

Working Paper 7/2017

# **The Prospect and Development of Public Service Media: The Case of Albania**

Blerjana Bino and Besart Kadia

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Sarajevo, 2017

Title:

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Published by:

Analitika – Center for Social Research

Year: 2017

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Publisher Address:

Hamdije Kreševljakovića 50, 71000 Sarajevo, BiH

info@analitika.ba

www.analitika.ba

Proofreading:

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This publication is produced within the project “The Prospect and Development of Public Service Media: Comparative Study of PSB Development in Western Balkans in Light of EU Integration”, performed together with the University of Fribourg’s Department of Communication and Media Research DCM and funded by the Swiss National Science Foundation through the SCOPES (Scientific Cooperation between Eastern Europe and Switzerland) programme.

The views expressed in this publication are those of the author and do not necessarily represent opinions of the Swiss National Science Foundation, University of Fribourg and Center for Social Research Analitika.

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# 1.

## Introduction\*

Following the collapse of the communist regime in the early 1990s, contemporary Albania has been undergoing a series of economic, social, and political transformations. Such encompassing transformations affect, among other things, the role of media in society and in the democratic processes, particularly the public service broadcasting (PSB), which, in principle, has the potential to contribute to democratic advancements in post-communist countries. The aim of this research paper is to investigate the current and future developments of the Albanian Radio and Television (RTSH) by analysing dimensions such as politics, policy and regulation, market and financing models, digitalization and technology development as well as socio-cultural issues. The specific objectives of the research are: (i) to explore the PSB challenges and future perspectives in the political and socio-economic context in Albania: post communism; democratization; EU accession; liberal reforms and free market; new social and cultural trends; and (ii) to propose recommendations for the future perspectives of PSB in Albania to respond to the contemporary developments in the country.

The research is relevant both in terms of media policy and developments in Albania as well as for similar research conducted within media studies. First, the research is significant in terms of policy developments since it provides a comprehensive analysis of the current state and future perspectives of rtsh. This comes at a time when there is a growing interest in media developments in the event of digitalisation and intense proliferation of information and communication technologies (ICTs). In addition, debates on the future of PSB are important in light of the democratic processes in Albania and its EU accession. PSB reinvention and repositioning is to respond to the contemporary social, cultural, political and economic developments in Albania. Media and democratization as a research topic is relatively underexplored in Albanian media studies, which corresponds with the claim of Rupnik and Zielonka that mass media remains one of the poorly understood factors in the new democracies of the former Eastern bloc.<sup>1</sup> Within this, public service broadcasting is neglected as a topic of research. Additionally, Voltmer points out that mass media have been largely ignored by mainstream democratization research in spite of the fact that media are playing

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\* This report is updated as of December 2016.

<sup>1</sup> Jacques Rupnik and Jan Zielonka, "Introduction: The State of Democracy 20 Years on: Domestic and External Factors", *East European Politics & Societies* 27, no. 1 (2013), p. 14.

a paramount role in the democratic processes.<sup>2</sup> Following Hallin and Mancini's note that research on Eastern European media systems is still in the process of emergence, lacking original research,<sup>3</sup> this research on the case of Albania aims to contribute to the systematic and comparative analysis on PSB and media systems in the Western Balkans (WB).

This research relies on qualitative methodology. Through analysis of primary and secondary data, and conducting in-depth interviews with media professionals, scholars and policymakers and the explorations of existing studies, reports and publications on media in Albania, the research analyses the current developments and future challenges of the transformation of Albanian Radio and Television into a public service broadcaster. The research questions are: What is the *current situation* of PSB in Albania? What is the *policy framework* on PSB: laws, regulations and institutions? What is the PSB position in the *media market* and the *financial model*? Where does PSB stand vis a vis *technological advancements* and *digitalization*? What are the future *perspectives and challenges* of PSB in Albania?

The research concludes that the transformation of rtsh to a genuine public service media has to be done by taking in consideration the political, economic and socio-cultural context in the country. It is naïve at best to assume that rtsh in Albania can be detached from politics in a country like Albania with a high level of politicization marked by continuous all-encompassing confrontation between political parties. It is also not realistic to expect journalists to adhere to Western European professional journalistic standards, which are isolated from the conditions in which they work in Albania, such as lack of labor contracts, constant political pressure, self-censorship, financial instability, low level of adequate professional development, to mention but a few. Therefore, to provide recommendations for a deep and multifaceted transformation of the PSB in Albania, it is important to understand the complexity of the context. For rtsh to fulfill its remit as serving the public interest and to survive in a fiercely competitive media market, its transformation into a public service media is a viable option, which implies the use of online media tools to embrace the opportunities offered by media convergence. This will enable more transparency and quality programming; attract the audience and be responsive to the future prospects of Albanian society.

The next chapter offers a theoretical and methodological background by outlining some of the key international debates on the future developments of public service broadcasting. This will be followed by an analysis of these debates

<sup>2</sup> Katrin Voltmer, "The Mass Media and the Dynamics of Political Communication in Processes of Democratization: An Introduction", in *Mass Media and Political Communication in New Democracies*, ed. Katrin Voltmer (London: Routledge, 2006), p. 1.

<sup>3</sup> Daniel C. Hallin and Paolo Mancini, "Comparing Media Systems' between Eastern and Western Europe", in *Media Transformations in the Post-communist World: Eastern Europe's Tortured Path to Change*, eds. Peter Gross and Karol Jakubowicz (Lanham: Lexington, 2013), p. 16.

in the context of new democracies such as in the Western Balkans. The research methodology will be outlined along with the challenges of the research. The third chapter focuses on the case of Albania by offering a description of the political, economic and social aspects that are relevant to the debate on PSB. This chapter will look into the major features of the media landscape in Albania as well as the background of the PSB, such as its history, organization and regulation. The fourth chapter will outline the findings of the research followed by discussions in relation to the conceptual framework. The final chapter provides conclusions and recommendations on how PSB should be developed in Albania.

## 2.

# Theoretical and Methodological Framework

## 2.1 What Are the Key Contemporary Issues Related to PSB in General?

The contemporary debates on Public Service Broadcasting (PSB) will be explored based on the profound transformations of PSB in Europe in the past two decades. The main factors explored are: the liberalization of media markets; the proliferation of information and communication technologies (ICTs) and socio-cultural changes in contemporary societies. Their transformative impact will be analysed in terms of the principles of PSB and its role in society - its remit, normative functions and future development. Models for the future of PSB will be explored in order to argue for the case of Public Service Media that maintains the attributes of PSB, but also embraces the digital convergence and the market.

The liberalization of media markets challenges PSB by prioritizing fair trade, competition, and commercial criteria over PSB's core principles and role in society, including citizenship, universality and quality of services and content.<sup>4</sup> The liberalization of media markets has challenged PSB to adapt to commercial logic, thus risking making the normative basis of PSB subordinate to economic and commercial criteria. It is thus important for PSB to maintain its activity as an expression of citizenship and culture, and to be conceptualized as a public good. As Born and Prosser put it *"PSB plays a central role in social and cultural developments that underlie the general conditions of citizenship and thus PSB is prior to the market, not just part of it"*.<sup>5</sup>

Market failure justifies state intervention in public broadcasting because the market itself does not necessarily provide optimal social value and it may prioritize private interests over public good. From a welfare perspective on PSB, market provision of broadcasting is flawed in that *"the markets may not always provide socially valuable programming; they might provide too few or too many programming"*.<sup>6</sup> The proliferation of ICTs (multichannel, pay television, pay per view) and online content mitigate most of the issues related to market failure.

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<sup>4</sup> Georgina Born and Tony Prosser, "Culture and Consumerism: Citizenship, Public Service Broadcasting and the BBC's Fair Trading Obligations", *The Modern Law Review* 64, no. 5 (2001), p. 671.

<sup>5</sup> Ibid, p. 659.

<sup>6</sup> Simon P. Anderson and Stephen Coate, "Market Provision of Broadcasting: A Welfare Analysis", *Review of Economic Studies* 72, no. 4 (2005), pp. 947–972.

For instance market power is less of a problem due to the existence of a variety of suppliers and revenue channels for broadcasters. The public also has different ways of accessing content due to the use of ICTs. In this light, the competitive broadcasting marketplace meets the private demands of the viewer and provides a greater variety and volume of content, which in turn means that there is no need for public intervention.<sup>7</sup>

State intervention in PSB has come under scrutiny in the past decades from both the right and left sides of the political spectrum. The most significant criticism comes from the neoliberal spectrum and relates to the legitimacy of state intervention in the media system and the distortion of the media market due to state aid for PSB.<sup>8</sup> From leftist perspectives, PSB has been criticized as a potential hegemonic tool for ideological control by the state. It is argued that the state may not necessarily serve the public interest of all diverse groups in society as it is mainly concerned with the interests of capital.<sup>9</sup> This might be particularly relevant in the case of new emerging democracies where rule of law is weak, corruption is persistent and human rights violated. As such the PSB has been reduced from an instrument of democracy to an instrument of the state.

Despite the aforementioned criticism, there is still political support in the European Union (EU) and member states for the maintenance of PSB. PSB has been at the core of European Union media policy for the past decades, particularly from the 1980s onwards when PSBs came under political, legal, commercial, and increasingly, technological pressure. The EC has supported PSB, but with the introduction of new concepts in terms of its public ownership and funding such as transparency, proportionality, cost-efficiency, the market-investor-principle, and technology-neutrality.<sup>10</sup> The EC considers public service broadcasters as an exception to the principles of the free market and fair competition. In its report on the PSB in the information society, the Council of Europe identifies internationalization of media markets, the concentration of ownership of media and the deregulation of the media sector as key factors in the transformation of PSB in Europe in the past decades.<sup>11</sup>

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<sup>7</sup> Andrew Graham and Gavyn Davies, *Broadcasting, Society and Policy in the Multimedia Age* (Bedfordshire: University of Luton Press, 1997).

<sup>8</sup> Jackie Harrison and Bridgette Wessels, "A New Public Service Communication Environment? Public Service Broadcasting Values in the Reconfiguring Media", *New Media & Society* 7, no. 6 (2005), p. 847.

<sup>9</sup> Julia Rozanova, "Public Television in the Context of Established and Emerging Democracies: *Quo Vadis?*", *The International Communication Gazette* 69, no. 2 (2007), p. 131.

<sup>10</sup> Karen Donders and Caroline Pauwels, "Does EU Policy Challenge the Digital Future of Public Service Broadcasting?: An Analysis of the Commission's State Aid Approach to Digitization and the Public Service Remit of Public Broadcasting Organizations", *The International Journal of Research into New Media Technologies* 14, no. 3 (2008), p. 296.

<sup>11</sup> Christian S. Nissen, *Public Service Media in the Information Society: Report Prepared for the Council of Europe's Group of Specialists on Public Service Broadcasting in the Information Society (MC-S-PSB)* (Strasbourg: Council of Europe, 2006), p. 47.

On one hand this transformative process has to be done in line with the public service remit, but on the other hand the remit itself has come under question. In the new technological and social context it is also crucial for PSB to re-examine and re-formulate its public service remit. Traditionally, the public service remit is based on the following principles: (i) a commitment to universal service; (ii) diversity and representativeness of content in political, social and cultural terms; (iii) democratic accountability; (iv) transparency and public financing; (v) non-profit goals.<sup>12</sup> For instance, various leading PSBs (BBC, ABC, CBC) have reformulated their remit to embrace the challenges and opportunities offered by ICTs and the new social context. However, some key underpinning preconditions have been maintained such as: all new formats and services generated by the use of ICTs in PSB shall contribute to the attainment of the core PSB remit; they shall be linked to the principal activities of the broadcasting and most importantly, PSB core functions shall not be cannibalized by the new formats and services offered by digitalization.

The natural monopoly of PSB has been undermined by the advancements in ICTs, giving rise to hybrid media landscapes. Traditionally, spectrum scarcity provided the main rationales for state intervention in the broadcasting industry. The technological advancements and proliferation of ICTs have left no space for the spectrum scarcity dimension,<sup>13</sup> while neoliberal reforms, along with liberalization and privatization, have undermined the ideological grounds for state funding to public services, particularly with regard to broadcasting.<sup>14</sup> PSB has now lost its once perceived monopoly due to spectrum scarcity, high entry and infrastructural costs, and the socio-cultural impact of the broadcasting medium.<sup>15</sup> Consequently, in most EU member states the media system can be characterized as dual market or a hybrid media landscape,<sup>16</sup> whereby public funding for PSB is still relevant, but it is under enormous pressure by the free market-oriented media policy and the emergence and rise of new multimedia platforms. The emphasis on attaining a fair balance between private commercial broadcasting and public services is stronger in the face of the new multimedia and digital environment, where different broadcasters coexist.<sup>17</sup>

<sup>12</sup> Denis McQuail, *Media Performance: Mass Communication and the Public Interest* (London: Sage, 1992), pp. 49-64.

