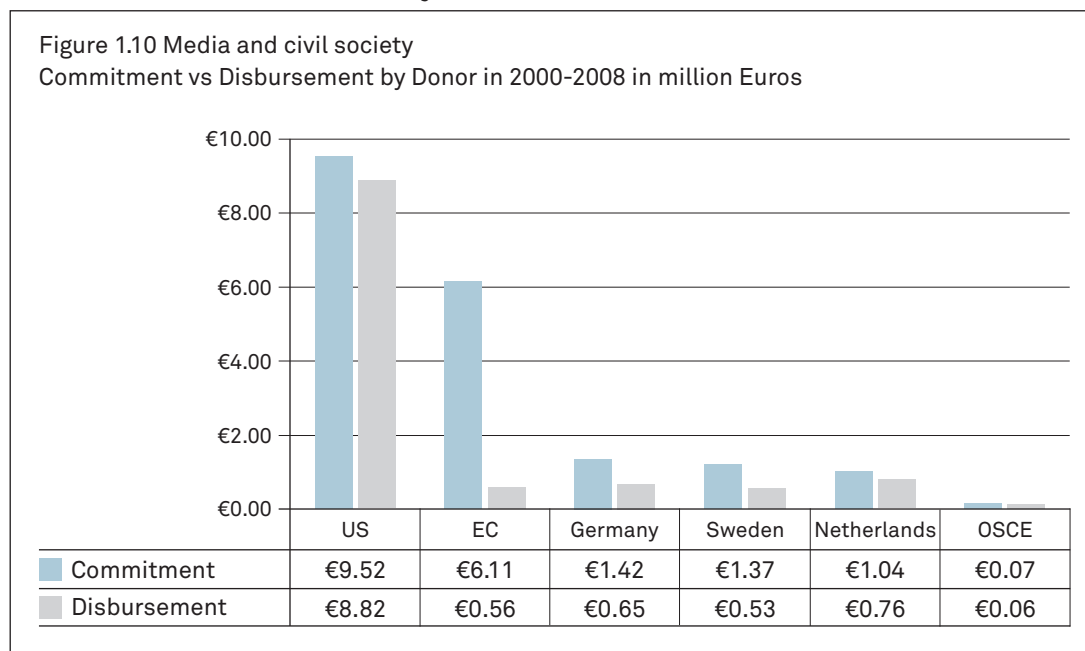
⁵⁰ Ibid.

⁵¹ Council of Ministers, Department of Strategy and Donor coordination.

⁵² Department of Strategy and Donor Coordination, External Assistance in Albania: Progress Report 2008 (Tirana: Department of Strategy and Donor Coordination, October 2009).

⁵³ Ibid, p. 18.

Table 3: Media and Civil Society commitment vs. disbursement⁵⁴



Source: External Assistance in Albania Progress Report 2008

Albania continued to receive support for civil society and the media; with the EU being the main donor, offering another 4.8 million euros, or 88% of donor support for this sector, Austria follows with 6%, while the UN, World Bank, Sweden and the OSCE Presence provided the remaining 6% of overall assistance for new projects in the period 2009-2010.⁵⁵ The 2011-2012 report shows donor commitment to media and civil society in the amount of 5.5 million euros, with Sweden as the main contributor.⁵⁶ However, the funding targets civil society in general, rather than media exclusively, which makes the figure less impressive. For example, Sweden, as the bulk of contribution came from there in this period, supported three major projects aimed at enabling environmental NGOs, supporting citizens' participation in civil society and political processes, and Civil Rights Defenders organization, which also focus on some media-related projects.⁵⁷ The main trend for this period was that the media sector was no longer seen as a separate one, but was often

⁵⁴ Ibid, p. 19.

⁵⁵ Department of Strategy and Donor Coordination, External Assistance in Albania: 2009-2010 Progress Report (Tirana: Department of Strategy and Donor Coordination, September 2011).

⁵⁶ Department of Strategy and Donor Coordination, Analysis of Foreign Assistance Performance 2011-2012 (Tirana: Department of Strategy and Donor Coordination, November 2012).

⁵⁷ Ibid.

grouped within civil society, which reflects the overall withdrawal of important donors from media assistance in the Balkans, Albania included.⁵⁸

3.2 Scope of Assistance

Media development assistance in Albania came in many forms: direct support for salaries, infrastructure, and capacity building of media outlets, journalism training, and legislation reform, humanitarian reporting during conflicts, support for developing financial sustainability of media outlets, reform of public service broadcasting, self-organization and professional socialization of journalists, support for independent regulatory bodies, etc.

3.2.1 Direct Funding for Independent Media

In the early period of media assistance direct funding for new and independent media outlets was the most visible trend. The earliest biggest contributors in this respect were the then-United States Information Agency (USIA,) the International Media Fund (IMF), the Soros Foundation, and other donors.⁵⁹ The first aid was elementary in view of the dire needs of Albanian media, including satellite dishes and VCR tapes for the state television to record international television programs, vans for newspaper distribution, setting up a computer lab for journalists, and providing newsprint for opposition newspapers.⁶⁰ Due to lower costs and easier bureaucratic rules, print media had a quicker start and enjoyed greater support. The most ambitious projects included the one by the IMF which in 1993 built the *Demokracia* printing house, at a cost of USD 1 million, meant to be used by seven opposition newspapers that had emerged.⁶¹

Direct contributions to operational costs carried on for several years, targeting opposition newspapers first, but then expanding to include a wider diversity of voices. In 1994 Soros Foundation paid for the two first issues of 15 newspapers and magazines for young people, paid transportation expenses for public broadcaster equipment that was purchased abroad, and bought equipment for the two existing

⁵⁸ Elda Bagaviki Berisha, “Ndikimi i programeve të agjensive të ndihmës së huaj në mbështetje të gazetarisë” [Influence of Foreign Aid Agency Support in Journalism], in *Mediat shqiptare në tranzicion [Albanian Media in Transition]* (Tirana: Faculty of History and Philology, 2010).

⁵⁹ Van Kornegay, *On the Road to Free Press in Albania: Evaluating outside Aid Efforts* (Athens: University of Georgia, Henry W. Grady College of Journalism and Mass Communication, James M. Cox, Jr. Center for International Mass Communication Training and Research, 1995), p. 5.

⁶⁰ Ibid, p. 6.

⁶¹ Ibid, p. 7.

associations of journalists.⁶² Grants were given to independent and new press, ranging from 3,000 to 20,000 US dollars.⁶³

Development of local and minority media was viewed as another donor priority, at first through support for publishing expenses and later also through training for journalists.⁶⁴ In early 2000s Press Now provided grants for printing houses and some operational support for three local newspapers based in Pogradec, Berat, and Gjirokastër.⁶⁵ Other donors, such as Swedish Helsinki Committee supported a radio for the Macedonian minority and provided training and internship opportunities for Greek minority journalists and media in Southern Albania.⁶⁶

The majority of media that benefited from direct funding have disappeared through the years, unable to maintain themselves in such a poor local media market. Out of the three local newspapers cited only one is still running, while the Macedonian minority radio has stopped broadcasting. A survey of local and minority media cited financial hardship as the most acute problem, with none of these media being financially self-sustainable, and relying on occasional donations or grants.⁶⁷

3.2.2 Supporting Professionalization of Journalism

Improving professionalism of journalists has always been the most significant part of the assistance. Training has benefitted both the journalists and the media outlets.

Another form of assistance involved strengthening and sometimes even establishing associations of journalists and professional training centers (Soros Media Training Center and Albanian Media Institute, later merged to Albanian Media Institute, AMI). Different generic associations have been created (Association of Professional Journalists, League of Journalists, Union of Journalists, etc.) along with more specific ones, based on thematic work or geography (Association of Southern Journalists, UN Press Club, Association of Health Reporters, Association of Investigative Reporters, etc.)

Another dimension of supporting professionalism involved drafting sets of norms for journalism conduct and establishing self-regulatory bodies. A code of ethics

⁶² Soros Foundation, *Albania Annual Report 1994* (Tirana: Soros Foundation, 1994).

⁶³ Soros Foundation, *Albania Annual Report 1995* (Tirana: Soros Foundation, 1995).

⁶⁴ Soros Foundation, *Albania Annual Report 1996* (Tirana: Soros Foundation, 1996); Soros Foundation, *Albania Annual Report 1998* (Tirana: Soros Foundation, 1998); Soros Foundation, *Albania Annual Report 1998* (Tirana: Soros Foundation, 1999).

⁶⁵ Media Task Force (MTF), *Overview of Media Support in SEE*, 2003.

⁶⁶ Albanian Media Institute, *Annual Report 2005* (Tirana: Albanian Media Institute, 2005).

⁶⁷ Albanian Media Institute, *Minority Media in Albania in 2009* (Tirana: Albanian Media Institute, 2010), p. 19.

was drafted first in 1996 and then in 2006, facilitated by AMI and endorsed by the journalists' associations. In both cases progress in implementation has been slow.⁶⁸ Parallel to this, a statute was drafted of a self-regulatory mechanism, in the form of a press council, and though the media outlets agreed in principle, they never made any specific steps to establish the council.⁶⁹ Specific codes were also drafted covering media and special groups, still lacking implementation from media outlets.⁷⁰ After unsuccessful efforts to establish national self-regulatory mechanisms, attention turned to smaller-scale efforts, such as in-house training on ethics for newsrooms, but these did not result in adoption of codes by the media outlets or their involvement in self-regulation.⁷¹

In addition to supporting self-regulation and establishment of ethical norms, the assistance was also offered for establishing a trade union, as a way of strengthening autonomy of journalists (see section 4.3).

