

## OSI information on broadcast media for the 2008 Albania Report

### Introduction

Over the past three years, Albania has adopted several laws and amendments which bring the audiovisual sector more closely in line with international standards. However, efforts to depoliticise the public service broadcaster and the regulator have lacked conviction, and been partly overturned.

The audiovisual sector is still plagued by lack of transparency over ownership and funding, by unregulated (illegal) broadcasting, and by piracy of contents.

While news programming has generally improved in recent years, there is a striking lack of quality production in other strands. Digitalisation is underway, but is still completely unregulated.

### Regulation

The regulator, the National Council of Radio Television (KKRT, *Keshilli Kombetar i Radios dhe Televizionit*), has increased its staff and tried to improve its monitoring efficiency. It is too early to judge whether the internal reforms will bear fruit.

Steps have been taken to boost the KKRT's independence, in terms of the nomination and eligibility of its members; however, its independence remains conditional and uncertain.

### Public service broadcasting (PSB)

Reform at Radio-Television of Albania (RTSH, *Radio Televizioni Shqiptar*) has stagnated, due to a funding shortfall but also to confusion (and evasion) within RTSH over basic purposes, roles and responsibilities, and a lack of transparency in management.

These causes are exacerbated by the continuing decline in programme quality, and by professional and public indifference to PSB reform. As in other transition countries, the absence of debate over public service broadcasting makes the broadcaster more vulnerable to manipulation. RTSH remains subject to gross political interference, especially by incoming governments.

Even though the licence fee is extremely low (currently €4.1 per annum), it is estimated that fewer than 9,000 households in a country of some 500,000 households pay the fee. The shortfall cannot be made up by advertising. Unless a more efficient mechanism is found for collecting the licence fee, TVSH will remain dependent on handouts from the State budget.

As in the commercial sector, the highly insecure conditions of employment discourage journalists from covering 'sensitive' topics.

### Commercial broadcasting

The commercial sector is overcrowded, the sources of funding are obscure, and many outlets are kept afloat by the owners' other interests. As in many other sectors in Albania, the media industry lacks

transparency, and legal provisions guaranteeing transparency of ownership and funding remain difficult to implement.

Government subsidies to selected outlets – in the form of advertising and public information contracts – are now disclosed by a new body, the Agency of Public Procurements. This positive step should be followed up by providing a legal definition of “state advertising”.

In terms of audience-research, Albania is still a black hole. Without credible and ongoing market research, it will be impossible to provide dependable analysis of the audiovisual sector – and very difficult to attract foreign investment.

## **Digitalisation**

Digitalisation represents a major challenge to Albania’s underdeveloped audiovisual sector. (One indicator: personal computer penetration is the lowest in western and central Europe.) Yet, paradoxically, digital broadcasting is well underway – despite the complete lack of digital regulation. Claiming more than 120,000 subscribers (in a population of 3.6 million), the DigitAlb company has been broadcasting since 2004 without a licence. The post-analogue landscape is therefore likely to be shaped by a private operator with resources greater than those of the public service broadcaster, as was shown when DigitAlb acquired broadcasting rights for the 2006 World Cup. The KKRT should urgently complete its draft Strategy for Digitalization.

## **Recommendations**

The European Commission should:

1. support continuing reform at RTSH, in particular the current leadership’s reform strategy;
2. assist RTSH and the Government to develop an efficient mechanism for collecting the licence fee;
3. urge the Government to ensure transparency of media ownership and funding, e.g. by vesting the regulator or the tax police with authority to oblige media owners to disclose all relevant data;
4. support projects to obtain reliable information about the patterns of media-use in Albania;
5. help Albania to turn the daunting challenge of digitalisation into an opportunity to launch an inclusive debate on media policy;
6. support the capacity-building of journalists’ associations, which should vigorously promote the code of ethics that they prepared in 2006.

## **Annex: About OSI**

### **Open Society Institute ([www.soros.org](http://www.soros.org))**

The Open Society Institute (OSI) is a private operating and grant-making foundation based in New York and Budapest that serves as the hub of the Soros foundations network, a group of autonomous foundations and organisations in more than 60 countries. OSI and the network implement a range of initiatives that aim to promote open societies by shaping government policy and supporting education, media, public health, and human and women's rights, as well as social, legal, and economic reform.

OSI contributors to this document:

### **EUMAP, the EU Monitoring and Advocacy Program ([www.eumap.org](http://www.eumap.org))**

EUMAP, formerly the EU Accession Monitoring Program, monitors the development of selected human rights and rule of law issues in both the European Union and in its candidate and potential candidate countries. The Program works with national experts and NGOs to compile reports which are distributed widely throughout Europe and internationally. The reports are designed to encourage broader participation in the process of articulating the EU's common democratic values as well as in ongoing monitoring of compliance with human rights standards throughout the union.

### **Media Program ([www.mediapolicy.org](http://www.mediapolicy.org))**

The Media Program seeks to promote independent, professional, and viable media and quality journalism, primarily in countries undergoing a process of democratization and building functioning media markets. The program supports initiatives aimed at helping media-related legislation conform to internationally democratic standards, increasing professionalism of journalists and media managers, strengthening associations of media professionals, and establishing mechanisms of media self-regulation. The Media Program also supports media outlets that stand for the values of open society, as well as efforts aimed at monitoring and countering infringements on press freedom, and promoting changes in media policy that ensure pluralism in media ownership and diversity of opinion in media.

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The material in this submission is extracted from in-depth research carried out by OSI and available in the two reports on Albania included in the monitoring series "Television across Europe: regulation policy and independence" (2005) and "Television across Europe - Follow up reports" (2008).