<sup>13</sup> Jose van Dijck and Thomas Poell, "Making Public Television Social? Public Service Broadcasting and the Challenges of Social Media", *Television & New Media* 16, no. 2 (2015), p. 149.

<sup>14</sup> Donders and Pauwels, "Does EU Policy Challenge the Digital Future of Public Service Broadcasting?", p. 297.

<sup>15</sup> McQuail, *Media Performance*, p. 13.

<sup>16</sup> Jeanette Steemers, "Public Service Is Not Dead Yet: Strategies in the 21st Century", in *Broadcasting and Convergence: New Articulations of the Public Service Remit*, eds. Gregory Ferrell Lowe and Taisto Hujanen (Goteborg: Nordicom, 2008), p. 124.

<sup>17</sup> Johannes Bardoel and Leen d'Haenens, "Public Service Broadcasting in Converging Media Modalities: Practices and Reflections from the Netherlands", *The International Journal of Research into New Media Technologies* 14, no. 3 (2008), p. 353.

In the era of digitalization, information availability and a plurality of communication modalities, as well as program portfolio diversification, to appeal to mass audiences is a key issue for PSB. For some scholars<sup>18</sup> the value and relevance of PSB cannot be questioned in a democratic society because PSB allows for the provision of quality and trustworthy information, opportunities for access and citizen participation, and the expression of diverse perspectives of various social groups.<sup>19</sup> Others have argued that the traditional PSB remit and objectives are in fact limited by particular institutional structures, management and ownership models and therefore do not necessarily fulfil their remit and principles.<sup>20</sup> In terms of technological advancements, the digitalization process implies more information availability and a plurality of communication modalities, which are interactive, networked, persistent, ubiquitous and instant.<sup>21</sup> What we witness today is a process of convergence, which refers to the blurring of the conventional boundaries between ‘old’ and ‘new’ media and is currently ubiquitous to the realities of everyday life, from politics to media consumption.<sup>22</sup>

In addition to media market liberalization and ICT’s advancements, the profound transformations of PSB are taking place amid socio-cultural changes in contemporary societies. One of the main transformations is linked to the dichotomy of the media public and entails a conceptualization of the viewers *“as sovereign consumer making a choice from a range of services offered by the marketplace, or as a citizen participating in a culture serving the purpose of his or her self-development as well as that of the society of which the citizen is a member”*.<sup>23</sup> PSB has traditionally been meant to foster citizenry but its content has been affected by the blurring of the clear-cut distinction between citizens and consumers or of elite and popular culture. As a result, media consumption has also changed with the decline of the television viewing and the increase in the use of new media platforms as sources of information, entertainment, and education, particularly by younger generations.<sup>24</sup>

The concepts of public interest and common good as underpinning principles of the PSB remit have also been called into question. Three main normative functions have been associated traditionally with PSB: (i) from a political perspective, PSB serves the democratic processes through objective, independent and impartial coverage; (ii) from a cultural perspective, PSB produces high quality programming

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<sup>18</sup> McQuail, *Media Performance*, p. 13.

<sup>19</sup> Ibid, p. 44.

<sup>20</sup> Harrison and Wessels, “A New Public Service Communication Environment?”, p. 847.

<sup>21</sup> For more on the characteristics of media in the information age see Karol Jakubowicz, “Public Service Broadcasting: A New Beginning, or the Beginning of the End”, *Knowledge Politics Paper*, (2006), pp. 1-27.

<sup>22</sup> Bardoel and d’Haenens, “Public Service Broadcasting in Converging Media Modalities”, p. 353.

<sup>23</sup> Harrison and Wessels, “A New Public Service Communication Environment?”, p. 657.

<sup>24</sup> Bardoel and d’Haenens, “Public Service Broadcasting in Converging Media Modalities”, p. 355.

for entertainment as well as for education; (iii) in terms of the social dimension, PSB promotes inclusion and diversity.<sup>25</sup> These normative functions are based on the principle that PSB has at its core the public interest and common good, rather than private and individual interests.<sup>26</sup> These concepts are highly contested and subject to interpretation particularly when adopting them in different social, political and cultural contexts.<sup>27</sup>

In light of structural transformation, technological advancements, and increasing socio-cultural demands in contemporary digital society, the relevance of PSB is maintained, but the functioning model is under review. Key models proposed include: (i) the legitimate model, which defends the idea of public service media (PSM) and implies that PSB is to go along with and even take the lead in digital convergence as long as it 'serves the execution of the remit in ways that are effective and relevant to the public';<sup>28</sup> (ii) the attrition model, which follows the market failure paradigm and considers only a limited range of carefully selected services and platforms as legitimate for PSB<sup>29</sup> and (iii) the obsolete model, which starts from a neo-liberal discourse in which government intervention in the provision of commodities and services is deemed unnecessary and undesirable and considers PSB as illegitimate.<sup>30</sup> Amidst the discussions about the prospect of PSB in a digital society, the shift towards PSM is a viable option. The evolution towards PSM seems to be a significant safeguard of a healthy media landscape in which PSM can compensate potential market failure and produce public value through independent journalism and a public service remit reformulated in the digital area and new social context. PSB needs to reconsider their functions beyond the existing media and distribution modalities, and to "coordinate multimedia strategy and synergy drawing from interactivity and networked modes such as information-based features, programme-based features such as on-demand services, fan-based features and game-based features."<sup>31</sup>

The major challenge for PSB in evolving into PSM in a multimedia context is the transformation of its relationship with the audience. Democratization, improved living standards, education, market liberalization and advances in ICTs have

<sup>25</sup> Henk E. Meier, "Beyond Convergence: Understanding Programming Strategies of Public Broadcasters in Competitive Environments", *European Journal of Communication* 18, no. 3 (2003), p. 339.

<sup>26</sup> McQuail, *Media Performance*, p. 42.

<sup>27</sup> Rozanova, "Public Television in the Context of Established and Emerging Democracies?", p. 134.

<sup>28</sup> Jakubowicz, "Public Service Broadcasting: A New Beginning, or the Beginning of the End", pp. 1-27.

<sup>29</sup> Hilde Van den Bulck, "Can PSB Stake its Claim in a Media World of Digital Convergence? The Case of the Flemish PSB Management Contract Renewal from an International Perspective", *Convergence: The International Journal of Research into New Media Technologies* 14, no. 3 (2008), p. 337.

<sup>30</sup> Ibid, p. 338.

<sup>31</sup> Bardoel and d'Haenens, "Public Service Broadcasting in Converging Media Modalities", p. 357.

eroded the traditional relationship of PSB with its audience, i.e. the unequal, asymmetrical relations between the audience on the one hand, and broadcasters, the cultural elite and the state on the other, legitimated by social divisions and stratification. The legitimate arguments for the transformation of PSB to PSM claim that a new partnership between PSM and the public should be developed which will allow PSM to acknowledge the role of the public as an active partner, and no longer just passive receiver.<sup>32</sup> PSB could foster interactivity and networked modalities offered by ICTs and citizen-generated content.<sup>33</sup> From a perspective of multi-stakeholder relations, the shift towards PSM requires “*an international dialogue between creative producers, policy-makers, and academics to develop new perspectives on public value and on the technologies and practices through which such values should be created and facilitated*”.<sup>34</sup>

## 2.2 Some of the Key PSB Issues in Post-communist Countries and Western Balkan Countries

The introduction and future development of PSB in the Western Balkan countries (WB) will be analysed by considering the media changes; models of transformation of media systems and the specific challenges faced by PSB in its transformation from state-controlled to public service. Countries in WB have experienced multifaceted, deep and even controversial transformations since the fall of the communist regimes and the media system is no exception to that. Scholars<sup>35</sup> have identified eight clusters of contemporary processes of change in media systems in new democracies,<sup>36</sup> which will be used as dimensions of analysis for the media landscape in WB, and particularly Albania, in the following sections.

- 1) *De-monopolization and partial re-monopolization*: i.e. the old media system was fragmented and replaced by a market-oriented system that quickly started to integrate into the international media market;
- 2) *Commercialization and marketization of media systems*: the market is shaping the media system more and more, with tabloidization of the media being a central pattern;

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<sup>32</sup> Jakubowicz, “Public Service Broadcasting: A New Beginning, or the Beginning of the End”, pp. 1-27.

<sup>33</sup> Ibid, p. 17.

<sup>34</sup> Van Dijck and Poell, “Making Public Television Social?”, p. 161.

<sup>35</sup> Jakubowicz, “Public Service Broadcasting: A New Beginning, or the Beginning of the End”.

<sup>36</sup> The paper will use the term ‘new democracies’ to avoid the potential negative connotations of ‘post-communist countries’.

- 3) *Media freedom and independence*: in the initial phase media freedom and independence were celebrated as crucial for democratization, but new political elites have exercised various techniques to control the media and to curb their independence and autonomy, even resulting in self-censorship;
- 4) *Democratization of media systems*: i.e. democratization of media as an organization in the sense of making the media, their ownership, management and content more democratic and socially representative;
- 5) *Pluralization and diversity in the media*: in post-communist countries a plurality of media outlets representing various groups and interests can be noted in the media system as a whole, whereas media outlets individually often suffer from lack of diversity of perspectives;
- 6) *Professionalization of journalists*: journalists have been transformed from watchdogs (holding the government accountable), to lapdogs (serving the government and political parties) to attack dogs (tabloidization and sensational news) as a result of severe control of media by different centres of power;
- 7) *Public Service Broadcasting* and its future development is of big concern in the era of commercialization and marketization;
- 8) *Internationalization and globalization*: media system internationalization has political, economic and cultural dimensions, so its direction and pace are naturally influenced by the circumstances prevailing in each country.<sup>37</sup>

In the past twenty-five years, new democracies<sup>38</sup> in WB have witnessed various conflicts centred on the media whereby the media has either been the victim or the predator or both.<sup>39</sup> What is disadvantageous to democratic processes in the region is not only that both the political and business elite asserts control over the media, but also that the media are an active and powerful actor seeking financial gains and political influence.<sup>40</sup> In addition to media aligning with businesses and political actors, the weakness of civil society has left not only the government, but also the media without public scrutiny and thus with no pressure for accountability, responsibility and transparency. It is thus argued for a circular model of media change<sup>41</sup> whereby media and politics and business have a multi-

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<sup>37</sup> Also see Katrin Voltmer, *The Media in Transitional Democracies* (Cambridge: Polity, 2013).

<sup>38</sup> There are three main pathways of democratization: from communism to democracy in Eastern Europe; from military dictatorship in Latin America and from one party dictatorship in Asia and Africa. See Voltmer, *The Media in Transitional Democracies*. This research paper uses the term 'new democracies' to refer to the path of Eastern Europe, including Western Balkan countries: Albania, Serbia, BiH, Montenegro, Kosovo and Macedonia. It is not within the scope of this paper to discuss the democratization path per se.

<sup>39</sup> Rupnik and Zielonka, "Introduction", p. 16.

<sup>40</sup> Ibid, p. 17.

<sup>41</sup> Alina Mungiu-Pippidi, *State into Public: The Failed Reform of State TV in East Central Europe* (Cambridge: Harvard University, The Joan Shorenstein Center on the Press, Politics and Public Policy, 2000), p. 21.

way interaction and power relations. The transitional path of media system change in the Western Balkans as in other new democracies is highly dependent upon the contextual circumstances in each country, i.e. political, economic and socio-cultural factors.<sup>42</sup>

Drawing from the premise that social and cultural factors have played an important role in the media system change, media policies have pursued combined elements of the mimetic and atavistic orientation depending on the level of democratic consolidation.<sup>43</sup> Scholars have identified three media policy orientations presented in the new media systems in post-communist countries: *idealistic*, *mimetic* and *atavistic*.<sup>44</sup> *Idealistic* policy orientation is based on a radical vision of direct, participatory communicative democracy, aiming at creating a media system based on the values of equality, justice and solidarity and with a critical role for journalists.<sup>45</sup> *Mimetic* policy orientation aims at the juxtaposition of the media system in new democracies with that of 'the West', i.e. liberalization of the print media and a free press and the establishment of a balanced dual broadcasting system. The 'mimetic' orientation concentrated on the standards of the public service phase of the media policy development in Western Europe so as to transplant those standards in the process of the reformation of media systems,<sup>46</sup> which proved to be very challenging.<sup>47</sup> *Atavistic* orientation refers to the unwillingness of new power elites to give up all control of, or ability to influence, the media,<sup>48</sup> and which resulted in the colonization of public life by political parties and the lack of a genuine civil society that occurred in the new democracies.

The seminal comparative framework developed by Hallin and Mancini will be used to analyse media systems in WB and particularly Albania. As argued by Jakubowicz, the media system in new democracies can be categorized under the 'Mediterranean' model of Hallin and Mancini featuring the following characteristics: an elite-oriented press with relatively small circulation and a corresponding centrality of electronic media; high political parallelism, with the press marked by a strong focus on political life and a tradition of advocacy

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<sup>42</sup> Ibid, p. 8.