Overall, the assistance aimed at professionalization has had a mixed record. Significant amount of professional training has gradually improved professionalism of reporting, in spite of its limitations, as IREX MSI ratings show through the years. Also, even though there has been no success in establishing self-regulatory bodies, ethical dilemmas in media are increasingly part of the public debate. Organization of journalists still remains weak.

3.2.3 Legislative and Regulatory Reforms and International Assistance

The whole framework of media legislation was in need of an overhaul after the change of regime. New laws had to accommodate media transition and liberalization. This was similar to “[t]he task that all early post-communist societies faced was the formulation and implementation of systemic media policy, i.e. the development of a media system that differs fundamentally from media systems under communist rule.”⁷² The need for international assistance in this field was urgent. In 2000 the jurisprudence in Albania was still at its early stage of development, with only two

⁶⁸ Ilda Londo, “Albania,” in *Freedom of Speech in South East Europe: Media Independence and Self-regulation* (Sofia: Media Development Center; Budapest: South East European Network for Professionalization of Media – SEENPM, 2007), p. 34.

⁶⁹ Ibid, p. 36.

⁷⁰ “Code of Ethics,” Albanian Media Institute, available at: <http://institutemedia.org/codethics.html> (Accessed on October 21, 2013).

⁷¹ Albanian Media Institute, “Albanian Media Institute Newsletter 2008,” Albanian Media Institute, 2008.

⁷² Karol Jakubowicz and Miklos Sukosd, “Twelve Concepts Regarding Media System Evolution and Democratization in Post-Communist Societies,” in *Finding the Right Place on the Map: Central and Eastern European Media Change in a Global Perspective*, ed. Karol Jakubowicz and Miklos Sukosd (Bristol; Chicago: Intellect, 2008), p. 14.

universities teaching this branch and only a few specialized publications dealing with jurisprudence.⁷³ Hence, throughout the transition, the consultancy regarding media legislation has always been part of the overall assistance.⁷⁴

With international assistance, the first regulation efforts tackled press regulation, and afterwards, with the emergence of commercial electronic media in Albania, the regulation extended to broadcasting, establishing both the regulator and the public service broadcaster. The Law on Access to Information was introduced, and the Civil and Penal Codes revision touched on defamation regulation. OSCE, Council of Europe (CoE), EU, Soros Foundation, USAID, German foundations, and other actors, provided consultancy on legislative drafting.

Press regulation

The legal reform of the media system started with the introduction of the Press Law in 1993; it was adopted in a fairly closed process, upon Government initiative. Due to previous legislative vacuum, all eyes turned to other countries' experience and Friedrich Ebert Foundation took the initiative to present the parliament with examples of similar laws in three German states, out of which the Parliament chose to adopt the Press Law of the German state of Westphalia, without any effort to adjust it to the Albanian context.⁷⁵ The media community soon faced repressive legislation, which encountered resistance and was annulled entirely in 1997.⁷⁶

Broadcasting regulation

The emergence of the first commercial TV stations was the first pressure towards political institutions to pass the relevant regulation.⁷⁷ The attempts to draft a law on electronic media began in the Parliamentary Media Commission in 1995, while the law passed in 1997.⁷⁸ In the drafting process of the law, the Commission benefited mainly from the consultancy of Council of Europe.⁷⁹ This Law focused only on

⁷³ Kathleen Imholz, Elina Koci and Robert Rittler, *E drejta e mediave elektronike ne Shqiperi* [Electronic Media Jurisprudence in Albania] (Tirana: Horizont, 2001), p. 22.

⁷⁴ Interview with Mustafa Eric, Media Development Officer, OSCE Presence in Albania, February 1, 2013.

⁷⁵ Ilda Londo, "Albania," in *Media Ownership and Its Impact on Media Pluralism and Independence*, ed. Brankica Petković (Ljubljana: Peace Institute, Institute for Contemporary Social and Political Studies, 2004).

⁷⁶ Ibid.

⁷⁷ Qendra Shqiptare e Monitorimit te Medias, *Monitori Shqiptar i Medias* [Albanian Media Monitor], 2004-2, p. 35.

⁷⁸ "Për Radion dhe Televizionin publik dhe privat në Republikën e Shqipërisë," [Law No. 8221 on Public and Private Radio and Television in the Republic of Albania], *Official Gazette* 1997.

⁷⁹ Helen Darbishire, *Liria e shtypit ne Shqiperi: Analize mbi legjislacionin e medias* [Press Freedom in Albania: Analysis of Media Legislation] (Tirana, 1997), p. 28.

private media and failed to take into account the public broadcaster. Hence, the parliamentary commission started to revise the law again, in order to reflect the transformation of the public broadcaster, as well. The group of experts involved was composed of MPs, journalists, lawyers, representatives of public broadcaster, and filmmakers.⁸⁰ The work group also had study trips to BBC, the Hungarian public television, the French public broadcaster, the Czech public broadcaster, and Greek and Turkish electronic media.⁸¹ Slovenian, Czech, Danish, French, and British laws were consulted.⁸² Albania's socialist past and history had little in common with Eastern countries in this group, let alone with Western European ones. However, the main motivation and driving force at the time was to catch up with Europe, rather than adopt a realistic approach to local problems. The foreign expertise was made available by CoE (in 1995, 1997, and 1998) and by the US Embassy in Tirana (1997 and 1998), so US experts contributed to the drafting as well.⁸³ Through consultancy, funding of study trips, and law reviews, this initiative involved an array of organizations and donors, such as International Federation of Journalists, OSCE, Soros Foundation, Article 19, Federal Communication Commission in Los Angeles, IREX, etc.⁸⁴ The Law on Public and Private Radio and Television was approved in 1998, providing regulation for commercial electronic media, and establishing KKRT as the regulatory authority and RTSH as the public broadcaster (see sections 4.1 and 4.2.).

Support in legal issues continued even after approval of the Law. Article 19 did (for OSCE) a legal review of amendments on proposal for a regulation of macabre images on TV⁸⁵ and a memorandum on draft amendments to piracy⁸⁶, while a general overview of Albanian broadcasting was commissioned by OSCE.⁸⁷

In 2007, Albania signed an Action Plan for media legal reform with EU and CoE, who have since participated in the media legislation reform through legal analysis, consultancy and comments. This lengthy cooperation has focused especially on

⁸⁰ International Republican Institute, Parliamentary Monitoring, Special Edition: Draft Law on Public and Private Radio and Television in the Republic of Albania (Tirana: International Republican Institute, August 18, 1998), p. 2.

⁸¹ Ibid.

⁸² Ibid.

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ Article 19, *Note on Amendments to Law No. 8410 of 30 September 1998 on Public and Private Radio and Television in the Republic of Albania* (London: Article 19, April 2004).

⁸⁶ Article 19, *Memorandum on Draft Amendments to Law No. 8410 "On Public and Private Radio and Television in the Republic of Albania"* (Organization for Security and Co-operation in Europe, Representative on Freedom of the Media, July 2003).

⁸⁷ Karol Jakubowicz, *Analysis and Review of Law No. 8410 of 1998 (as amended) on Public and Private Radio and Television in the Republic of Albania* (Organization for Security and Co-operation in Europe, Representative on Freedom of the Media, August 2004).

drafting Strategy to Digital Switchover and adopting a new law on audiovisual media, completed in 2012 and 2013 respectively. OSCE has also been part of this legal reform through provision of expertise.⁸⁸

Civil and criminal provisions on defamation

Albanian Media Institute and Open Society Justice Initiative worked on decriminalizing libel and defamation and amending civil provisions from 2004 to 2012, while OSCE and Article 19 had also reviewed the regulation in 2004.⁸⁹ Article 19, commissioned by OSCE, was first involved in reviewing the amendments,⁹⁰ while AMI and Justice Initiative followed the process through the years. Their efforts involved drafting legislation, lobbying with MPs and government, and raising awareness.⁹¹ Soros Foundation has also supported another initiative on amending Access to Information Law, ongoing since 2005.⁹²

Assistance for legal media reform has been sufficiently successful, introducing regulation in all relevant media fields, though problems in implementation persist. The drafting process of media legislation has generally been a joint effort between local and international actors. More recently, media legislation has been linked to reforms that would speed up EU integration process. The EU Progress Report issued after the beginning of negotiations for Stabilization and Association Agreement stated that Albania should take further steps to update and enhance legislation relating to printed and electronic media, taking into account EU standards as appropriate, among others.⁹³ Approval of the Law on Audiovisual Media, amendments to defamation provisions, and general implementation of the Action Plan of 2007 were made with the aim of bringing Albanian legislation in line with EU standards. While EU integration has certainly been a stimulus for amending legislation, it has not been a strong drive in this process, given the considerable delay in implementing this Action Plan.

3.2.4 Reforming State-Controlled Media

The reform of the state broadcaster to a public one has been a major challenge of the media system and of international assistance efforts. International actors such as OSCE, Council of Europe, EU, and EBU have been essential in providing legal

⁸⁸ Interview with Mustafa Eric, February 1, 2013.

⁸⁹ For more information: Pavli, *Running the Marathon*.

⁹⁰ Article 19, *Memorandum on Albanian Defamation Law* (London: Article 19, September 2004).

⁹¹ Albanian Media Institute, "Albania Adopts Important Defamation Reform," *AMI Newsletter*, February 2012.

⁹² Interview with Brunilda Bakshevani, Program Coordinator, Soros Foundation, February 20, 2013.