<sup>43</sup> Karol Jakubowicz, "Ideas in Our Heads: Introduction of PSB as Part of Media System Change in Central and Eastern Europe", *European Journal of Communication* 19, no. 1 (2004), p. 53.

<sup>44</sup> Ibid.

<sup>45</sup> See McQuail, *Media Performance*, pp. 66-67.

<sup>46</sup> Ibid.

<sup>47</sup> Slavko Splichal, "Does History Matter?: Grasping the Idea of Public Service Media at Its Roots", in *From Public Service Broadcasting to Public Service Media*, eds. George Ferrel Lowe and Johannes Bardoel (Göteborg: Nordicom; Göteborg University, 2007), pp. 237-256.

<sup>48</sup> Karol Jakubowicz, "Finding the Right Place on the Map: Prospects for Public Service Broadcasting in Post-Communist Countries", in *Finding the Right Place on the Map Central and Eastern European Media Change in a Global Perspective*, eds. Karol Jakubowicz and Miklos Sukösd (Chicago: The University of Chicago Press, 2008), p. 110.

journalism, and with public service broadcasting tending to follow government or parliamentary models; low development of the professionalization of journalists, with journalism not very distinct from political activism; and the strong role of the state in the media as an owner, regulator and funder of the media.<sup>49</sup> The aim of the analysis provided within the study is not only to position the new democracies' media systems in Hallin and Mancini's media typology, but to explore their problems, similarities, features and the rationales behind them.

Even though commercialization and political parallelism are similar phenomena, Voltmer argues that the western models of media system cannot be easily applied to the new democracies. Voltmer points out that new *hybrid media systems* have emerged in new democracies that blend together liberal ideas of a free and de-regulated press with trajectories of the communist past, contextual local values and the experience of transition and democratization.<sup>50</sup> It is paramount to note that there is no 'good overall' model for the new media systems in emerging democracies as their specific configuration depends on the interaction between contextual socio-cultural, economic and political factors. What is more, Sükösd and Bajomi-Lázár argue that there is no final state of media reformation in post-communist countries like an end point of the Western institutional pattern. Similar to democratization itself, the transformation and reformation of the media remains an open-ended, normatively oriented attempt.<sup>51</sup> PSB in the region and in Albania will thus be examined in line with this approach.

The introduction of PSB in post-communist countries could be regarded as an indicator of post-Communist transformation, specifically in terms of democratic consolidation, as argued by Jakubowicz.<sup>52</sup> First, the introduction of PSB came after commercial stations appeared in most of the new democracies and, consequently, PSB was competing in a fierce market while at the same time trying to establish itself. Second, high levels of political parallelism results in politicization of content, management and staff and thus preventing essential structural and managerial reforms of PSB. A key common feature of PSB in new democracies in the Western Balkans is "systemic parallelism", which means that a country's system of government is translated into a corresponding system of PSB governance, conceptualized as 'politics-over-broadcasting' or 'politics-in-broadcasting'.<sup>53</sup> Third, the newly introduced PSBs did not have appropriate time and conditions for the institutional, professional and cultural changes that

<sup>49</sup> Ibid, p. 101.

<sup>50</sup> Katrin Voltmer, "Comparing Media Systems in New Democracies: East Meets South Meets West", *Central European Journal of Communication* 1, no. 1 (2008), p. 23.

<sup>51</sup> Miklós Sükösd and Péter Bajomi-Lázár, "The Second Wave of Media Reform in East Central Europe", in *Reinventing Media: Media Policy Reform in East Central Europe*, eds. Miklós Sükösd and Péter Bajomi-Lázár (Budapest: Central European University Press, 2003), p. 15.

<sup>52</sup> Jakubowicz, "Ideas in Our Heads", p. 65.

<sup>53</sup> Jakubowicz, "Finding the Right Place on the Map", p. 108.

would allow their consolidation on the media landscape. In addition, the growing influence of commercial media significantly affected the media policy. Moreover, the cost of maintaining PSB in countries with a small population and low GNP per capita is high.

The attempt to introduce and maintain PSB in new democracies in WB seems to have been pushed forward by the European integration processes. If the support for PSB weakens in the EU this will imply that one of the strong incentives for introducing PSB in WB would be gone.<sup>54</sup> However, the transformation and consolidation of PSB and media systems in new democracies in WB should not be pursued in the name of EU integration, but as a “raison d’être of their own which for the media means professionalization based on shared standards of journalism and media roles.”<sup>55</sup> Jakubowicz argues that the “the overall result of this combination of circumstances could be called a lack of social embeddedness of PSB in post-Communist countries, depriving it of its natural social habitat and cultural context.”<sup>56</sup> In this vein, the PSB subordination to or independence from the governmental and political parties in new democracies depends on the degree of the consolidation of democracy and political culture.<sup>57</sup>

## 2.3 Methodology and Research Instruments

The introduction, establishment and transformation of PSB in WB and in Albania will be examined by considering key factors common to new democracies, as have been researched by various leading scholars in the field.<sup>58</sup> The prevailing factors investigated could be categorized as external contextual factors, related to the political system, socio-cultural context and economy, as well as internal factors related to media organizations per se:

- a) *contextual factors*: unsystematic media legislation; political pressure for media organization, management and staff; weakness of civil society; size of media market; small advertising markets; concentration of market and re-monopolization; unwillingness to support PSB; etc.
- b) *internal media organization factors*: legacy of media organization and management structures; frequent management and leadership crises; lack of funds and programming know-how; self-censorship of journalists and programme-makers; inadequate dedication to PSB values, including

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<sup>54</sup> Jakubowicz, “Ideas in Our Heads”, p. 66.

<sup>55</sup> Peter Gross, “Between Reality and Dream: Eastern European Media Transition, Transformation, Consolidation, and Integration”, *East European Politics and Societies* 18, no. 1 (2004), p. 130.

<sup>56</sup> Jakubowicz, “Ideas in Our Heads”, p. 65.

<sup>57</sup> Jakubowicz, “Finding the Right Place on the Map”, p. 108.

<sup>58</sup> Paolo Mancini and Jan Zielonka, “Introduction - Structure and Performance of the News Media in Central and Eastern Europe”, *The International Journal of Press/Politics* 17, no. 4 (2012), pp. 379-387.

political impartiality and detachment, lack of concern for the public interest, non-commercialism, lack of high professionalism and high quality, etc.

The research project will apply Mancini and Zielonka's framework to the relationship between media and the wider society after a change of regime in order to understand the developments of the media landscape in Albania. This framework includes: 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.<sup>59</sup>

This paper has adopted a qualitative methodology, which enabled the researchers to collect in-depth and detailed data on PSB in Albania by conducting in-depth interviews and document analysis. The research underwent two main phases: (i) desk research and exploration of secondary resources: policy documents, law, regulations, reports, articles, books etc. on media systems and PSB in Albania; and (ii) field work and collection of primary data through in-depth interviews with media professionals, media experts, policy-makers and scholars. The primary data gathered consists of both written and oral sources. The sample of the research is 12 in-depth interviews with journalists, media scholars, experts and policy makers. The fieldwork was conducted in the period between 01 April 2015 and 31 July 2015.<sup>60</sup> The instruments of research included: translation of a questionnaire in Albanian; approaching interviewees via email – ensuring informed consent to participate; conducting the interviews in Albanian at the preferred time and location of interviewee; transcript of interviews, translation into English and initial data analysis.

Collection of primary data during the fieldwork proved to be challenging, particularly when having to conduct in-depth interviews with media professionals and policymakers. First, the researchers identified a list of potential interviewees based on the aim of the project and focusing on three main categories: policy makers in media and public communication; media professionals such as journalists, managers, programme-writers, editors; media scholars. Initially contact establishment and invitation to participate in the research was done either via email, in person or via telephone. From an initial sample list of 17 identified individuals, no one refused to participate in the research. However, there were 5 non-responses, thus the final sample of 12 in-depth interviews. The non-responses were mitigated as follows: the Head of the Parliamentary Commission on Education and Public Information Mediums did not respond, but the current Deputy Head of the commission was interviewed; the Head of the Audio-visual Media Authority (AMA) did not respond, but the former Head of AMA was interviewed; the Director/Expert of Albanian Media Institute did

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<sup>59</sup> Ibid, p. 380.

<sup>60</sup> See Annex for full details of sample.

not respond, however their publications and reports were largely consulted for the research; the Head of the Journalism Department did not respond, but senior lecturers were interviewed; the former Director of rtsh did not respond, but other rtsh professionals were interviewed. Informed consent was obtained from each interviewee and full confidentiality was ensured in compliance with research ethical standards. However, none of the interviewees requested full confidentiality and were happy to be quoted in the research paper. In addition to the willingness to participate, another challenge was the complexity and length of the questionnaire, which resulted in the impatience of the interviewees, some questions not answered and after 45 minutes of interviewing their interest was low and the answers were very short. Some interviewees, particularly media scholars, preferred to answer via email. The transcript of data and translation into English also proved time-consuming and challenging regarding translating terms correctly from Albanian to English without losing the connotation.

### 3.

## Country Background: Albania

### 3.1 Political, Economic and Social Aspects in Albania Relevant for PSB

Albania is a low middle-income country, situated in Southeast Europe. For almost fifty years after the liberation from the Nazi-Fascists in 1944, Albania was under the communist totalitarian regime of Enver Hoxha and the Communist party, which basically controlled all dimensions of the state and society, from economy to religion, which was officially banned by law in 1967. Following its collapse, the first free elections were held in 1992 making Albania the last country from the former Eastern bloc to topple its totalitarian regime. As such Albanian society embarked on the road to democratization with the dream to be part of Europe with little, if any, democratic legacy and related political culture. In the transition from communism to democratization, Albania has undergone fundamental transformations from a centrally planned, state owned to a free market economy with a reduced role of the state. Even though there have been signs of economic progress, Albania remains one of the poorest countries in Europe outside the former Soviet Union and the public debt is still a concerning issue, reaching up to 75% of GDP in 2014.<sup>61</sup> In addition, unemployment remains high with corruption and organised crime as detrimental factors for foreign investment and further growth.<sup>62</sup> The Transparency International Report on corruption rated Albania 88<sup>th</sup> out of 168 countries assessed.<sup>63</sup>

Albania has a political system of a parliamentary multi-party democracy. The President performs his role as the Head of State, elected by the Parliament, and the Prime Minister runs the country as the Head of the Executive, designated by the party or parties that form the majority or a majority coalition in a general parliamentary election every four years.<sup>64</sup> The Albanian political landscape has been shaped by sharp polarization between the two major parties and their

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<sup>61</sup> Republic of Albania, Institute of Statistics, Annual Report (Tirana: Institute of Statistics, 2014).

<sup>62</sup> European Commission, Albania Progress Report 2014 (Brussels: European Commission, October 8, 2014).

<sup>63</sup> Transparency International, "Corruption by Country: Albania 2014".

<sup>64</sup> Albania is a parliamentary Republic. The parliament members are elected every four years based on a regional proportional electoral system. The Parliament has 140 seats. The President of the Republic is elected by the Parliament every five years, while the Prime Minister is appointed by the majority, either a political party or a coalition of parties, that has won the general parliamentary elections.

leaders, namely the Socialist Party of Albania (Fatos Nano and currently Edi Rama) and the Democratic Party of Albania (Sali Berisha and currently Lulzim Basha). With the frequent changes in the electoral system from majority to proportional, new political parties have emerged with the Socialist Movement for Integration as the most prominent. The Socialist Party of Albania in coalition with the Socialist Movement for Integration gained a clear victory in the June 2013 parliamentary election and, after eight years in opposition, replaced the centre-right Democratic Party of Albania. In terms of setting the direction for the future of the country, all political parties agree to the European integration perspective as the 'only game in town' as set out in the National Strategy for Development and Integration.<sup>65</sup> In 2009 Albania became a full member of NATO and in June 2014 it was granted the status of EU candidate. Albania is seeking to start EU accession talks, but for that to happen reforms over the rule of law and public administration, anti-corruption and the judiciary system will need to accelerate, to mention just a few of the reforms also pushed forward by the EU through the conditionality.<sup>66</sup>

The past twenty-five years have marked a historic period not only in terms of economic and political transformation, but also from a demographic perspective. During this period, Albania has lost an unprecedented number of its population due to high emigration and low fertility rates, which have reshaped its demographic composition and social structure. The current population of Albania is approximately 2,8 million and has decreased by 8.8 % since 2001 and by 12% since the collapse of communism.<sup>67</sup> The population is further characterized by an almost exact male/female balance and a decrease of the young population.<sup>68</sup> The increase in the elderly population means that the window of economic opportunity for Albania is narrowing down for the next ten years<sup>69</sup> with important implications for social, health and education policies. The demographic analysis of the country shows that from 2001 to 2011, emigration has been the major factor in population change with more persons, both male and female, leaving the country than returning. Family related migration has gained importance compared to work related migration. However, with the major crisis in Greece and in other European countries, the return migration has substantially increased in Albania in the last five years.<sup>70</sup> What is more, due to migration, Albania now has a major urban, as opposed to rural,

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<sup>65</sup> Council of Ministers of the Republic of Albania, National Strategy for Development and Integration, 2014-2020 (Council of Ministers of the Republic of Albania, June 2013).

<sup>66</sup> For more on Albania and the EU see [http://eeas.europa.eu/delegations/albania/eu\\_albania/political\\_relations/index\\_en.htm](http://eeas.europa.eu/delegations/albania/eu_albania/political_relations/index_en.htm) (Accessed on September 12, 2016).

<sup>67</sup> Institute of Statistics of Albania, Albanian Population and Household Census (Tirana: Institute of Statistics of Albania, 2011).

<sup>68</sup> Gjergji Filipi, *Albania Population and Population Dynamics: New Demographic Horizons?* (Tirana: INSTAT, May 2014), p. 7.

<sup>69</sup> Ibid.

<sup>70</sup> Ibid, p. 11.

population, even though public services, social attitudes and cultural values do not necessarily reflect this new urban/rural balance. These changes in demographic composition are linked with the social and cultural settings in Albania, leading to disorientation in the value system of the Albanian society.<sup>71</sup>

## 3.2 Media System Overview in Albania

After the collapse of the communist regime Albanian media had to redefine their role in society within different economic, political and social circumstances. During the communist regime, Albania had a state/party media controlled by the Communist Party and its other affiliated organisations such as trade unions, state institutions or professional organisations.<sup>72</sup> In the aftermath of the Communist regime collapse, Albania adopted new legislation on the media to replace restrictive media laws and settings. As a result the Communist media outlets disappeared and a new generation of journalists were educated.<sup>73</sup> Scholars identify two main phases of Albania media development in the past twenty-five years: (i) the first phase of *politically engaged media* with severe conflicts between the media and the government, open confrontation between journalists and politicians and a rise in the power of the media in the society; (ii) the second phase of *clientelistic media*, marked by a subtle interdependence and interrelation between media, politics and business.<sup>74</sup> Media in Albania is experiencing economic and political pressure, issues of transparency and ownership, labour relations and working conditions, ethical concerns, professionalism and quality. Thus the development of media in Albania in the past two decades has not been linear; rather it echoes a dynamic, rich and diverse media landscape.

The media market in Albania is weak, small and fragmented, far from being consolidated, and thus in perpetual transformation. The Albanian press covers a variety of topics and the number of press outlets is estimated at over 100 (see: Tab. 1). The most influential print outlets are daily newspapers such as *Panorama*, *Shqip*, *Shekulli*, and *Gazeta Shqiptare* with some recently established daily newspapers gaining terrain rapidly such as *shqiptarja.com* and *MAPO*. According to the Media Sustainability Index in 2015, the Albanian press “*has felt the impact of the economic crisis and growing political tension*”<sup>75</sup> but for the print media

<sup>71</sup> This is based on insights from the in-depth interviews and desk research on the Albanian socio-cultural context.

<sup>72</sup> Based on insights from interviews.

<sup>73</sup> Ilda Londo, *Limited Assistance for Limited Impact: International Media Assistance in Albania Regional* (Sarajevo: Analitika – Center for Social Research, 2013), p. 3.

<sup>74</sup> See Adela Halo et al, *A Blind Eye on the News: Self – censorship in the Albanian Media* (Tirana: Balkan Investigative Reporting Network, 2015).

<sup>75</sup> Andrea Stefani, *Albania: Media Sustainability Index 2015* (Washington: IREX, 2015).

the market entry remains free, open and equal. The distribution of print media represents a challenge because they continue to be distributed only in main cities and do not reach rural areas. The levels of readership in Albania, as is the trend in other countries, are relatively low due to inadequate print distribution infrastructure, a weak subscription system, high prices, and competition from audio-visual media and more recently from online media platforms. The exact figures of readership levels in Albania are debatable due to lack of reliable data.<sup>76</sup> There are also no data on broadcast viewing.<sup>77</sup> According to Freedom House there is a trend of decline in independent media ratings in the recent years. For example in 2015, Freedom House reported that the independent media rating declined from 4.00 to 4.25 due to editorial restraint and the dismissal of investigative journalists, thus demonstrating that private and political interests continue to dominate the media.

In terms of audio-visual media, there is a dual broadcasting system, with the Albanian Radio Television (rtsh) as the public service broadcaster, and a thriving private media. The public broadcaster Albanian Radio and Television (rtsh) has the greatest reach: its signal covers 80.5 percent of the territory, followed by Top Channel with 79 percent and TV Klan with 78 percent. Public radio signal covers 80.5 percent of the territory, while those of Top Albania Radio and +2 Radio, both national commercial radios, cover 93.7 and 68 percent respectively.<sup>78</sup> There are no systematic and reliable data on audience share of audio-visual media in Albania.

*Table 1: Type and Number of Media Operators in Albania*

| Type of media in Albania        | Number of media operators |
|---------------------------------|---------------------------|
| National Daily Newspapers       | 26                        |
| Monthly Magazines               | 36                        |
| Quarterly Publications          | 69                        |
| Public Service Broadcaster      | 1                         |
| National Commercial TV Channels | 2                         |
| Local TV Channels               | 71                        |
| Cable TV Channels               | 83                        |
| Public Service Radio            | 1                         |
| National Commercial Radio       | 2                         |
| Local Radio                     | 63                        |
| Commercial Multiplex            | 2                         |

Source: Audio-visual Media Authority, AMA Report 2014.

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<sup>76</sup> See Halo et al., *A Blind Eye on the News*.

<sup>77</sup> Stefani, *Albania*.

<sup>78</sup> Ilda Londo, "Albania", in *Media Integrity Matters: Reclaiming Public Service Values in Media and Journalism*, ed. Brankica Petković (Ljubljana: Peace Institute, Institute for Contemporary Social and Political Studies, 2014), p. 53.

The dynamics of the online media market and digital processes in Albania are difficult to evaluate due to the lack of credible and systematic data and research. However, the growth in Internet access in Albania, at least in urban areas, is omnipresent, as well as access to ICTs such as tablets and smartphones. Online media in Albania feature the main characteristics of new media: (i) hypertextuality; (ii) interactivity; (iii) multimediality; (iv) digitality; and (v) virtuality, i.e. media convergence.<sup>79</sup> First, almost all media outlets, both press and audio-visual, have their own websites and some with versions suitable for smart phones in the forms of applications. The websites serve not only as an online platform for the printed version of the newspaper or the audio-visual broadcasters, but they also include live coverage of events and allow audiences to participate with comments on news articles and reports.<sup>80</sup> The most prominent websites of mainstream media, such as those of Top Channel, Shekulli, Panorama, MAPO, Ora News etc., include not only texts and photos, typical of printed press, but also convergent media formats, such as video and audio, multimedia, etc. The sites also include blogs and galleries, thus increasing the participatory aspect, which is limited in traditional mainstream media. Second, a large number of other online media platforms have emerged, mainly news, entertainment, sports, culture and lifestyle sites.<sup>81</sup> The positive side of the online media in Albania is that there is diversity of information and content provided to and created by the public, representing a variety of interests and standpoints. As a consequence, online media in Albania, as elsewhere, have the potential to contribute to democratization through the participatory, open and multi-way communicative spaces.<sup>82</sup> Despite the opportunities for participation and diversity offered by online media, the concern about quality of information and impact still persist.

The small size of the market hinders media financial sustainability and as a result media ownership and transparency of media funding are controversial

<sup>79</sup> *Hypertextuality* refers to texts interconnected with links in the world wide web;

*Multimediality* refers to the application of multimedia in online content, which can be seen as the combination of information offered in different formats, produced in different sections of one or more media organizations; *Interactivity* refers not only to a two-way mode of communication, but to multiple modes of communication as well as participatory communication. In addition, interactivity refers to the active role of audiences, users, netizens, in producing media content, and the importance of user generated content for the online news media;

*Digitality* of online journalism has to do with the digitalization of media outlets and content;

*Virtuality* of online journalism has the effect of breaking down barriers of space and time and allows individuals to share information, ideas and experiences at a very fast speed;

See Mark Deuze, "The Web and Its Journalism: Considering the Consequences of Different Types of Newsmedia Online", *New Media and Society* 5, no. 2 (2003), pp. 203-230 and Constance Elise Porter, "A Typology of Virtual Communities: A Multi-Disciplinary Foundation for Future Research", *Journal of Computer Mediated Communication* 10, no. 1 (2004), pp. 1-22.

<sup>80</sup> Top Channel is a particularly good example of a media convergence case study.

<sup>81</sup> Ilda Londo, *Mapping the Digital Media: Albania Country Report* (London: Open Society Foundations, 2012), p. 11.

<sup>82</sup> Ibid, p. 12.

issues in the Albanian media landscape. Issues such as the cross-subsidization of the media by other businesses of their owners, owners' relations to politics, allegations of politically allocated state advertising, and the influence of big commercial advertisers have all led to doubts about media standards and editorial independence.<sup>83</sup> The size of the media market in Albania cannot be accurately assessed due to lack of public data on media funding. While there are no reliable data on actual sources and amounts of funding for media outlets, except for the PSB, it is argued that commercial media outlets do not have sufficient revenue and guaranteed sources of funding. As a result of the economic crisis, with each passing year, the balance of funding for media outlets has tipped in favor of owners' subsidies, while advertising revenue has decreased.<sup>84</sup> It is estimated that the total annual advertising revenue in the media sector is 48 million Euros.<sup>85</sup> Despite the potential rise of advertising and the opportunities offered by ICTs, media outlets in Albania are not profitable businesses on their own and thus cannot ensure their financial sustainability. As argued by various media experts "*most media are supported by other businesses of the media's main shareholders, or through clientelism with government and political parties, which display a strong tendency to use these media as a tool to promote and protect their interests.*"<sup>86</sup> So the media market is also characterized by what Zielonka and Mancini call a *fuzzy ownership*.<sup>87</sup> For instance, use of the media by their owners to gain political capital is a common phenomenon. In addition, the model of ownership is that of media owners with interests in other businesses, no media expertise, and limited transparency of funding and with the aim of political engagement or using the media as a tool to court political actors and exchange mutual benefits. In this vein, the major challenge of media in Albania is clientelism, which directly influences media professionalism, its independence and the quality of information provided to the public, and thus the role of the media in the society.

The media landscape in Albania is also characterized by political parallelism, a mutual and close relations between the political and media systems. Political parallelism in Albanian media is primarily evident in the case of media content and bias, media funding and advertising as well as in the career paths of journalists, which are shaped by their political affiliations.<sup>88</sup> Divisions and polarization can be traced in the processes of news selection, framing, tone of coverage, and selection of sources of information. The political agenda predominates over standards of media professionalism in news coverage and topics of public interest, also

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<sup>83</sup> Londo, "Albania", p. 53.

<sup>84</sup> Stefani, *Albania*, p. 11.

<sup>85</sup> Ibid, p. 2.

<sup>86</sup> As quoted in Londo, *Limited Assistance for Limited Impact*.

<sup>87</sup> Mancini and Zielonka, "Introduction", pp. 379-387.

<sup>88</sup> Londo, *Limited Assistance for Limited Impact*.

leading to self-censorship. Albanian media exhibit external pluralism. There is a wide range of media outlets reflecting different perspectives and interests. However coverage and access varies from one media to another and it is hard to identify features of internal media pluralism.<sup>89</sup> In addition, media funding and advertising is also dependent to a large extent on the media relations with the government and powerful political actors. What is more, an increasingly popular trend in Albania is the move of media professionals from journalism towards governmental positions.

This symbiotic interrelation between media, politics and businesses is also reflected in delays and deadlocks in media legislation or what is defined as floating laws.<sup>90</sup> The Albanian Constitution, which was introduced in 1998, guarantees freedom of expression, but the media scene is poorly regulated. Audio-visual media legislation has undergone several changes in the last decade. Catching up with Europe and adopting European standards on media legislation and policy remain driving forces despite the problems in media development in the country. Foreign assistance by international actors has been provided<sup>91</sup> and the EU integration processes have also served as a driving force towards the improvement of media legislation. For example, discussions on the new law on audio-visual media began in 2008 but it was not approved until March 2013, in line with the EU Audio-visual Media Services Directive. In addition, the Strategy for Digital Switchover was drafted in 2005, but was approved only in May 2012. The EU Progress Report on Albania for 2015 noticed the slow implementation of audio-visual policies. First, the work of the regulatory body (AMA) has been hindered by political deadlock and difficulties in electing its members. Second, the delay in digital switchover is another concern as the deadline of June 2015 was not met and there is no specific action plan on how to move forward substantially in this regard.<sup>92</sup> As a result of legal uncertainty, the informality of the media sector has flourished. The legal framework and policy of the media in Albania has not paved the way for media development, but has rather responded to the existing, fast advancements of the media landscape in reality.