⁹³ European Commission, *Albania Stabilization and Association Report 2004* (Brussels: European Commission, 2004).

expertise in the reform that laid the basis for transformation of state broadcaster to a dual system of broadcasting. The legal consultancy regarding public broadcaster has continued in the overall media regulation reform, but long-term efforts towards reforming RTSH daily practice have been absent. There have been training sessions for journalists and contribution to content production, with DW, ZDF, IREX, and EBU as the main actors involved. Content production with long-term support of UNICEF and UK in particular has also been another dimension of international assistance. In spite of the progress achieved, the doubts on ability to transform RTSH to a public broadcaster are still evident, through charges of political dependence, lack of transparency, and poorer performance than some commercial media (see section 4.2).

In addition to RTSH, the Albanian Telegraphic Agency (ATA) is still operating as the official news agency. ATA has adapted its way of working to reflect technological changes and modernize its news content, but their news bulletins seem to be biased in favor of the government and are not massively used by other media.⁹⁴

3.3 Media Assistance Effects

Overall, the scope of assistance was rather ambitious, aiming to reform all key segments of the media sector. It is therefore not surprising that the results have been mixed at best. The important elements of the regulatory framework have been put in place, but the reforms aimed at public broadcasters, the introduction of self-regulatory mechanisms, and professionalization of journalism have proved to be particularly challenging. While media assistance has been crucial in media development, external factors such as the market, the existing informality, the interaction between politics, business, and media, etc., have affected the outcome of donor efforts in the media field.

⁹⁴ International Research and Exchanges Board, “Albania”, 2013, p. 9.

4.

Case Studies

4.1 National Council of Radio and Television (KKRT) / Authority on Audiovisual Media (AMA)

Këshilli Kombëtar i Radios dhe Televizionit (National Council of Radio and Television, KKRT), the regulatory authority for electronic media, started operating only in 2000, five years after the emergence of the first commercial TV station, facing the task of regulating an already very dynamic landscape of electronic media. The legal basis for establishment of KKRT was the approval of the Law No. 8410 on Public and Private Radio and Television, of 1998. This law stated that the regulator is an independent body, consisting of a chair, a deputy chair and five other members. KKRT's main task was to oversee the broadcasters' abidance with this law, guarantee fair competition among electronic media, and propose new legislation or strategies for further development of these media.⁹⁵ On March 2013 the Parliament approved a new law on audiovisual media. With the new law the regulatory authority KKRT became *Autoriteti i Mediave Audiovizive* (Authority on Audiovisual Media, AMA.)

4.1.1 International Assistance to the Regulator

While there has been no particular strategy of donor assistance to the regulator, the general purpose has been to enable a normal functioning of the broadcasting sector. Capacity building and training have been the first contributions of international assistance to the newly established KKRT. DANIDA, along with IREX through USAID funding, have contributed with direct funding for equipment, expertise, training, exchange with their counterparts, and drafting the plan for frequencies.⁹⁶ A crucial step that enabled KKRT to start its activities was the assistance to complete the initial mapping of the frequency plan of the spectrum, by providing necessary equipment and training to KKRT staff.

⁹⁵ "Ligji nr. 8410 Per Radion dhe Televizionin Publik dhe Privat" [Law no. 8410 on Public and Private Radio and Television], *Official Gazette* 20/98, Art. 7 (4).

⁹⁶ Interview with Andrea Stefani, IREX representative, February 28, 2013.

Perhaps the most visible form of assistance to the regulator has been bringing expertise to legal reform. Council of Europe, OSCE, and USAID were among the main actors that influenced the final version of the law that laid the legal ground for creation of KKRT (see section 3.2.3.). All of these actors supported the idea of an independent regulatory agency. This decision was made against a background that needed a proper balance between a dynamic regulation of an unregulated and booming electronic media market and the tendency of government to control other institutions and branches of power.⁹⁷ In addition, KKRT received assistance for issuing supplementary acts for licensing after approval of the law: “All of the initial acts of the institutions were drafted and approved by consulting models in other countries, with the assistance of foreign experts and organizations, such as DANIDA, Council of Europe, IREX, and OSCE Albania.”⁹⁸

From 1998 to 2013 there have been seven amendments to the broadcasting law, affecting KKRT structure and competencies. Consultancy of international actors has been involved in almost all of them.

⁹⁷ Sefedin Cela, “Mediat elektronike-realitet dhe sfidë” [Electronic Media - Reality and Challenge], *Media Shqiptare*, no. 8(2000), p. 6.

⁹⁸ *Ibid*, p. 7.

Table 4: Amendments to broadcasting and KKRT regulation

Law	Content
Law No. 8410, 1998	<ul style="list-style-type: none"> • First broadcasting rules for public and commercial media • KKRT established as regulator • License terms specified for commercial media • Content regulation introduced
Law No. 8655, 2000	<ul style="list-style-type: none"> • KKRT competencies expanded • KKRT sources of funding increased • Specifications to license conditions and limitations of ownership • KKRT sanctioning ability increased
Law No. 8794, 2001	<ul style="list-style-type: none"> • KKRT internal structure further regulated • Role and competencies of KKRT chair further detailed • More rules on conflict of interest of KKRT • Regulation of cable broadcasting • License fees changed
Law No. 9016, 2003	<ul style="list-style-type: none"> • Majority to approve KKRT annual report specified
Law No. 9124, 2003	<ul style="list-style-type: none"> • Broadcasting rights regulated • KKRT responsible for overseeing their implementation.
Law No. 9531, 2006	<ul style="list-style-type: none"> • Membership reduced from seven to five, changing the quorum as well • Mode of selection changed by shortlisting from professional organization proposals rather than political parties proposals • Further limitations on conflict of interest potential • Further details on ownership limitations
Law No. 9677, 2007	<ul style="list-style-type: none"> • KKRT membership go back to seven, changing the quorum again
Law No. 97, 2013	<ul style="list-style-type: none"> • KKRT transformed to AMA.

Attention of donors to the regulator was more active in the early period of its establishment, gradually shifting towards organization of occasional joint activities, legal consultation, organization of awareness campaigns, etc.⁹⁹ Support for KKRT has been a long-term one, semi-continuous, but of a low intensity. Apart from the legal reform and the early stage, when KKRT needed to start functioning in a new environment, assistance was rather sporadic. For example, unlicensed emergence of the first commercial multiplex found KKRT unprepared to regulate digital broadcasting. OSCE and Council of Europe provided legal counseling on the

⁹⁹ Interview with Andrea Stefani, February 28, 2013.

drafts that emerged both for the Strategy and the law on digital broadcasting.¹⁰⁰ These actors have provided expertise through the eight years needed to finalize the Strategy to Digital Switchover, with OSCE securing technical and legal expertise and being the main KKRT's partner in raising awareness among local operators in the consultancy process that followed in the country.¹⁰¹

Many of the efforts aimed at improving the operations and the standing of the KKRT, were initiated within the European integration processes and the overall harmonization of the media regulation to EU and CoE standards.

Against this background, contextualization of the assistance has been generally successful, since cooperation of the regulator with international actors has been constant, rather than KKRT merely implementing recommendations. This has also been conditioned by the fact that, as a rule, legislation has rather followed than preceded developments on the ground.¹⁰² Both the KKRT and the actors providing consultancy should accommodate their efforts to the ongoing situation, which was often the starting point for the need to regulate or act.

Although a formal coordination has been lacking, the assistance to KKRT has been generally coherent. The involvement of the same actors as key providers of legal support and consultancy through the years (OSCE, CoE, and EC) operating on the same principles have helped avoid any particular conflicts in assistance provision.

Continuous monitoring and evaluation have also been absent, perhaps due to the lack of continuous long-term projects. Aside of the more general but regular reports on Media Sustainability Index by IREX and EU Progress Reports, there is no specific monitoring of KKRT's activities. KKRT's own annual reports, presented and discussed in the parliament, are an alternative source of regular reflection on the regulator's work.

4.1.2 Challenges to KKRT

In spite of the international assistance efforts and the progress made, KKRT performance currently faces several challenges, stemming from political parallelism of the media, the politicization of the state, and the weakness of the rule of law and of other relevant institutions. These factors manifest themselves mainly through the election of KKRT members, and its decisions. Internal culture

¹⁰⁰ Ilda Londo, *Digital Television in Albania: Policies, Development, and Public Debate* (Tirana: Albanian Media Institute, 2006).

¹⁰¹ KKRT Materials on Digital Switchover project.

¹⁰² KKRT started working after the emergence of more than 30 TV and radio stations, and digital broadcasting regulation was approved many years after digital multiplexes had already operated. Similarly, KKRT approached OSCE for assistance in digital switchover project after digital broadcasting had emerged.

of independence has also proven difficult to develop, while the funding scheme and informality continue to challenge its normal operation.

For example, the formula for election of KKRT members has changed several times.¹⁰³ Additionally, the lack of political consensus has challenged the smooth election of KKRT members. From 2000 until 2004, when the formula was based on political balancing, the then-opposition refused to propose candidates for KKRT, as part of the protest against electoral process.¹⁰⁴ Similarly, when the formula changed to increase involvement of civil society, for most of 2009 the regulator lacked the quorum necessary for making decisions on media regulation, since opposition withdrew its MPs from the parliament.¹⁰⁵ The influence of political climate on KKRT was also visible in the interruption of the mandate of several members.¹⁰⁶ Even though this was an extreme case, it illustrates the possibility that politicians can change the law and interrupt the flow of an institution.

Second challenge has to do with the profile of KKRT members. Legislation states that KKRT members are not allowed to belong to political parties or associations, cannot be Members of Parliament or the Government, or publicly support them.¹⁰⁷ Given the fact that the chairwoman in the current Council had previously served as an advisor to the Prime Minister, while one of the members was advisor to the Speaker of Parliament, and yet another member previously served as spokesperson in one of the ministries, doubts are cast on the practical respect for criteria for appointing members of the Council.¹⁰⁸

Third, one of the main objections to KKRT performance has been related to doubts on politically biased decisions. Application of double standards in decisions related

¹⁰³ Until 2006, based on professional merit and qualifications, the President proposed one candidate, while the other six were proposed by the Parliamentary Media Commission, and then elected through simple majority. In 2006 the Government proposed a legal amendment to cut the KKRT to five members and involve civil society, media associations, academia, etc., in the nomination process. The proposal created a climate of suspicion that the Government wanted to control the KKRT. The law was approved without opposition votes. Later the majority and opposition agreed that the two extra members would be appointed by opposition MPs from civil society candidates; Ilda Londo, "Albania," in *Television across Europe: More Channels, Less Independence: Follow-up Reports 2008*, ed. Mark Thompson (Budapest: Open Society Institute – OSI; EU Monitoring and Advocacy Program – EUMAP, 2008).

¹⁰⁴ Ilda Londo and Mirela Shuteriqi, "Albania," in *Television across Europe: More Channels, Less Independence: Monitoring Reports 2005*, vol. 1 (Budapest: Open Society Institute– OSI; EU Monitoring and Advocacy Program – EUMAP, 2005).

¹⁰⁵ Londo, *Mapping Digital Media: Albania*.

¹⁰⁶ The 2006 discussion on the change of the formula of electing KKRT members also voiced the concern whether it was legally possible and right to disband the current council and form a new one, while their mandate was not over.

¹⁰⁷ "Law no. 8410 on Public and Private Radio and Television", Art. 14.

¹⁰⁸ Londo, *Mapping Digital Media: Albania*.

to licenses and broadcasting has been a constant companion of KKRT decisions.¹⁰⁹ This is yet more visible in recent decisions over two cases of political advertising.¹¹⁰

Furthermore, strengthening internal culture of independence has been challenging. The frequent changes of KKRT members and recent changes of its staff have made it difficult to strengthen an internal nucleus that would create an internally independent culture.¹¹¹ KKRT has approved an internal regulation on preventing conflict of interest.¹¹² No problematic cases have been reported regarding conflict of interest of staff during their work. Like all public institutions, KKRT is subject to audits by the Supreme State Audit, which are not systematic, but can happen every three or four years.¹¹³ Furthermore, KKRT has achieved a fair degree of transparency publishing its decisions online and in the official gazette. These notifications inform on KKRT decisions without explanations. The regulator used to regularly publish annual reports online, but it has recently stopped doing so. KKRT is also required to hold public consultations in cases of national strategies for broadcasting.¹¹⁴ In 2008 and 2009 KKRT, together with OSCE, held discussion sessions with local and national operators regarding digital switchover and made the materials available online.

¹⁰⁹ In 2004 TV Shijak, openly supporting the then opposition, was fined for violating broadcasting rights and its license was temporarily withdrawn. The station claimed that these sanctions were politically motivated, with the regulator applying double standards. With the change of power and a new KKRT in 2007, an action to remove broadcasting antennas and free up spectrum was dubbed as politically motivated, as antennas belonged to TV stations that criticized the Government. (Londo and Shuteriqi, "Albania," & Londo, "Albania," 2008).

¹¹⁰ In 2008 KKRT fined News 24 TV for broadcasting an advertising spot ridiculing the government, claiming the law allowed political parties or associations to broadcast advertising spots only during electoral campaigns. By contrast, KKRT refused to act in 2010, when another movement broadcast an advertising spot against the then opposition leader. The comparison between these cases led to allegations on use of double standards, politically influenced. (Londo, "Albania," 2008 & Londo, *Mapping Digital Media: Albania*).

¹¹¹ Recently the opposition has pointed out that there have been politically motivated changes in internal technical staff; Albanian Parliament, Minutes of Parliamentary Media Commission Discussions of Annual Reports of KKRT 2011 (Tirana: Albanian Parliament, April 4, 2012).

¹¹² Këshilli Kombëtar i Radios dhe Televizionit (KKRT), Rregullore per parandalimin e konfliktit te interesave te anetareve dhe administrates se Keshillit Kombetar te Radios dhe Televizionit [Regulation on Prevention of Conflict of Interest of Members and Administration of the National Council of Radio and Television] (Tirana: KKRT, 2006).

¹¹³ INDIREG, Indicators for Independence and Efficient Functioning of Audio-visual Media Services Regulatory Bodies for the Purpose of Enforcing the Rules in the AVMS Directive: Study Conducted on behalf of the European Commission: Final Report (INDIREG, February 2011).

¹¹⁴ Ibid.

Also, the KKRT, in general, does not enjoy a good reputation with the media.¹¹⁵ However, the lack of respect the media show for KKRT should be weighed against media's own vested interests vis-à-vis KKRT. Reaction from media to KKRT has been negative also in cases when decisions of the authority have been legal and fair.¹¹⁶ In other cases KKRT acts have been overblown in terms of political bias against the station and the coverage of the station has been selective.¹¹⁷

Additional challenge is related to the funding scheme of KKRT, which has several sources of income.¹¹⁸ The regulator was initially funded by a direct government grant in 1999, and continued to receive state funding until 2006.¹¹⁹ The state cut the budget for KKRT after a government decision to gradually reduce funding in the name of self-sustainability. KKRT drafts its own budget, which is approved by the government. The KKRT budget has fluctuated through the years, also depending on the rate of payment of obligations and dues by operators.¹²⁰ This financing scheme makes it difficult for KKRT to function smoothly, especially in terms of needed investments. KKRT can still ask funding for investment projects to the government, but the funding success depends on economic situation in the country.¹²¹ In 2012 the revenue of ALL 61.749 million (ca. € 434,106) was supposed to cover the expenses, which amounted to ALL 79 million (ca. € 556,428)¹²² Another source of funding is the percentage KKRT receives from fines imposed to electronic

¹¹⁵ In 2012, when KKRT launched an online survey on ethics of certain TV programs, the respective TV stations and members of the community protested, claiming that it was not KKRT's task to deal with ethics and the selection of programs was politically biased.

¹¹⁶ For example, the owner of local TV and radio stations Ora News wanted to buy yet another local TV station, while the law clearly forbids him. After KKRT refused to issue this third license the TV station and other media started a campaign against the regulator.

¹¹⁷ When presenting the KKRT Annual Report for 2011 the chairwoman mistakenly identified Top Channel TV as debtor to KKRT. Even though she issued a statement clearing the station, the fact was repeatedly dubbed as an attack by the channel. In the same period, much more attention was paid to charges an opposition MP made on maladministration of KKRT of ten years ago, rather than to the current annual report.

¹¹⁸ These include the revenue from fees for administration of licenses; annual license fees; revenue from processing license applications; revenue from taxes applying to radio and television broadcasts; state budget funding, and donations.

¹¹⁹ Londo and Shuteriqi, "Albania".

¹²⁰ According to KKRT Annual Reports, in the period 2006-2013, the lowest budget has been in 2007 with ALL 66 million (€467,142) while the highest is ALL 108,1 million (€707,214) in 2013.

¹²¹ KKRT's 2013 draft budget asked for government funding for establishing a digital monitoring studio with the imminent digital switchover, but the Ministry of Finances suggested that funding should come from KKRT's own revenue. This was considered impossible, since the investment would cost half of the total annual revenue. (Ibid.)

¹²² Këshilli Kombëtar i Radios dhe Televizionit (KKRT), Raporti Vjetor [Annual Report] (Tirana: KKRT, 2012).

media, but the rate of payment of fines is low.¹²³ In 2010, 22% of fined broadcasters voluntarily paid their fines, while the tax police carried out only six of 18 orders KKRT issued for payment of fines or confiscation of equipment.¹²⁴ These continuous episodes point to the existing culture of informality, which weakens the regulator's authority.¹²⁵ A current member of KKRT also explained the selective implementation of decision was due to political reasons: "When there is harmony between the decisions of the KKRT and government interests, the police or tax police also obey these decisions; when this harmony is not existent, KKRT decisions are not implemented."¹²⁶ Again, this illustrates a highly politicized state with a culture of informality, where "informal networks and rules are extremely important... and they undermine formal institutions and the rule of law."¹²⁷ Considering that the regulator currently operates on its own income, there is concern about the regulator's authority and sustainability.

Overall, assistance to KKRT has been long-term, but of low intensity. It has been particularly focused, with specific aims, producing equally specific results. Initial efforts to provide technical expertise and build capacities for KKRT have been met, although not easily. Thanks to international assistance KKRT was able to start the regulation process of a chaotic media landscape from scratch, fulfilling specific goals such as mapping the broadcasting spectrum, issuing licenses, and establishing rules of licensing with consultation from international actors. KKRT has also benefited from the various legal revisions and consultancies. While independence of the regulator and the need to secure a pluralistic, free, and independent media market have been the main recommendations by various actors, these goals have been only partially achieved. The explanation for this is complex, taking into account not only the way KKRT functions, but especially the social, cultural, political, and economic factors that affect the overall media landscape in the country, the regulator included.

¹²³ In 2012 KKRT had imposed 74 fines in the amount of ALL 21,380 million (ca. € 150,271) but only ALL 2,56 million (ca. €18,285) were collected. (Ibid.)