Professional journalism in Albanian media is not developed at desirable levels and the impact of civil society for public interest in media is weak. Journalism education, which is fundamental in maintaining high journalism standards, was introduced only in 1992. Journalism education faces similar constraints to the rest of the higher education sector in the country, such as lack of contemporary

<sup>89</sup> Albanian Association of Municipalities, *A Monitoring of the Local Election Campaign Coverage by Mainstream Media* (Tirana: Albanian Association of Municipalities, June 2016).

<sup>90</sup> Mancini and Zielonka, "Introduction", pp. 379-387.

<sup>91</sup> For more on foreign assistance to media development in Albania with detailed analysis see Londo, *Limited Assistance for Limited Impact*.

<sup>92</sup> European Commission, *Albania Progress Report 2015* (Brussels: European Commission, November 10, 2015).

teaching methodologies, limited library resources, limited meaningful internships and work placements, limited quality teaching and research.<sup>93</sup> Apart from formal journalism education, media professionalism in Albania has not benefited from other actors such as the civil society or media professional organizations, which have been weak and even instrumentalized by political or economic interests.<sup>94</sup> Very few media have a code of ethics in practice and self-regulatory mechanisms are largely unfamiliar to media management and staff. The lack of self-regulatory mechanisms echoes the lack of public interest in the media. In addition, the media professional associations and trade unions that have been recently established have yet to be consolidated and to serve as actors in the media landscape.<sup>95</sup>

The relatively low level of professionalization of journalism hinders the overall quality of media in Albania, and maintaining high standards of professionalism is very challenging. Journalists and media staff work in inadequate conditions, labor relations are problematic, they have low salaries, jobs are not secure with employment contracts, and the life-work balance or gender mainstreaming are not covered by specific policies or practices.<sup>96</sup> Other factors negatively influencing journalism professionalism are the threats to and harassment of journalists, financial instability of the media, ownership concentration of the media, market pressure, lack of editorial policies and absence of well-established ethical codes.<sup>97</sup> There is also a disparity between the degree of professionalism in the media at the national and local levels, the latter receiving less research and policy attention.

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<sup>93</sup> For challenges of the higher education sector in Albania see Nevila Xhindi, Blerjana Bino and Egest Gjokutaj, “Sfidat e arsimit të lartë në Shqipëri në kuadër të prioriteteve të strategjisë ‘EUROPA 2020’” [Challenges of Higher Education in Albania in the Framework of the Priorities of EUROPE 2020 Agenda], in *Shqipëria drejt Europa 2020* [Albania towards Europe 2020] (Tirana: Institute for Democracy and Mediation; Konrad Adenaur Stiftung, 2014).

<sup>94</sup> Londo, “Albania”, p. 57.

<sup>95</sup> For example, the Union of Albanian Journalists, led by Aleksander Cipa and the Female Journalists Association, led by Eni Vasili.

<sup>96</sup> For more on working conditions of journalists in Albania see Blerjana Bino, *Gender Mainstreaming in Albania Media Organizations* (Tirana: UNESCO; Union of Albanian Journalists, 2013).

<sup>97</sup> Halo et al., *A Blind Eye on the News*.

## 4.

# Research Findings on PSB in Albania: Key Issues

## 4.1 Overview of rtsh as the PSB in Albania

One of the central and most challenging reforms of the media system in Albania towards the establishment of democracy and European integration has been the reform of the state broadcaster to a public service broadcaster. The transformation of rtsh officially started with the approval of the Law No. 8410 on Public and Private Radio and Television of 1998. The transformation of the media system in Albania from a state-controlled media to a dual broadcasting system has been supported largely with funding, expertise and exchange of know-how from the international community, including OSCE, Council of Europe, EU, the US Embassy, British Embassy and British Council.

Albanian Radio and Television (rtsh)<sup>98</sup> is the oldest audio-visual broadcaster in Albania. The history of rtsh dates back to 1938 with the establishment of Radio Tirana, followed by the establishment of the Albanian Television (TVSH) in 1960 with a limited timeframe of broadcasting. From 1993, rtsh also broadcast through satellite and used to be an important source of information for Albanians living and working abroad in the early 1990s. Since the first news bulletin in 1963 until the collapse of the communist regime, rtsh was totally under the control of the state, i.e. the Communist Party, and rtsh was the only electronic media available in Albania as there was a ban on all foreign channels. In the first years of post-communism, rtsh maintained its monopoly over the media market in Albania until 1995, when the commercial television market started to emerge, also serving the government and political party in power.

Currently rtsh has Albania Television 1 and 2 and Radio Tirana 1 and 2. *rtsh* broadcasts five programs, general and thematic, 2 national radio programs, 1 radio program in foreign languages, 1 radio program for Albanians living abroad, 4 regional TV and radio programs, and 1 TV satellite program. The news programs on rtsh are produced by the Directorate of Current Affairs, the department in charge of news production and current affairs programs, e.g. weekly political talk shows. Programming covers politics, business, international and regional affairs, sports, culture, education and entertainment. Special programmes are dedicated to children and young people. rtsh also has an official website, with attempts to

<sup>98</sup> Radio Televizioni Shqiptar – rtsh.

update it on a daily basis, but it does not offer all the features of online media, with limited options for audience participation and no live coverage of events.

## 4.2 Regulation of PSB in Albania

The Law on Audio-visual Media of 2013<sup>99</sup> established the legal ground for the PSB operation in Albania. It is defined as a public provider of media services that offers audio-visual broadcasting that is free and easily accessible for the entire population. The law set the PSB remit, in its article 91, as follows - *“rtsh is committed to the high ideals of the national public service broadcasting; rtsh provides quality radio and television broadcasting in order to inform, educate and entertain the public by serving the nation, all social groups, including national minorities; rtsh is committed to an unbiased coverage of national and international news; rtsh provides programming that reflect all the variety of Albanian life in order to enrich the mental and spiritual world of the public”*.<sup>100</sup> In addition to the remit of PSB, Article 118 defines the specific objectives of the operation of rtsh.<sup>101</sup>

According to the Law, the three main governing bodies of rtsh are the Steering Council, the General Director and the Administration Board.<sup>102</sup> The Steering Council is the highest governing body, the General Director is in charge of the daily management and the Administration Board is an advisory board to the Director General on financial and administrative issues, but not related to programming and content. The Steering Council is composed of 10 members and one Chairman, all elected by the Parliament. The Steering Council elects the General Director and the Administration Board composed of 5 members as experts in administration and management. The law also stipulates the establishment of the Council for Viewers and Listeners, under article 112, composed of 15 members, of which half represent rtsh staff and the other half are various groups from society. The

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<sup>99</sup> “Ligj Nr. 97/2013, datë 4.3.2013, për mediat audiovizive në republikën e shqipërisë” [The Law no. 97/2013 on Audio-visual Media in the Republic of Albania], *Official Gazette* 37/13.

<sup>100</sup> Ibid, Article 91.

<sup>101</sup> Those objectives include - to respond to the interests, requests and concerns of the entire population by taking into account the necessity for mutual understanding and peace in the Republic of Albania and beyond; to ensure that its programs cover diverse human and cultural dimensions by focusing in particular on the Albanian culture and language; to support the democratic and human values as set out in the Constitution of the Republic of Albania and in particular the freedom of expression and information; to take into account the need of the public to be informed about the values and events in other countries, particularly in the European countries; to ensure a large variety of programmes in Albanian by considering the need of the public for information, education, entertainment, culture and sports and to fulfil the expectations of social minorities by respecting human dignity; and to ensure news programs on current affairs in Albania and in other countries, including the coverage of the Albanian Parliament.

<sup>102</sup> “Ligji Nr. 8410 për radion dhe televizionin publik e privat në Republikën e Shqipërisë” [Law No. 8410 on Public and Private Radio and Television], *Official Gazette* 24/98.

aim of this Council is to hold rtsh accountable to its public. It also presents an annual report to the Steering Council, AMA, the minister and the Parliamentary Commission for Education and Means of Public Communication.

As the highest governing body, the Steering Council approves the statute; appoints and dismisses the management staff; approves the strategy, organizational structure, and program structure; monitors the impartiality, objectivity, and comprehensiveness of programming; advises and assists the General Director in carrying out his program responsibilities; and drafts the annual report on rtsh activities for the Parliament.<sup>103</sup> Article 94 of the 2013 Law regulates the process of its members' election. Its 11 members are directly elected by the Parliament with a 5-year mandate and hold the right to be re-elected. The procedure foresees that media organizations, civil society and academic bodies propose all candidates. The Law requires that 5 members of the rtsh Council are supported by the majority in Parliament and the other 5 should be supported by the opposition. The 2013 Law requires that the chairman be elected by the support of at least 7 members of the Steering Council. After the ratification of the new Law on Albanian Public Service Media in March 2013, a new Steering Council of rtsh consisting of 11 members was elected only in May 2015. In its September annual report The OSCE office in Albania considered the Steering Council ballots "politically motivated." After initial attempts to elect the top management, the new Council has again become stalemated along party lines.<sup>104</sup>

Political clashes in the Albanian parliament led to delays in electing the General Director. The PSB lacked a general director until 2016. During 2015, there was a public hearing for the new General Director, whereby 20 candidates applied for the position and only three candidates were selected for the final circle, organized in July the same year. The Steering Council attempted three times to select the General Director but it failed each time. Despite being voted in consensus by all political parties, the new Law led to a permanent deadlock, as the position of the General Director was vacant for more than two years. The law implies that if members of the Steering Council are proposed by political parties the former will also vote in line with political parties' interests rather than that of the public as supported by the OSCE report above. At the same time, the failure of the Steering Council to elect the new General Director for PSB prompted the Head of the Media Committee in the Albanian Parliament to call for changes in the law by publicly recommending changing the election procedures of the General Director from 3/5 of members to a simple majority in the fourth and fifth meetings of the Steering Council. According to him *"this is a necessity despite the fact that the current*

<sup>103</sup> "Statuti i Radiotelevizionit Shqiptar (RTSH)" [RTSH Statute] (Tirana, 2015).

<sup>104</sup> Organization for Security and Co-operation in Europe (OSCE), Office for Democratic Institutions and Human Rights, Election Observation Mission, Interim Report: 15 May – 1 June 2015 (Tirana: OSCE, June 4, 2015).

*law was passed in consensus by all political parties in 2013.”*<sup>105</sup> In April 2016 the government amended the Law declaring “*that the Steering Council can elect the general director by a simple majority.*” In May 6, 2016 the Steering Council elected a new General Director, Mr. Thoma Gellci, who had served as Chief Editor of the official newspaper of the ruling party.<sup>106</sup>

When it comes to the PSB program, the Audio-visual Media Authority (AMA) ensures that the PSB in Albania is complying with the legal requirements. The AMA has seven board members, including a deputy director and director. The five board members are elected by parliament and are required to have at least ten years of experience in media, economics or other regulatory agencies (AMA, 2014). However the latest EU country report on Albania stresses that progress on audio-visual policy was slow during 2015. The new members of the AMA and its new chair were appointed in 2014. The opposition disputed the election process in court, alleging that it did not follow the correct legal procedures. The AMA’s work was hampered by the absence of its members nominated by the opposition from meetings, which was resolved in December 2015 (European Commission, 2015).

The regulatory framework in Albania was set up in 1998, when the Law No. 8410 on Public and Private Radio and Television was adopted and then reformed with the law in 2013. This was the first law that regulated licensing, content and the implementation of the regulatory body - The National Council of Radio and Television (KKRT). It also regulated the licensing of national and local private media. Albania had its first private TV station in 1996, two years before the law was implemented. KKRT started to operate in 2000, five years after the emergence of commercial television in Albania and as such it was limited in its effort to regulate an already existing dynamic and diverse media market. KKRT’s task was to oversee the law compliance of broadcasters, guaranteeing fair competition and proposing, in cooperation with other legal authorities, new legislation for further media development.<sup>107</sup> Following the legal changes that lasted from 2006 to 2013 and the adoption of the new Law in 2013,<sup>108</sup> KKRT was transformed into the Authority on Audio-visual Media (AMA).<sup>109</sup> AMA also faced challenges that relate to political and business parallelism of the media, the politicization of the state and the polarized political system, and the weakness of rule of law and civil society.<sup>110</sup>

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<sup>105</sup> For the declaration of Mr. Peza see “Peza zgjidh ngërçin e RTSH, Rama tek ‘Shih Programin’” [Peza Solves the Deadlock for rtsh General Director], rtsh, February 29, 2016.

<sup>106</sup> For more see “Albania Public Service Broadcaster Radio Televizioni Shqiptar Elects New Director General”, EBU News, May 6, 2016.

<sup>107</sup> “Law No. 8410 on Public and Private Radio and Television.”

<sup>108</sup> “Law No. 97/2013 on Audio-visual Media in the Republic of Albania.”

<sup>109</sup> Authority on Audio-visual Media official website <http://ama.gov.al/> (Accessed on December 20, 2016).

<sup>110</sup> “Law No. 97/2013 on Audio-visual Media in the Republic of Albania.”