¹²⁴ Këshilli Kombëtar i Radios dhe Televizionit (KKRT), Raporti Vjetor [Annual Report] (Tirana: KKRT, 2010), p. 10.

¹²⁵ Ibid, p. 11.

¹²⁶ International Research and Exchanges Board, "Albania," 2009, p. 5.

¹²⁷ Zielonka and Mancini, *Executive Summary: A Media Map of Central and Eastern Europe*, p. 3.

4.2 Public Service Broadcasting: Albanian Radio and Television (RTSH)

4.2.1 Albanian Radio and Television

RTSH, the public service broadcaster, is composed from Radio Tirana and Televizioni Shqiptar (Albanian Television – TVSH). Radio Tirana started broadcasting in 1938, while TVSH started broadcasting in 1960. These were the only electronic media available to Albanians in the socialist period as there was a ban on all foreign channels. RTSH was highly controlled by party organs and was one of the main propaganda tools of the former regime.¹²⁸ The state-owned television retained its monopoly over the electronic media until 1995. In this period the public broadcaster remained under the strong influence of the ruling parties and was very much seen as a continuation of the propaganda mechanism of the communist regime.¹²⁹

The approval of the Law on Public and Private Radio and Television in 1998 marked the formal transformation of RTSH from a State-owned institution into a public broadcaster.¹³⁰ The law establishes three governing organs for RTSH, the Steering Council, the General Director and the Management Council.¹³¹ The Steering Council is the highest governing body, while the General Director is in charge of management of overall administrative, programming, and financial issues. The Management Council is an advisory body to the Director General on the financial and administrative issues, but not the content.¹³²

4.2.2 International Assistance to RTSH

While there was no overall donors' assistance strategy, the assistance to public broadcaster has generally been coherent. The aim has been to increase professionalism of journalists and create a legal environment conducive to fulfilling public mission of the broadcaster. In its early stage, the assistance to the public broadcaster has included funding for its equipment, as well as the content production and professional training for journalists. Several actors, such as DW, ZDF, IREX, and EBU have organized or funded sporadic training courses for journalists or

¹²⁸ Marash Hajati, "RTSH, profil i nje mediumi kontradiktor" [RTSH, Profile of a Controversial Medium] *Monitori Shqiptar i medias*, no. 1(2004), p. 71.

¹²⁹ International Research and Exchanges Board (IREX), "Albania," in *Media Sustainability Index 2001: Development of Sustainable Independent Media in Europe and Eurasia* (Washington: IREX, 2001), p. 24.

¹³⁰ Londo and Shuteriqi, "Albania".

¹³¹ "Law no. 8410 on Public and Private Radio and Television", Art. 86.

¹³² *Ibid*, Art. 104.

technical staff. ZDF has provided training of technical staff, while DW has provided editorial training.¹³³ Currently, RTSH is part of the EBU Special Partnership Program, operating on EU support, and consisting in the program exchange, seminars on management, digital archiving and news production, consultancy on strategy and planning, etc.¹³⁴

Assistance has been rather successful in terms of content production, where RTSH has been a pioneer. For example, “Troc” program, made by and for children, with UNICEF support, for many years has been a unique program of this kind. Similarly, radio soap opera “Rruga me pisha,” addressing social issues, with the UK support, at the time was the only production of this kind in the country. As part of a regional program implemented by Baltic Media Centre, RTSH participated in a daily TV news satellite exchange with other public broadcasters, organized through ERNO (Eurovision News Exchange for the South East Europe). This also included coaching and assistance to regionally co-produced prime-time TV series on topics such as youth issues, environment, youth and culture, etc.¹³⁵ Although the content production and exchange has been fruitful for RTSH, it has also proven unsustainable. The production stopped once foreign support ended.

Legal expertise regarding RTSH has also been a significant part of international assistance. The first major international assistance effort in this regard was the drafting process of the Law No. 8410 on Public and Private Radio and Television (see section 3.2.3.). The law imposed the model of European public broadcaster, obliging RTSH to provide public service content and to respond to the diverse needs of society.

RTSH has benefited from legal consultancy by OSCE, Council of Europe, EU, and EBU as part of the general reform of media regulation; the general idea being to support the establishment of a functional and independent public service broadcaster, able to serve the public rather than the party in power. In 1997 Article 19 recommended that the government’s priorities should include passing regulation that safeguards editorial and operational independence, while authorities should refrain from exerting pressure.¹³⁶ Similarly, an OSCE-commissioned review of the RTSH Statute concluded:

It mainly repeats statutory provisions, or refers the reader to them, offering little assistance to the managers and employees of RTSH, and to the general public, in understanding more fully what it means to be a public service broadcaster, and how the public service remit must be

¹³³ Media Task Force, *Overview of Media Support to SEE*.

¹³⁴ European Broadcasting Union (EBU), “Public Service Media in Action”.

¹³⁵ Ibid.

¹³⁶ Darbshire, *Analysis of Albanian Law on Electronic Media*, p. 70.

discharged. In many aspects, the Charter reads as a document relating to a traditional state broadcaster.¹³⁷

The review recommended that the Charter should clearly define the status of RTSH as a public institution which enjoys editorial freedom and institutional autonomy, along with more specific definition of program obligations and a change in the management system.¹³⁸ To this day no further changes have been made to the Statute.

Long-term international assistance to assist RTSH in developing strategies for reforming the broadcaster to a truly public one has been limited. “While RTSH can certainly use any kind of foreign assistance, expertise in implementing satisfactory reform would be an important way to help TVSH successfully fulfill its public service mission.”¹³⁹ An exception was the EBU assistance to draft RTSH’s plan for digital switchover in 2007.

International assistance to RTSH has been less substantial compared to that offered to commercial media. The Media Task Force Report concluded that support to public broadcasters for the whole region has been limited, if compared to support to private media.¹⁴⁰ Reasons for this were practicalities rather than philosophical differences between US liberal model and European public service broadcaster model. Some organizations saw RTSH as part of the government propaganda, with no desire to reform.¹⁴¹ Other donors tried to assist the reform, but were discouraged to do so. IREX intended to assist RTSH with improving its accountancy system, and especially control ad revenue. They soon gave up, seeing that there was not enough interest from RTSH structures to engage in the matter.¹⁴² This example indicates the institution’s resistance to change, as well as a slow adaptation to the new reality in which advertising and funding are real concerns even for the public service broadcaster. Hence, initiatives that required a more substantial involvement did not succeed for both RTSH’s resistance to change and donors’ insufficient level of interest.

Assistance to RTSH has not been regularly monitored and evaluated, partly due to the generally sporadic support. RTSH drafts its annual reports, which are discussed in the parliament. Aside from those, IREX and EU tackle the public broadcaster in their annual reports. Both reports show concern that “the editorial

¹³⁷ Karol Jakubowicz, *Analysis and Review of Charter of Albanian Radio-Television* (Organisation for Security and Co-operation in Europe, 2004), p. 4.

¹³⁸ Ibid.

¹³⁹ Londo and Shuteriqi, “Albania,” p. 28.

¹⁴⁰ Ibid.

¹⁴¹ Interviews with Andrea Stefani, February 28, 2013 and Mustafa Eric, February 1, 2013.

¹⁴² Interview with Andrea Stefani, February 28, 2013.

independence of the public service broadcaster has not been strengthened,¹⁴³ while the appointment of Steering Council remains political.¹⁴⁴

4.2.3 Challenges to RTSH's Public Mission

Fulfilment of public mission of RTSH has been an elusive goal ever since RTSH embarked on its transformation process. Challenges to achieving such public remit remain numerous, despite the progress made and the international assistance received.

For example, the Steering Council Election formula has been a continuous source of controversy.¹⁴⁵ Similarly to KKRT, the election of KDRTSH members has largely reflected the political climate and tensions in the country, hindering its normal operation. In 2006 the new members were elected only by the ruling majority. Then, due to presidential election crisis, the remaining members were not elected until almost a year later. Political actors have a significant influence on functioning of institutions, as Hallin & Mancini point out: "In a majoritarian political system, even if public broadcasting is formally under the authority of parliament and not directly supervised by the government, appointment of the governing board by proportional representation results in control by the political majority..."¹⁴⁶ In spite of the purport to transform the council in a more professional one, normal functioning of the Steering Council has remained sensitive to and dependent on political developments.

In terms of the broadcasting-politics relationships as discussed by Jakubowicz (2011), Albania can be considered a country where the ruling majority always seeks to control the majority of seats in the regulatory authorities, Steering Council included. In Jakubowicz's words, "instead of serving – as they should – as a way of cushioning PSB organizations against political pressure, they constitute a 'transmission belt' for this pressure to be applied directly to the management and

¹⁴³ European Commission, Albania 2012 Progress Report.

¹⁴⁴ International Research and Exchanges Board, "Albania", 2013, p. 7.

¹⁴⁵ Until 2006 the Steering Council consisted of 15 members, elected in equal numbers by ruling majority, the opposition, and civil society activists. (Londo and Shuteriqi, "Albania") In 2006, the Steering Council membership was halved from 15 to seven, with the logic of replacing political balance with professional merits, and later it was agreed to increase to 11. ("Për disa shtesa dhe ndryshime në ligjin nr. 8410, datë 30. 9. 1998 "Për radion dhe televizionin publik e privat në Republikën e Shqipërisë", të ndryshuar" [Law no. 9531 On some additions and amendments to law no. 8410, date 30. 9. 1998 On public and private radio and television in the Republic of Albania], *Official Gazette* 65/06). In 2013 the formula changed again with the change of the law. Currently the council should have 11 members, elected in a manner that respects political balance between propositions of ruling majority and opposition, respectively. ("Për mediat audiovizive në Republikën e Shqipërisë" [Law no. 97/2013 On Audiovisual Media in Republic of Albania], *Official Gazette* 37/13).

¹⁴⁶ Hallin and Mancini, *Comparing Media Systems*, p. 31.

staff.¹⁴⁷ The continuous struggle of – and sometimes boycott from – the opposition to these bodies points to the regulation that institutionalizes political dependence, making members of regulatory authorities dependent and reactive to politics rather than professional in improving these institutions.

There is also a visible politicisation of content on RTSH. According to Hallin and Mancini, in the “politics over broadcasting” system, “political logic tends to play a large role in broadcasting, particularly – though not exclusively – in publicly owned media, and of course particularly in news and public affairs programming. This is perhaps most clearly illustrated by the fact that the news agenda is not considered to be governed purely by journalistic judgments of ‘newsworthiness,’ but is a question of political policy.”¹⁴⁸ Similar can be said for RTSH news and public affairs programs: according to the last report on monitoring of main news editions in national broadcasters by KKRT, in July 2012 RTSH devoted approximately 34% and 31% of the broadcasting time to the Prime Minister and the government, respectively.¹⁴⁹ Meanwhile, the ratio between the ruling party and the opposition in these news editions was 13% to approximately 5%.¹⁵⁰ Hence, there has been a persistent criticism of the public broadcaster’s performance, especially regarding the political balance in news and current affairs.¹⁵¹ “Media in Albania are in great debt to RTSH, since it has become a model of how a television station is *not* supposed to be.”¹⁵² Representatives of the public broadcaster have constantly opposed the claim of politicization of RTSH, or at least have limited their validity to just the information department.¹⁵³ Even though the general public perception is far from positive, since we lack public data on audience share, it is impossible to measure the success or failure of the RTSH.

The funding scheme presents another problem for normal functioning of RTSH. The funding of the public broadcaster is a mixed one, including sources such as license fee, advertising, services to third parties, and the state budget. Although revenue from advertising and other sources have recently improved, RTSH is still dependent on funding from the state budget. The amount of state funding varies each year, reaching peaks of almost 80% of the RTSH budget in 2008, and going as

¹⁴⁷ Karol Jakubowicz, “Public Service Broadcasting: Product (and Victim?) of Public Policy,” in *The Handbook of Global Media and Communication Policy*, ed. Robin Mansell and Marc Raboy (Oxford: Wiley-Blackwell, 2011).

¹⁴⁸ Hallin and Mancini, *Comparing Media Systems*, p. 109.

¹⁴⁹ Këshilli Kombëtar i Radios dhe Televizionit (KKRT), *Koha e Plote per Subjektet Politike dhe Institucionet Qendrore* [Time on Political Subjects and Main Institutions]. Tirana: KKRT, July 2012.

¹⁵⁰ *Ibid.*

¹⁵¹ Londo, *Mapping Digital Media: Albania*.

¹⁵² International Research and Exchanges Board, “Albania”, 2010, p. 6.

¹⁵³ Albanian Radio and Television Steering Council, *Annual Report 2009* (Tirana: RTSH Steering Council, 2010).

low as 35% in 2007.¹⁵⁴ In 2013 RTSH received ALL 352 million (€ 2,514 million) from the state budget.¹⁵⁵ With the approaching switchover to digital broadcasting, the RTSH seems to be even more dependent on funding from state in order to complete this obligation. Although the license fee was recently increased, problems with its collection persist.¹⁵⁶ Apart from general collection of the fee, the electricity distribution company in 2012 has transferred to RTSH only 30% of the amount collected for the license fee.¹⁵⁷ The continuous, yet unresolved, concern in the last 20 years over the proper way of collecting and transferring the license fee to the public broadcaster highlights the informality in Albanian society as a hindering factor in viability of public institutions, among others.

Furthermore, a concern of RTSH representatives through the years has been that the law does not clearly determine the tasks and competencies of the three governing bodies, allowing for overlapping of competencies that might hinder the work of RTSH. In terms of staff integrity, there has been a high profile case of former RTSH director charged with corruption and mismanagement, but he was acquitted and proved innocent in the court. Perhaps the biggest problem regarding integrity of staff is related to the editorial independence of the newsroom, as described above. “The state media, which are not yet really public, are completely partisan, a permanent client of each ruling majority, and do not serve the public interest.”¹⁵⁸ When considering whether the RTSH has established an internal culture of independence, the most obvious answer would be a negative one, given the continuous change of General Directors, Steering Council members, and allegations that the RTSH changes staff members to match the rotation of power in the government. The union of RTSH employees is rarely active.

RTSH reports to the Parliamentary Media Commission in annual public meetings, but the annual report or decisions of Steering Council or other structures are not published. RTSH may be audited by the Supreme State Audit every 3-4 years. The last audit was in 2007, when some irregularities were found in labor contracts and other administrative matters.¹⁵⁹

Overall, the assistance to RTSH has hardly been systemic, long-term, or of high intensity. Consequently, impact has been limited. A clear, long-term, and all-encompassing vision and strategy on RTSH reform has been lacking, both from foreign donors and from local actors. Assistance has been limited to professional

¹⁵⁴ Londo, *Mapping Digital Media: Albania*.

¹⁵⁵ “Për buxhetin e vitit 2013” [On 2013 Budget], *Official Gazette* 170/12.

¹⁵⁶ License fee was ALL 600 (€ 5) per year, per household, until 2010, when the Government doubled it.

¹⁵⁷ “CEZ-i vjedh leket qe shqiptaret paguajne per televizionin publik dhe qeveria hesht” [CEZ Steals the Money that Albanians Pay for Public Television and the Government is Silent], *Telegraf*, December 12, 2012, p. 15.

¹⁵⁸ International Research and Exchanges Board, “Albania”, 2013, p. 9.

¹⁵⁹ Londo, “Albania,” 2008.

training, program exchange and networking, and legal analysis and recommendations. In spite of the floating laws phenomenon, the regulation on RTSH has been the least addressed one, and some concerns of international organizations on legal provisions for RTSH independence and management have not been addressed over the years. Resistance to change, especially in the early stage, coupled with the lack of tradition of public service broadcasting, have slowed down the reform of RTSH. Sustainability of successful programs that focus on various social groups has also proven difficult, due to dependency on donor funding for such productions.

4.3 Union of Albanian Journalists (UGSH)

4.3.1 Union Organization and Functioning

UGSH is a non-profit organization, established in 2005 with the aim of protecting Albanian journalists.¹⁶⁰ The Union has been active in protecting journalists' rights mainly through statements, press conferences, media articles, and sometimes by following court cases against journalists. The union has negotiated collective contracts with some of the main media outlets in the country.

4.3.2 International Assistance to Trade Union of Journalists

Several organizations of Albanian journalists emerged after the 90s, but they rarely focused on protection of labour rights. Journalists, international organizations (like OSCE and CoE), and local actors (such as AMI and Soros Media Center) had considered the idea of a trade union a necessity. The main promoter in materializing a trade union for journalists has been IREX.

The first trade union of journalists was established in 1999, supported by IREX through USAID funds. The chairman of the organization declared that "this trade union was not a 'forced' product, but a necessity, due to the problematic relationship between employees and employers in the press."¹⁶¹ However, the union just stopped existing, as it had no members or activities. The union was not able to

¹⁶⁰ Unioni i Gazetarëve Shqiptarë, Statuti i unionit të gazetarëve të Shqipërisë [Statute of the Union of Albanian Journalists], 2005. The highest organ is the General Assembly, followed by the Steering Board, which has a guiding and supervising role of the union. The Commission of Financial Control acts as the financial control of the union's activities.

¹⁶¹ Shpetim Luku, "Përse lindi sindikata e gazetarëve të Shqipërisë" [Why Did the Albanian Journalists' Trade Union Emerge], *Media Shqiptare*, no. 3(1999), p. 56.

rally sufficient support and interest from journalists, as “the reporters were too afraid to join because they feared losing their jobs.”¹⁶²

In 2005, under new leadership, another trade union organization was established, again with IREX and USAID assistance.¹⁶³ The union was created after several meetings with journalists. As the initial support from IREX came to an end, other donors and organizations have supported the union, such as the UN, Soros Foundation, OSCE, and Friedrich Ebert Foundation.¹⁶⁴ The interest of donors has not been exclusively on strengthening the capacities of trade union as a way of improving journalists’ rights, but also of organizing joint activities with the union as a way of reaching journalists, especially local ones. In general, the projects have reflected the local needs, though they were not as substantial or long-term as the union would have liked.¹⁶⁵

¹⁶² International Research and Exchanges Board (IREX), “Albania,” in *Media Sustainability Index 2003: Development of Sustainable Independent Media in Europe and Eurasia* (Washington: IREX, 2003), p. 10.

¹⁶³ International Research and Exchanges Board (IREX), “Albania,” in *Media Sustainability Index 2005: Development of Sustainable Independent Media in Europe and Eurasia* (Washington: IREX, 2005), p. 13.

¹⁶⁴ Union of Albanian Journalists website, <http://unioni-gazetareve.com/> (Accessed on May 4, 2013).

¹⁶⁵ Interview with Aleksander Cipa, chairman of UGSH, April 12, 2013.