The main shortcomings of the Law of 1998 relate to its inadequacy to accommodate major changes related to technology improvements and developments in the electronic media services, as well as Albania's commitments in accordance with the Stability Association Agreement with the EU.<sup>111</sup> Therefore the new Law on Media,<sup>112</sup> passed 4 March 2013, tries to harmonize the law in accordance with EU legislation and the SAA (Stabilization Association Agreement). In fact international support has been crucial as the Albanian Committee for Media and international experts from the Council of Europe and the EU commission designed the law.<sup>113</sup> And according to the EU progress Report "regulation of the public service broadcaster rtsh is in line with EU standards".<sup>114</sup>

International assistance, especially legal expertise focused on drafting and adopting legislation, was significantly helpful for the Albanian media. According to Ambassador Raunig of OSCE, "the reform is being carried forward in partnership with the Albanian Parliamentary Committee on Media and Education, the OSCE Representative on Freedom of the Media, the European Broadcasting Union and UNESCO".<sup>115</sup> In order to support the PSB reform particularly, the European Broadcasting Union (EBU) together with the local PSB, rtsh, and the OSCE Presence in Albania signed a Memorandum of Understanding (MoU) in 2015 to support and reform the public service broadcasting in the country.<sup>116</sup>

## 4.3 Socio-political and Cultural Context

There are two main phases regarding the PSB development in Albania. The first phase is related to the period from the fall of the communist regime in 1992 to 2000, characterized by the privileged position of rtsh on the market, since private outlets had not been established. The challenge was to transform rtsh from a tool of propaganda into a medium for information and entertainment for all citizens, by introducing new editorial policies, new programs and focusing more on a informative function. At that time rtsh played a crucial role in the promotion of the opposition in Albania, and rtsh ended up positioning itself as the mouthpiece of the new government formed by the first opposition party in Albania, the Democratic Party, in 1992. The second phase happened in the late 1990s and early 2000, with the introduction of the new law on media that liberalized the

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<sup>111</sup> European Commission, Albania Progress Report 2015.

<sup>112</sup> "Law No. 97/2013 on Audio-visual Media in the Republic of Albania."

<sup>113</sup> Alfred Peza, Deputy Head, Parliamentary Commission on Education and Public Information Mediums, interview with the author, May 12, 2016.

<sup>114</sup> European Commission, Albania Progress Report 2014.

<sup>115</sup> "OSCE Presence in Albania Marks International Human Rights Day", OSCE, December 8, 2015.

<sup>116</sup> "Partnership Programme: Albanian Member rtsh, OSCE and EBU Sign Memorandum of Understanding", *EBU News*, June 10, 2015.

market, and the establishment of new commercial media that attracted human resources of rtsh, which further resulted in a decrease in rtsh influence.

Albanian Radio Television played a crucial role in the democratization of the country from 1991-1998.<sup>117</sup> rtsh had a pool of media professionals, programs, and technology in place as well as its legacy as the only broadcaster in the country for more than 35 years. It also served as a platform for the professional development of key journalists and public figures, who started their career at rtsh and then moved on to private media. During this period, rtsh attempted to adapt to the new political and social landscape of the country, and opened up to new professional codes. However, at this time there was clear political parallelism, i.e. rtsh was an instrument of the political party in power, and has been constantly criticized for this up until today. Also the relatively limited diversity, quantity and quality of programming hindered the positioning of rtsh in the new media landscape in Albania. What is more, commercial media opened up their communication codes to other sources of information and working practices, but rtsh mainly used official sources of information, thus offering limited quality and diversity of content to the public. Thus rtsh performed as a closed medium, a platform to give voice to the officials of the government more than to the public, civil society, experts, etc. rtsh also tried to diversify its program portfolio and include more entertainment programming, but it did not ensure a high impact on audience reach.<sup>118</sup>

The improvement of the legislation and its adjustments in line with the EU Audio-visual Media Service Directive, did not change the PSB practice or make it operate more independently. The impasse and boycott of the process of selecting the Steering Council members and the Director General of rtsh<sup>119</sup> is a clear indicator of political affiliations and the pressure on editorial independence and professionalism. What is more, the AMA, the regulator that oversees the compliance of rtsh with the law, still lacks appropriate professional and technical capacities to ensure performing its duty to full capacity. Even more concerning is the questionable independence of AMA itself, as noted by one of the interviewees: *“the political parallelism of AMA is reflected in the election of its members, whose profiles are linked with political parties even though the law does not allow this, and also in the politically biased decision making of the regulatory authority.”*<sup>120</sup> In addition to issues of editorial independence in the newsroom, staff integrity has also been debatable, considering the normal practice of political appointment of staff in rtsh echoing the rotation of political parties in government, despite their professional profiles and their media experience or interest.<sup>121</sup> Also, the high profile managers and Director General at rtsh have also been accused of alleged

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<sup>117</sup> Interview with policymaker and media professional, April and May 2015.

<sup>118</sup> Interview with former Director General of rtsh, Tirana, May 2015.

<sup>119</sup> Will be detailed in the Regulation section 4.2 below.

<sup>120</sup> Interview with media scholar, April 2015, Tirana.

<sup>121</sup> Interview with former Director General of rtsh, Tirana, May 2015.

corruption and mismanagement of funds.<sup>122</sup> The Union of rtsh employees is rarely active and the Council of Viewers and Listeners does not have the capabilities to hold rtsh accountable to the public. Therefore, rtsh has not established internal editorial independence and internal pluralism and while the law may envisage for the accountability of rtsh to the public, in practice the mechanisms do not achieve their aim.

The operation of rtsh is hindered by the impasse in electing council members due to political confrontations. The Steering Council is suspected of being composed of members whose political affiliation overweighs their professional credentials and integrity. The new law on Audio-visual media, which was approved in 2013, did not solve this problem and the confrontation of the political parties led to a disagreement for the formula for the election of Steering Council members and Chair by the Parliament. The research shows that “even though the law requires individuals with extensive experience in media and related fields, with high integrity and professionalism, and the representation of various groups from civil society, in essence the members of the Steering Committee are influenced by and linked to certain political parties and they will obey the party’s orders in decision-making.”<sup>123</sup> For instance, the Parliament voted initially for the 5 members supported by the government for the Steering Council and only after some months of discussions were the other 5 members supported by the opposition elected. Another clear example of the political affiliation is the impasse in electing the Director General of the rtsh. The last voting was conducted in December 2015, but the Steering Council failed again to elect to the new Director General. As a result the role of the Steering Council in supervising and guiding the activity of rtsh is debatable. In addition, the activity of the Steering Council is not transparent, none of its decisions are published and there is no available information on the rtsh official page regarding the Council. “Out of the eight years I’ve been serving as director of the Albanian public television, only in the first two years was there a serious discussion on rtsh accountability in the council. Even though my department submits reports on its work every six months, we do not have any feedback or extra requirements from the council.”<sup>124</sup> The Council has thus failed to take an active role in the performance of rtsh and in the fulfilment of its remit as a public service broadcaster.

The fulfilment of its public mission and the performance of rtsh are also affected by the relation between its three governing bodies and the lack of transparency in their operation. Rtsh media professionals argue that “the uncertainty in legislation over the years, the delays in approval of laws and

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<sup>122</sup> There was a high profile case of a former rtsh director charged with corruption and mismanagement, but he was acquitted and proved innocent in the court. See Londo, *Limited Assistance for Limited Impact*.

<sup>123</sup> Interview with media scholar, Tirana, April 2015.

<sup>124</sup> Londo, “Albania”, p. 68.

bylaws as well as the overlapping of competencies between the governing bodies of rtsh such as the Steering Council, Director and Administration Board, create bewilderment in the daily work of rtsh staff and thus hampers the normal functioning of rtsh.”<sup>125</sup> For instance, the Administration Board, which is supposed to be a consultative body on financial and management affairs, has also served in practice as a decision-making body, particularly during the absence of an elected Director General. Moreover, the decisions taken by each body are made available neither to the rtsh staff and structures nor to the public. Accountability and transparency are at minimal levels and what is more concerning is that the new law has not addressed the checks and balances mechanisms for the functioning of rtsh and its governing bodies.

The failure to establish editorial independence of the PSB in Albania is not only a result of the political pressures and symbiotic relations with the government, but also of an embedded culture within the institution to serve the government. Although there might have been no direct indications, “the news and current affairs department at rtsh has adapted its tone and frame to serve the interests of the government and the political party in power. This is obvious in cases immediately after the general parliamentary elections when there is a political rotation, which is reflected in the news and current affairs coverage of rtsh.”<sup>126</sup> The news coverage bias towards the government and lack of editorial independence fall short of meeting the public remit of rtsh and have been criticized by the opposition, parts of civil society and commercial media as well as the international community, arguing for the public interest in rtsh. The failure to provide independent and impartial coverage of news and current affairs is even more sensitive during election campaign periods as rtsh does not fulfil its legal obligation of impartial coverage in the public interest.

The research shows that rtsh has increased its cover of education, entertainment, sports, culture and socio-economic and international affairs, rather than political and current affairs. Compared to commercial media, which produce at least two, rtsh produces only one political talk show per week. The priority of rtsh programming is not only news and current affairs, rather “*it is social, cultural and economic programs that cover a wide range of interests and perspectives not necessarily linked to political tones.*”<sup>127</sup> rtsh is the only mainstream media that produces programs for ethnic-national and linguistic minorities in Albania, including Macedonian, Greece, and Roma communities. In the absence of reliable data on its content, systematic content analysis of its news and current affairs program is needed in order to explore the bias and framing of rtsh coverage. The AMA so far has not publicly provided any report on the compliance of the PSB with its legal requirements. International organisations

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<sup>125</sup> Interview with the former Director of rtsh and current Director of RT, Tirana, May 2015.

<sup>126</sup> Interview with media scholar 2, Tirana, June 2015.

<sup>127</sup> Interview with the Former Director of rtsh and current Director of RT, Tirana, May 2015.

such as OSCE and ODHIR conduct a media analysis regarding their compliance with the electoral code on political parties and leaders coverage 30 days leading up to an election day. This report is not specific to rtsh and it is done only once in four years for the general election campaign.

A thorough and constructive debate in the public sphere(s) in Albania regarding the relevance, transformation, role and future developments of PSB has been missing. As witnessed by an interlocutor, *“there is an implicit neglect of rtsh and the public interest in media with no leading political, academic or public figure advocating for the merits of public service media in Albania and thus for ensuring that the public interest is a fundamental element of rtsh functioning and performance.”*<sup>128</sup> The situation of engagement of civil society and media associations and the community has improved with their participation in consultation processes of media laws and the introduction of amendments. Particularly, the Albanian Media Institute is a major actor in the civil society regarding media and public communication, with a large number of publications and studies on media developments in Albania. Other organizations, focused on investigative and quality journalism, have had positive developments in the media market in Albania. For the future development of PSB and the media landscape as a whole in Albania is it thus necessary to have an entirely transparent and inclusive media policy process with the involvement of relevant stakeholders. The public mission and interest in the media, particularly in the case of rtsh, should drive the process. The research confirms what has been suggested previously by media scholars and professionals, that there is the need for a Strategy on Media Development,<sup>129</sup> led by the public interest and contemporary changes in society and serving as a guide for future legislation and policy. Nonetheless, there is still no announced initiative in this regard.

## 4.4 Financial Aspects of PSB in Albania

The Albanian Law on Audio-visual Media prescribes that the Public Service Broadcaster may obtain funding from the license fee, advertising, services to third parties, sponsoring, and the state budget.<sup>130</sup> The law also clarifies that state funding should be used only for programs aired via satellite for Albanian compatriots living outside of Albania, important projects that would improve and introduce new technology to rtsh, the state symphonic orchestra and other artistic events of international importance.<sup>131</sup> The law specifies that no media

<sup>128</sup> Interview with media scholar 1, Tirana, April 2015.

<sup>129</sup> Ilda Londo, “Albania: When Market Runs ahead the Legislation”, in *Time Zero of the Digital Switchover in SEE* (Bucharest: Center for Independent Journalism, 2016).

<sup>130</sup> “Law No. 97/2013 on Audio-visual Media in the Republic of Albania”, Article 113.

<sup>131</sup> Ibid, Article 114.

outlet, including the PSB, can attract more than 30% of all private advertising.<sup>132</sup> In spite of this, current studies show that there are no general accepted rules on how advertising is distributed in the Albanian media. The lack of transparency and biased decision making regarding public adverts means that the media in Albania serve the interest of those who sponsor the adverts rather than the public.<sup>133</sup>

The research found that funding of the PSB is not an issue. This is supported by interviewees and also by the financial figures, which show that total revenue of PSB in Albania has increased significantly from 7 million EUR in 2006 to 16.4 million EUR in 2014. Although PSB financing is relatively autonomous, its sustainability remains dependent on various factors like advertising revenue and license fee collection rate. Compared to the EU average, Albanian PSB has a very small, almost insignificant market share of the advertising market. Inefficiency in collecting the license fees and decreased funding from the state budget has put financial pressure on the broadcaster, also slowing down the preparations for digital switchover.<sup>134</sup>

In Albania the license fee is paid monthly by household together with their electricity bill. It is estimated that 30% of the households do not pay the electricity bills and therefore the PSB loses out on more than 30% of its potential revenue. However, the government's efforts to formalize the energy sector in Albania during 2014-15 have increased rtsh's income from license fees by more than 20% of its planned annual budget in 2014. Figures from rtsh's annual report show that the license fee has become an important source of income for PSB in Albania accounting for 40.5% of total income in 2013 as compared to only 8% in 2006. The monthly amount for the license fee has been doubled since 2011, from 4.5 EUR to 9 EUR, and there have been calls recently for it to increase even further. During the discussion on the rtsh annual report in the Albanian Parliament, Petrit Beci, former General Director of PSB, called for the license fee to increase to around 4.5 EUR per month or 54 EUR per household a year due to the inability of PSB to adequately collect all potential revenues from license fees as it is jointly collected with the monthly electricity bill.<sup>135</sup>

On the other hand, incomes from commercial sources are low. The advertising market in Albania is estimated to be 30 million EUR and rtsh attracts only 4% of this market, generating revenues of 0.8 million EUR, as demonstrated by the figures of 2014. The State budget income on the other hand was almost three times higher than the income generated by advertising. The latest report shows that income from the state budget was around 2.55 million EUR.

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<sup>132</sup> Albanian Media Institute, *State and Private Advertisement in Albanian Media: Report 2014* (Tirana: Albanian Media Institute, 2014), pp. 1-29.

<sup>133</sup> Stefani, *Albania*.

<sup>134</sup> Remzi Lani, ed., *Balkan Media Barometer Albania 2013* (Tirana: Friedrich-Ebert-Stiftung, 2013).

<sup>135</sup> Albanian Media Institute, *State and Private Advertisement in Albanian Media: Report 2014*.

Table 2: Annual Income rtsh 2014

| Source of Income                             | Income in Euro      |
|----------------------------------------------|---------------------|
| State Budget                                 | 2,550,000 €         |
| License Fee                                  | 9,775,357 €         |
| International Transmission FM                | 1,218,850 €         |
| Service Contracts of third parties with rtsh | 290,743 €           |
| Advertising                                  | 814,057 €           |
| Service Contract with China                  | 528,571 €           |
| Other Income                                 | 1,158,679 €         |
| <b>Total</b>                                 | <b>16,336,257 €</b> |

Source: (RTSH, 2014)

There is no reliable data on advertising revenues on the media market. According to the Media Institute, in the past 24 years in Albania there has been “no system or even an initiation that would ensure reliable, systemic and public data concerning the subsidies to media organizations, public distribution of marketing funds and the composition of the advertising market”.<sup>136</sup> However, according to the same report, in Albania advertising firms prefer TV advertising (78% in 2013) compared to radio (2%) or printed media (7.8%). The two major private TV stations, Top-Channel and TV Klan, together dominate the advertising market with more than 66% of total revenues.

Table 3: Advertising market

| TV Station  | Percentage of Advertising Share |
|-------------|---------------------------------|
| Top Channel | 43%                             |
| TV Klan     | 23%                             |
| Vizion Plus | 11%                             |
| Ora News    | 5%                              |
| News 24     | 4%                              |
| Rtsh        | 4%                              |

Source: Monitor Report, 2015<sup>137</sup>

rtsh's position on the advertising market is considered to be weak despite the fact that it covers 98% of the territory. This issue has been raised recently by the candidates running for the position of the General Director. Zana Cela recently emphasized the fact that “rtsh has only 4% of the audience in Albania, compared to 30% in other countries, and its advertising income makes for only 4.9% of total income”. There seems to be a general consensus amongst policy makers

<sup>136</sup> Albanian Media Institute, *State and Private Advertisement in Albanian Media: Report 2014*, p. 3.

<sup>137</sup> Ornela Liperi, “Bie tregu i reklamave: televizionet dhe gazetatat në krizë” [The Advertising Market Falls: Televisions and Newspaper in Crises], *Monitor Report*, December 26, 2015.

and journalists that the current financing mechanism is effective and generates enough income to cover rtsh objectives. According to Artur Zheji, rtsh director 2002-2006, rtsh has trebled its income since 2006 but has lost its market share - from 22% (2006) to 4% (2015). Different international reports have highlighted that “transparency in the advertising market is almost inexistent, making the way the market works a quite chaotic and arbitrary one and thus “media independence inevitably suffers.”<sup>138</sup>

However, different financial forecasts show that the market share from advertising might increase significantly to 20-25% due to the digital switchover and the subsequent improved rtsh coverage of up to 95% of the Albanian territory.<sup>139</sup> Income might also increase due to fees obtained from local TV channels that would want to use the rtsh digital network in the future. The media Law passed in March 2013 and the National Strategy for Digitalization approved in 2012 allowed *rtsh* to build two digital networks. The National Strategy for Digitalization says that local media using the rtsh network would have to pay a monthly fee. Bearing in mind the funds needed for digital switchover, the funds at rtsh’s disposal are not sufficient for fulfilling the public service remit. The large number of channels means a fragmentation of the audience and therefore less appeal for advertisers.<sup>140</sup>

It should be noted that funds obtained from the state budget for rtsh operation account for 25% of the annual budget in 2014. The purpose of state funding is specified in the law No. 97/2013 (see above). State funding or state guarantees for taking out bank loans are currently crucial in the wake of a digital switchover. In March 2015, rtsh signed a contract with a foreign company that will build its two transmission networks. The needed budget for these platforms was estimated to be approximately 23 million EUR (according to the 2012 Strategy for Digital Switchover). It is expected that the government will provide the necessary guarantees for rtsh to receive a loan to cover the building of these platforms, but this is still under review and the contract has not been made public.<sup>141</sup>

Even though the budget of the public broadcaster seems to have improved through the years, there are still uncertainties regarding its future operations, taking into account digital switchover. Lani (2013) suggests that the PSB in Albania cannot foresee its budget in advance and therefore cannot counteract

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<sup>138</sup> Lani, *Balkan Media Barometer Albania 2013*, p. 9.

<sup>139</sup> Klodian Gllava, “Dixhitalizimi, e ardhmja e rtsh” [Digitalisation, the Future of rtsh], *Tirana Observer*, May 20, 2014.

<sup>140</sup> For more see the OSCE report: Katrin Nyman-Metcalf, *Analysis of the Draft Albanian Strategy for Digital Switchover* (OSCE, January 28, 2009).

<sup>141</sup> Ilda Londo, “Monitoring EU Guidelines in Albania: Regulator and PSB Exposed to Political Power Relations”, *Media Integrity Matters*, 2015 Monitoring Reports (SEE Media Observatory, 2015).

the pressures on its independence.<sup>142</sup> The Supreme Audit Office reports that the general directory of PSB does not have a budget plan or financial analysis on the digitalization switchover project. It also lacks a marketing plan detailing how the PSB plans to increase its revenue in the next eight years, which is necessary to guarantee the pay-back of the 23 million credit for the digital switch-over. The current debate on the financing of the PSB in Albania centres on the effectiveness and transparency of managing funds rather than on new ways to generate income.

PSB in Albania employs more staff than is needed, and it has the problem of an overcrowded workforce. Data from the 2014 rtsh budget show that 51% of its expenditure goes on personnel wages and only 5% of the budget is spent on investment.<sup>143</sup> The Supreme Audit Office in Albania finds that the PSB employs 30% more staff than is necessary to conduct its work. According to the same report some of the departments' functions and work are duplicated, which the report says is bad management of human resources, although it does not elaborate with detailed information.

According to Aleksander Cipa, Head of the Journalists Union, the current financing model lacks transparency, which has led to corruption and lack of trust in the rtsh's management. An investigative portal in Albania reported in September 2014 that the Supreme Audit Office in Albania (SAOA) had uncovered 10 tender procedures valued at 1.2 million euros by the rtsh that lacked appropriate tender documents, and that no proper procedures were followed. The SAOA had shown that this was a repeated error committed by the rtsh but it did not pursue the matter further with the prosecution office in Albania. The former General Director Petrit Beci (2006-2013) rejected the SAOA findings and declared that no mistakes were made from his side.<sup>144</sup>

## 4.5 Digitalization and Technological Innovation of PSB

The digital switchover process has to be considered within the specific media context in Albania, i.e. symbiotic and intertwined relations between business, politics and media that has affected the process negatively. Despite the expressed political consensus for the digital switchover it has become a delicate and contested issue in Albania. The EU Progress Report on Albania suggests that the country *“implement, as a matter of urgency, the switchover from analogue*

<sup>142</sup> For more see the OSCE report: Nyman-Metcalf, *Analysis of the Draft Albanian Strategy for Digital Switchover*.

<sup>143</sup> “Kandidatët për drejtues të RTSH” [Candidate for Director General for rtsh], *Shqiptarja*, June 20, 2015.

<sup>144</sup> Besar Likmeta, “Kontrolli zbulon abuzime në tenderët e Radio Televizionit Shqiptar” [Audit Discovers Cases of Abuse in the Tender for rtsh], *Reporter*, September 30, 2014.

to digital broadcasting.”<sup>145</sup> In this light, the complex business interests and pressures, the failure of the regulatory body to ensure the required balances and its questionable independence, the legal disputes and the slow digitalization of the PSB are some of the factors hindering the entire digital switchover process.

The Government of Albania adopted the National Strategy on the Transition from Analogue to Digital Broadcasting in 2012. The Strategy provides the main objectives and principles of the transition, and formulates the role of the state and the relevant structures of the state administration in the creation of the conditions for transition to the digital system. It contains a technical and legal assessment of the existing situation of the Albanian audio-visual landscape and also defines the steps, procedures and deadline of transition by 17 June 2015, which wasn't met. The transition to digital broadcasting was to be achieved through the digital islands method, i.e. allotment by allotment up to full coverage of the country's territory with a total of 11 allotments. 17 June 2015 was also the deadline for building digital networks for the rtsh. The Strategy envisaged the use of the advanced DVB-T2 system. The digital terrestrial networks will be established by using the MPEG-4 system. Since the existing operators of the digital terrestrial networks (not licensed) apply the MPEG 2 standard, a transition period to MPEG-4 would not last more than 2 years. The plan as set out in the Strategy is to build: (i) two public national networks; (ii) three private national networks; and (iii) eleven local networks.

The regulatory authority, policy makers and legislators in Albania have not only lagged behind the actual media developments in the country, particularly in the case of digital broadcasting, but also hindered the process itself. The first commercial digital multiplex, Digitalb, started operating in 2004, when neither the regulator, nor other lawmakers had yet discussed or issued regulations on digital broadcasting.<sup>146</sup> What is more, the regulatory authority has not been able to perform adequately in the process of digital switchover, due to problems in its constitution, functioning, independence and accountability. The rotation of power after the June 2013 elections in Albania brought once more to the fore the debate on the election of the media regulatory authorities, namely the Authority on Audio-visual Media that supervises the implementation of the law by audio-visual media operators. The Parliamentary Commission on Media could not agree for many months on the validity of the term of the AMA chair and election of its members. This has negatively impacted on the digital switchover process, as it is one of the reasons that impede the AMA from deciding on granting licenses for commercial multiplexes.

Another reason relates to the political independence of AMA and its members. AMA drafted the Regulation *“On the licensing of digital networks and their programmes, according to the procedure of a beauty contest”*, and issued a public

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<sup>145</sup> European Commission, Albania Report 2015.

<sup>146</sup> Londo, “Albania: When Market Runs ahead the Legislation”, p. 11.

notification for taking part in the selection procedure, according to the beauty contest principle, for granting 3 private national digital networks. However, this process of awarding new digital frequencies to private operators has been characterized by delays, impasse and court cases.<sup>147</sup> Digital broadcasting has been a reality in Albania since 2004 with the introduction of Digitalb and later on with Tring, but this has been outside of the legal framework as the companies offering digital broadcasting had no licenses. In this light, the process of awarding new digital frequencies in 2015 was merely an attempt to legalise an already existing and functioning reality. The tender opened by AMA for the award of the digital frequencies to private providers has been marred by accusations of conflicts of interest, including the AMA chair.<sup>148</sup> The ownership regulation is yet another factor that might further delay the long overdue digital switchover process, since the current set-up of ownership shares in two of the companies that have applied for a license does not meet the legal criteria.<sup>149</sup> This process highlighted the issue of media ownership concentration, political and other powerful influences and pressures on the regulatory authority, conflicts of interest of the members of the regulatory body and inadequate tender procedures and lack of transparency.