Table 5. Assistance to UGSH

Donor	Assistance type	Duration
IREX ¹⁶⁶	<ul style="list-style-type: none"> • Direct operational support (equipment, office rent, salaries) • Training and capacity building (media freedom protection, negotiation tactics on labor relations) • Consultancy (drafting models of labor contracts and collective agreement)¹⁶⁷ 	2005-2007
United Nations Democracy Fund ¹⁶⁸	<ul style="list-style-type: none"> • Capacity building (website establishment, distribution of membership cards, monitoring media freedom) 	2010 (3 months)
Soros Foundation ¹⁶⁹	<ul style="list-style-type: none"> • Professionalization (monitoring media coverage of crime and corruption) • Establishment of investigative reporters' network. 	2011 (12 months)
FES & OSCE ¹⁷⁰	<ul style="list-style-type: none"> • Monitoring compliance with norms (conduct of survey on labor relations) 	2012 (12 months)
UN Women ¹⁷¹	<ul style="list-style-type: none"> • Training (Gender issues coverage in Albanian media) • Funding (Awards for journalists) 	2012-2013 (6 months)
Japan International Tobacco ¹⁷²	<ul style="list-style-type: none"> • Funding (Annual awards for journalists) 	2007-2013 (annual event)

Assistance has not been substantial and the tactics employed have been generally of low intensity and short-term.¹⁷³ The scope of assistance has consisted in training of the union staff, consultancy on negotiating labor contracts, targeted financial support for salaries and office equipment, enabling the union to monitor

¹⁶⁶ Interviews with Andrea Stefani, February 28, 2013 and Aleksander Cipa, July 31, 2013.

¹⁶⁷ Assistance in drafting a model of collective agreement and labor contract for journalists, mainly from Bulgarian experts, also considering similar experience in Hungary, Italy, Bulgaria, and Greece; Aleksandër Cipa, "Unioni i Gazetarëve Shqiptarë, organizimi sindikal në jetën mediatike të vendit" [Union of Albanian Journalists, Trade Union Organization in Country's Media Life], *Monitori Shqiptar i Medias*, (2005).

¹⁶⁸ United Nations Democracy Fund (UNDEF), Evaluation Report (UNDEF, March 25, 2011).

¹⁶⁹ Interview with Brunilda Bakshevani, Coordinator, Open Society Foundation Albania, February 20, 2013.

¹⁷⁰ Interviews with Aleksander Cipa, July 31, 2013 and Mustafa Eric, February 1, 2013.

¹⁷¹ Interview with Aleksander Cipa, July 31, 2013.

¹⁷² Ibid.

¹⁷³ Interviews with Andrea Stefani, February 28, 2013 and Aleksander Cipa, July 31, 2013.

media compliance with norms, etc.¹⁷⁴ The initial two-year IREX support consisted of operational support, capacity building, training, and consultancy. Subsequent assistance has been a shorter term and more of a product-oriented nature, ensuing projects focused on attaining specific goals and producing concrete results, such as the website of the union, media monitoring, training for journalists, reports on labor relations situation, and awards for journalists. There has been no formal coordination of donors; neither monitoring nor evaluation of the assistance.¹⁷⁵

Recently, support for the union has not been among the donors' priorities, focusing on joint events and interests at a particular time, slightly straying from the union's original mission.¹⁷⁶ While initial efforts focused on expanding membership of the union, building its capacities and local branches, recent assistance has consisted of occasional grants, projects, and initiatives.¹⁷⁷ Hence, the strategy of assistance to the union has been systemic and process oriented – focusing on incremental development of skills and infrastructure – at first, but in the later stage it changed to a product oriented one, focusing more on specific goals and objectives.¹⁷⁸ For some donors, this decision has been influenced both by their own priorities and by UGSH's poor capacities in project implementation.¹⁷⁹

4.3.3 Union's Challenges

The union has established branches in the main cities in the country and at the moment it has about 500 members that regularly pay their membership fees.¹⁸⁰ UGSH speaks of some 5,000 media employees across the country, including technical and administrative staff.¹⁸¹ However, this figure is more of an estimate, and accurate official data on the exact number of journalists and their salaries are missing. According to the Union of Journalists, about 92% of journalists work

¹⁷⁴ UGSH website, <http://unioni-gazetareve.com/> (Accessed on May 12, 2013).

¹⁷⁵ The exception is internal evaluation report of UNDEF support.

¹⁷⁶ Interview with Aleksander Cipa, July 31, 2013.

¹⁷⁷ Ibid.

¹⁷⁸ According to Karen Ballentine, activities might “focus on the long-range incremental development of media skills and infrastructure (process oriented) or on those aimed at delivering a specific product for a specific need, such as providing consultation on a proposed media law, holding a one-time conference on journalistic ethics or publishing handbooks and subsidizing professional journals (product oriented)”. See: Karen Ballentine, “International Assistance and the Development of Independent Mass Media in the Czech and Slovak Republics,” in *The Power and Limits of NGOs: A Critical Look at Building Democracy in Eastern Europe and Eurasia*, ed. Sarah E. Mendelson and John K. Glenn (New York: Columbia University Press, 2002), pp. 102-103.

¹⁷⁹ Interviews with Mustafa Eric, February 1, 2013 and Brunilda Bakshevani, February 20, 2013.

¹⁸⁰ Interview with Aleksander Cipa, February 20, 2012.

¹⁸¹ Interview with Aleksander Cipa, October 15, 2010.

without contracts.¹⁸² This builds a climate of self-censorship and a culture of uncontroversial reporting vis-a-vis the editors and owners.

The union seems to have escaped the political bias that accompanies many associations and institutions in a highly polarized country. The impact of the union is limited by the social context and traditions of the media community, but the general opinion on the union is relatively good. The union has been active in protecting journalists, and bringing problems related to media freedom and the protection of journalists from pressure to the public agenda.¹⁸³ Although journalists have started to join the trade union, they are still afraid of the unlimited arbitrary power of their outlet's owners.¹⁸⁴ In the latest protest UGSH organized for 2013 World Press Freedom Day the turnout was very low. UGSH's activity faces challenges of informality, poor organization tradition, and funding.

The formalization of labour relations continues to be an important problem in Albania, directly affecting the impact of UGSH. In 2005, 66% of journalists interviewed were pessimistic regarding the rapid empowerment of the trade union with the aim of formalizing labour relations, indicating the lack of confidence in journalism associations given their failure thus far.¹⁸⁵ The union has certainly been active in trying to pressure official authorities regarding labor relations in the media, but proper formalization of labour relations in society seems to be a lengthy process. Hence, the journalists are sceptical about organizing and putting their trust in the union, given the limited power the union has had in this context.

Key challenge comes from the fact that Albanian journalists do not have any tradition of active organization, be it trade unions or other forms. "The only gesture of solidarity among us is the reaction when a reporter is threatened by crime or politics, or when a media outlet confronts politics, the government, or the main parties."¹⁸⁶ Together with the relatively high mobility of journalists within the media market, and their tendency to go back and forth to the profession of journalism, these are the factors that affect the strength of the union's work.

Finally, the funding model of the union combines external funding from donors with internal funding from membership fees, but so far has failed to ensure its financial stability. The statute of the union stipulates that the main income source is membership fees (of approximately €1.5 a month). Apart from membership fees, other financing sources may be other organizations and donors, donations, or other

¹⁸² Interview with Aleksander Cipa, July 31, 2013.

¹⁸³ International Research and Exchanges Board (IREX), "Albania," in *Media Sustainability Index 2012: Development of Sustainable Independent Media in Europe and Eurasia* (Washington: IREX, 2012), p. 16.

¹⁸⁴ Interview with Aleksander Cipa, February 20, 2012.

¹⁸⁵ Cipa, "Union of Albanian Journalists, Trade Union Organization in Country's Media Life," p. 7.

¹⁸⁶ Aleksander Cipa, "Pushteti qe zhvishet nga dinjiteti" [Power Devoid of Dignity], *Shqip*, August 26, 2008, p. 9.

income that the union might generate. While external funding is dwindling, missing membership payments are creating problems as well, linked to lack of trust of journalists in such associations. The lack of funding is also a limitation for the union to strengthen its capacities and achieve visible results, which would, at least in theory, increase income from membership and also expand the membership. Economic interests are against the odds of UGSH, since journalists have to see some benefits before starting to support the union.¹⁸⁷

¹⁸⁷ Interview with Andrea Stefani, February 28, 2013.

5.

Concluding Remarks

The purpose of this paper was to offer an overview of international assistance approaches and to analyze their eventual implications for the development of the media system in Albania during the last two decades. During this period, Albanian media landscape has changed dramatically, at least partly due to international media assistance. Considering the case studies and other examples mentioned, it is difficult to establish a direct let alone a causal link between the assistance received and the media present situation, partly because the assistance has been of low intensity and semi-continuous, but partly due to the complex interplay of a variety of contextual factors that have interfered with assistance efforts and their outcomes.

Nevertheless, one can safely say that media assistance efforts have succeeded in supporting a basic structure of a system, by helping the development of the regulatory agency and the trade union for example, and have also contributed to the broader liberalization of media sector and the creation of legal framework. The media assistance started with support for independent media which could be labeled as the first phase “of direct support to besieged media against state-controlled outlets.”¹⁸⁸ Then, attention turned to legal reform, establishment of regulatory authority, and reform of public broadcaster, mainly through drafting legislation and capacity building. Parallel to this, support for independent and local media outlets continued through direct funding and training. Establishment of education centers, later followed by self-regulatory initiatives, was another focus of media assistance.

However, there are many obstacles for ensuring long-term sustainability of the results of media assistance efforts in Albania, and those regard two groups of factors: The first group of factors is related to the nature of deployed assistance strategies, i.e. the way of how international actors and donors approached the reform process in terms of programmatic consistence, duration of engagement, focus, commitment, amounts of funds provided, coordination, and monitoring. The second group of factors has to do with the challenging nature of local context – in particular the weak media market, political and business influence on media system, and the weak rule of law coupled with strong informal rules and mechanisms of doing business.

¹⁸⁸ Rhodes, *Media Support*, p. 9.

With respect to the first group of factors – the nature of deployed assistance – several key aspects should be underlined:

First, the overall scale of assistance was rather limited in terms of funding, especially when compared to other countries in the region, which limited the potential impact on the media system.¹⁸⁹ Currently, only a few organizations work with the media, usually not exclusively dedicated to that field. “The development of media as a means to an end rather than as an end in itself is a discernible trend over the years,” a report on USAID media assistance notes.¹⁹⁰

Second, most assistance can be considered short-term, intensifying usually in crisis periods, while long-term projects have been fewer. For example, during the Kosovo crisis there was a high intensification of media assistance aimed at informing and assisting Kosovo refugees through media services in Albania, producing special programs, taking journalists to refugee camps and other hot areas, producing publications, documentaries, etc. However, this was an ad-hoc approach, discontinued when crisis was over. Long-term engagements were primarily focused on legal reform and creation of professional education centers, but such a support was far from systematic and strategic. Moreover, predominantly short-term orientation and absence of strategy was combined with the limited coordination of donors’ efforts, and weak monitoring of the results. However, the significance of these last two aspects of media assistance – coordination and monitoring – remains to be more thoroughly investigated in order to make any definite conclusions about their significance for the overall success of media assistance programs.

Third, some of the media assistance efforts suffered from what Berkowitz et al term “the transplant effect”¹⁹¹ or what Zielonka and Mancini (2011) call “opaque imitation of Western models” – institutions and models that have simply been copied from Western democracies without adjusting them to local conditions. The very early example of direct transplantation of a German press law led to resistance and abrogation of the law. Conversely, local consent is not the only requirement for adaptability of norms and institutions. Even though there was nominal local support for self-regulation mechanisms, the council of ethics failed to materialize due to lack of sufficient interest from the media community and rather weak professionalization of journalism in general. Other contextual factors, such as different priorities of the media owners and lack of independence and autonomy of journalists are also of crucial importance.

¹⁸⁹ See for example Rhodes, *Media Support*.

¹⁹⁰ Peter Cary and Rosemary D’Amour, *U.S. Government Funding for Media: Trends and Strategies: A Report to the Center for International Media Assistance* (Washington: Center for International Media Assistance; National Endowment for Democracy, 2013), p. 25.

¹⁹¹ Daniel Berkowitz, Katharina Pistor and Jean-Francois Richard, “The Transplant Effect,” *The American Journal of Comparative Law* 51, no. 1(2003), p. 167.

Fourth, funding strategies for media development varied according to the media institution targeted, and have proven to be one of the weakest aspects of the media assistance efforts. Public institutions established by law, such as the KKRT and RTSH, have depended on local funding, which offered them financial sustainability, but increased the risk of greater political dependence. Other institutions, as the Union, depended mainly on international funding, having almost no local financial sources. This lack of funding poses a genuine problem especially for associations and media networks. For example, a regional network of media outlets established with OSCE assistance in 2010 has struggled after the first operational support ended and has almost disappeared.¹⁹² Many newspapers, local media, or minority media that were established with foreign funding ceased to exist after the funding ended. This is especially the case with local newspapers or radios, which have suffered due to the limitations of the small markets where they operate.¹⁹³ An exception to the rule is the Forum for Protection of Audiovisual Authors, also started with IREX and USAID support. The members of this association see more tangible results in the royalties they receive and have greater trust in the organization.¹⁹⁴

Fifth, it seems that there is a greater sensibility and pressure for media institutions to improve in the framework of the EU integration process. However, this influence should not be overestimated. Conditionality as a strategy of media assistance has had a mixed record so far, with the most visible effect in respect to the legal reform in the media. However, conditionality mechanisms have so far failed to ensure absence of political and financial pressures on the key media institutions.

With respect to the second group of factors which stem from the nature of the local context, and have significant impact on the sustainability of the results of international media assistance programs in the country, the most important ones can be listed as follows:

First, the assistance efforts have been hampered by weak rule of law and strong culture of informality that pervades all aspects of life in Albania. Hence, the success of legal and institutional reform is dependent on and affected by other actors, as Kumar concludes:

¹⁹² Interview with Mustafa Eric, February 1, 2013.

¹⁹³ International Research and Exchanges Board, "Albania," 2013, p. 12.

¹⁹⁴ Interview with Andrea Stefani, February 28, 2013.

Laws are not a panacea. They should be supported by a range of institutions committed to media freedom and independence. These include independent judiciaries, effective law enforcement and prosecution agencies, cadres of lawyers and experts specializing in media laws, professional organizations, and pro-democracy civil society organizations. Unless such institutional structures and capabilities exist, good media laws and regulations may not make much difference.¹⁹⁵

The gap between good laws and good implementation remains. In this context Zielonka & Mancini point out: “Informal networks and rules are extremely important in such a politicized state and they undermine formal institutions and the rule of law.”¹⁹⁶ All three institutions under study have been affected by informality at some point, in implementing the media law, collecting license fee, or implementing the Code of Labor.

Second, the general democratization process of the country, characterized by high level of political interference in all spheres of life including the media, is certainly a key factor that has affected all three institutions under review. The deadlock over appointment procedure and election of members and introduction of amendments that might weaken its independence was a direct effect of political influence. While politics, society, and media demand institutions that work in an independent manner, it seems that for politicians the greatest guarantee for this is the political balance of their members, rather than their professional merits. Same as in the case of Central and East European countries, “administration and law ... are often shaped by the *ad hoc* needs of political agents rather than by *a priori* policy objectives which aim at providing public goods.”¹⁹⁷ This phenomenon has often delayed and hindered the work of the regulator and public broadcaster by creating policy instability and legal insecurity.

Third, the weak media market and slow economic development have significantly and rather negatively affected the development of the media institutions and the sustainability of media assistance efforts in Albania. The media market is small, overcrowded, and hardly transparent on its funding sources, often directing media outlets to their owners or patrons for financial support. The weak media market subjects media institutions to dependence on political and business patrons, creates relations of political and business parallelism, and results in instrumentalization of the media.¹⁹⁸ Furthermore, weak media market has direct negative

¹⁹⁵ Krishna Kumar, *One Size Does not Fit All: Objectives and Priority Areas for Media Assistance in Different Societies* (Washington: Center for International Media Assistance; National Endowment for Democracy, 2009), p. 14.

¹⁹⁶ Zielonka and Mancini, *Executive Summary: A Media Map of Central and Eastern Europe*, p. 3.

¹⁹⁷ *Ibid.*

¹⁹⁸ Hallin and Mancini, *Comparing Media Systems*, p. 289.

influence on financial sustainability prospects of media outlets and institutions that depend on commercial income, such as commercial media, or on membership fees, such as trade unions, for example. Media assistance tried to address this aspect, but there are limitations to what can be achieved, especially when local actors are not interested to change the status quo and when economic conditions simply do not allow for the growth of the market.

And fourth, weak professionalization of journalism and the lack of tradition of self-organizing and self-regulation have hampered efforts aimed at establishing codes of ethics and self-regulatory mechanisms in the country.

Overall, international media assistance has been very important in shaping the current media landscape, though it has by no means been the decisive factor. The complete legal reform in the media and establishment of its main institutions has seen the continuous involvement of international actors. International assistance has also been crucial in introducing new principles of journalism with the change of regime, and in improving professional level of journalists. Although self-regulatory bodies have not materialized yet, the professional debate on ethics has become significant part of the profession. Media assistance efforts have been less successful in terms of supporting member-based organizations, hindered by the lack of tradition in this field. Finally, although strengthening the notions of professional journalism has been the main focus of international support, Albanian journalism has ample room for improvement. However, the outcome of this dimension of assistance is certainly affected by the context, such as journalists' rights, media independence, and links between media, politics, and business. Similarly, strengthening of institutions and their sustainability might have been another focus that needed greater attention, though informality, politicization of state and clientelism are other factors that greatly affect the outcome of any assistance.

6.

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Annex 1: List of Interviews

- Aleksander Cipa, chairman of UGSH, interview with the author, April 12, 2013.
- Aleksander Cipa, chairman of UGSH, interview with the author, July 31, 2013.
- Andrea Stefani, IREX representative, interview with the author, February 28, 2013.
- Brunilda Bakshevani, Soros Foundation, Program Coordinator, interview with the author, February 20, 2013.
- Mustafa Eric, OSCE Presence in Albania, Media Development Officer, interview with the author, February 1, 2013.
- Remzi Lani, director, Albanian Media Institute, April 22, 2013.

About the Author

Ilda Londo works as a research coordinator at the Albanian Media Institute since 2001. She has been dealing with various research projects where AMI has been involved, such as study of trends that affect media freedom and independence, research on media ownership and concentration, monitoring performance of regulatory authorities and independent institutions on media development, ethnic minorities coverage, media landscape surveys, broadcasting development trends, self-regulation and ethical issues, etc. Some of the main research works include “Main trends in media development in post-Communist Albania,” “Mapping Digital Media in Albania,” “Media and Information Society in Albania,” “Monitoring access to public institutions,” “Role of regulator in digital switchover,” “Reform of PBS in digital era,” “TV Across Europe: Regulation, Policy and Independence: Albania,” and “Media ownership, Independence, and Pluralism”.



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