The public service broadcaster *rtsh* was assigned the role of engine in the digitalization process. As the Strategy outlines “the public broadcaster – *rtsh* – creates, exploits and operates the national digital network based on the contract stipulated with AMA.”<sup>150</sup> With the digital switchover, the remit of *rtsh* is reaffirmed as to offer free to air informative, didactic and entertainment programs to users spread over the country despite their geographic position. Therefore *rtsh* will offer public and free programs as well as conditional access programs. In addition, the existing local broadcaster will be transferred to the *rtsh* digital networks and will pay a differentiated fee to *rtsh* for this service based on the ‘digital islands’ approach. The regulator and PSB are supposed to cooperate together as part of the digital switchover plan in: (i) determining the criteria and number of programs of public nature and free-to-air, and those with conditional access; (ii) establishing the criteria and contracts that *rtsh* and existing local operators will sign for using the network of the public operator; (iii) discussing and agreeing the issue of fees

<sup>147</sup> For more on recent developments on award of digital frequencies see: Aleksandra Bogdani and Besar Likmeta, “Albania’s Digital TV ‘Beauty Contest’ Turns Ugly”, Southeast European Media Observatory, January 7, 2016.

<sup>148</sup> It claims that it favours a media conglomerate comprising the broadcasters Digit-Alb, Super Sport and Top Channel over their competitors, Media Vizion – which owns Vizion Plus TV – and Tring TV. However, AMA and the Minister for Innovation and Public Administration argue that this is a false accusation and that the tender war was lawful. This investigation was originally published on Reporter.al, the award winning online publication of the Balkan Investigative Reporting Network in Albania.

<sup>149</sup> Londo, “Albania: When Market Runs ahead the Legislation”.

<sup>150</sup> For more on the current process, see the report of ITU: Loreta Andoni, “Digital Switchover in Albania” (presentation presented at Regional Seminar for Europe and CIS on Spectrum Management and Transition to Digital Terrestrial Television Broadcasting, Bucharest, 21-23 March 2016).

the operators must pay to *rtsh* for using this network; (iv) revising the regulation on criteria and regulatory measures for the common use of *rtsh*'s broadcasting infrastructure.<sup>151</sup> After the transition period, the digital network license is given by an open competition warranting an equal, objective and non-discriminatory treatment. AMA, on its own initiative or with the request of interested subjects, will open the competition process, taking into consideration the frequency plan and the availability of the free frequencies for digital broadcasting. However, if the independence and accountability of the regulatory body is still in question after the transition, as it is today, then the process is undermined.

*Figure 1: Local broadcasters transfer to rtsh digital networks*



Source: \* EBU and ITU Report 2015<sup>152</sup>

In light of political and other powerful interferences, *rtsh* has fallen short of adhering to its role regarding the digital switchover. The Strategy envisages that after building two networks through an international tender, *rtsh* would serve as a host for existing regional and local broadcasters. In parallel with this, it was planned that the AMA would license private operators in order to complete the

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<sup>151</sup> Republic of Albania, Council of Ministers, National Strategy on the Transition from Analogue to Digital Broadcasting (Tirana: Council of Ministers, 2012).

<sup>152</sup> Albanian Council of Radio and Television, "Broadcasting TV Digitalization in Albania", February 18, 2014.

process, three private networks, as will be analyzed below. However, all these processes have been significantly delayed and thus the switchover deadline was not met. The delay in electing Steering Council members and the deadlock over the election of a new director have also affected the ability of rtsh management to approve the documents needed to proceed with the digital switchover process.<sup>153</sup> Apart from the limited functionality of the Steering Council and the consequent delays, a major problem in the process of digitalization of rtsh has been the legal dispute over the tender for the digital switchover of its two networks. The Strategy for Digital Switchover allocated two national frequencies to the public broadcaster, out of eight assigned to Albania. The tender was carried out amid the objection of the opposition that it was not appropriate to undertake projects of such a scale immediately before the election period.<sup>154</sup> The digitalization tender for rtsh held in May 2013 was contested in court. Thus the process was delayed by the legal challenges to the public broadcaster's tender and by the AMA's procedures to license private broadcasters. The process restarted in March 2015, when the government signed a contract for 21.5 million EUR with the German company Rohde & Schwarz to construct two networks for rtsh.<sup>155</sup> The delay in building the digital networks has affected not only rtsh, but also local broadcasters that are supposed to be hosted in these networks, and ultimately the entire digital switchover process. The construction of the two digital networks started in July 2015, with the first phase to be completed during the summer of 2016, which will cover at least 85% of population with digital signal, while the second phase, over the summer of 2017, will cover at least 96.5% of the population with digital signal.

The digital switchover process encompasses the issues of access and affordability, which are addressed in the Strategy, but the implementation is far from appropriate. The Strategy provides for public and outreach activities, including a call center, a public campaign, and organization of public events to spread awareness. There has been almost no discussion in the media regarding digital switchover. Discussions and hearing sessions in Parliament have been reported mainly by the media from the same media group as the existing platforms, in accordance with the tone or interest that each company

<sup>153</sup> Londo, "Albania: When Market Runs ahead the Legislation", p. 12.

<sup>154</sup> For more on this investigation see: Bogdani and Likmeta, "Albania's Digital TV 'Beauty Contest' Turns Ugly".

<sup>155</sup> It should be noted that there have been troubles with the company that won the tender to build the digital network in Albania, which has reduced political collaboration concerning this issue. The Ministry for Innovation invited tenders for the construction of the transmission network for the public broadcaster rtsh in 2013. In June 2013 the Albanian government awarded and then cancelled the right of Rodher & Schwartz to build the network. A legal battle ensued between the Albanian state and the German company Rodher & Schwartz. However, the Ministry for Innovation in Albania retreated from its initial objective to cancel the tender and awarded it to the German company for 21.5 million EUR in March 2015. This legal battle has delayed the building of the digital networks by two years and the contract with the firm is the same as that signed in June 2013.

has on digital switchover.<sup>156</sup> However, there has been no in-depth program or discussion organized beyond brief and biased news reporting. This discussion has been seen as more of an internal development within the media companies or the public broadcaster, rather than a process that will affect every citizen. The digital switchover has not even been discussed in the academic sphere. A media campaign for decoders started in June 2016, clearly linked to the economic interests of change of decoders in each household. The full transition to digital broadcasting requires the possession of digital receivers or decoders, which enable the use of existing analogue receivers for digital signal reception. The decoders must be of the compression system MPEG-4. However, for years decoders of MPEG-2 have been used for receiving the signal of existing private operators and therefore the subsidy plans are made by the government in this regard. The Strategy underlines the need for equipment particularly for the poor strata of the population, indicating state subsidies as a necessity. In this framework, on June 3 the Council of Ministers approved a decision aiming to regulate technical rules on TV sets to be sold on the market: they have to comply with the compression standard DVB/T2/MPEG4 and use a common interface.

The Albanian PSB, *rtsh*, invested in its capacities in order to be ready for digital production and transition. Since 2012 the *rtsh* started to build an infrastructure of digital transitions, a programme packet with 4 channels such as *rtsh* HD, *rtsh* Sport, *rtsh* Music and *rtsh* Art in Standard Definition format, SD. *rtsh* also started to invest in new studios, employing new staff, in order to be ready for the end of this year. As per the Strategy, *rtsh* should have 12 channels, such as *rtsh* 2, *rtsh* Parliament, *rtsh* special topic, *rtsh* diversity, *rtsh* history, *rtsh* children, and *rtsh* film. However, *rtsh* is losing time in building up its program platform and this process cannot be finalised without a public consultation, which is still to be completed. In the annual reports of *rtsh*, which are available to the public, details on equipment investments and upgrade of technology are not included.<sup>157</sup> The annual report presents an overview of the expenditures of *rtsh* for 2015 as shown in Fig. 1 below. 37% of the overall annual expenditure of *rtsh* goes on investments, which is higher than the other expenditure items, such as 35% on salaries and only 9% on programming projects. However, only 81% of the overall budget for investments, including digitalization, has been spent, which points to the delays in the digital switchover and technology upgrade of the *rtsh*. Also, in 2014 only 9% of the overall expenditure was allocated to investments. The comparison of the level of investments shows that the lion's share is actually related to the build of the digital networks for the switchover and not necessarily to the upgrade of technology within *rtsh* for production. Moreover no funds have

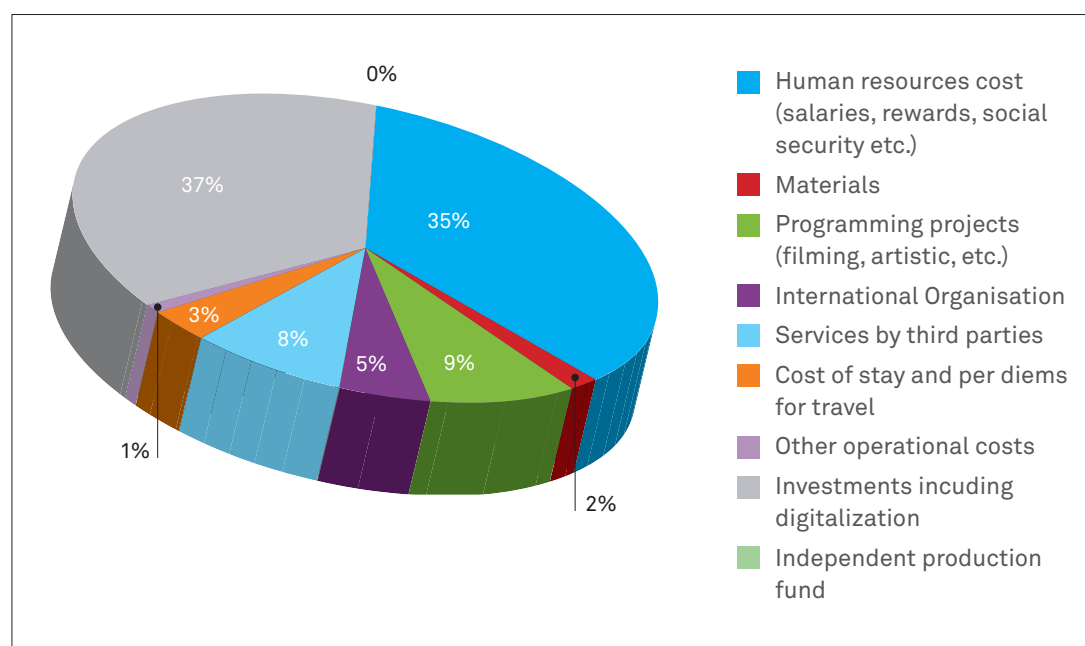
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<sup>156</sup> For example the coverage of Top Media vs. Tring TV, having opposite interests in the process.

<sup>157</sup> Annual economic and financial reports for 2014 and 2015 can be found at the official webpage of *rtsh*, available here <http://rtsh.al/raporti-vjetor-ekonomiko-financiar/> (Accessed on December 30, 2016). Interestingly enough the annual report in 2015 is even shorter than the one in 2014, which makes it difficult to analyse the level of expenditure, the rationale, and the results.

been spent on independent production in 2014 and 2015, which would allow for various groups to participate in the PSB. The structure of expenditure does not allow in depth analysis on the rationale of the budget allocation, the quality of the results achieved and efficiency of spending. rtsh as analyzed above has enriched its programming and has made attempts to incorporate the new logistics and platforms offered by ICTs, but the process and the quality is still lagging behind compared to contemporary media developments and audience preferences.<sup>158</sup>

Figure 2: rtsh annual expenditure 2015



The expenditure of rtsh also points to the issue of the need to urgently implement innovative technologies and programs as well as to enhance the capacity of staff and media professionals through training. It is not clear yet to what extent the logic of media convergence is currently being used at rtsh, but the research shows that the internal structure of the institution still remains to a certain extent rigid and not flexible to contemporary changes. The digitalisation process is putting more pressure on rtsh to embrace innovation both in technology and in programming as well as in staff development.

<sup>158</sup> rtsh has its official webpage, but updates have a delay of more than 24 hours, whereas other media platforms are updated instantly. It also has a Facebook, Twitter and YouTube account, but with few followers. It would be the scope of another project to analyze the online presence and significance of rtsh.

## 5.

# Discussion

### 5.1 Albania in the Context of Contemporary Debates on PSB/PSM

The transformation of the PSB in Albania has been profoundly affected by the attempts of the political and business elites to influence and control the media, but also by the attitude of the media themselves as actors seeking financial profit and political influence. Combined with social and cultural factors this has resulted in media policies that have pursued elements of the mimetic and atavistic orientation. In the case of Albania, the colonization of public life by political parties and lack of a genuine civil society have led to the atavistic orientation of media policy and a poorly established PSB in the public realm. However, similar to democratization itself, the transformation and reformation of PSB and the entire media landscape remain an open-ended attempt.

This research shows that the Albanian media landscape presents the features of 'hybrid media' systems, as described by Voltmer in the case of new democracies. The hybrid media landscape in Albania combines liberal ideas of a free and de-regulated press, the liberalization of the media market and the flourishing of various commercial audio-visual outlets, with the legacy of the communist past and contextual local factors such as the high level of politicization and the experience of transition and democratization. With no visible end point, the development of the media landscape in Albania as dynamic and swiftly evolving, could be rather described as an on-going and open-ended process similar to democratization itself.

In this hybrid media system shaped by perpetual transformation, the establishment of PSB was assessed against contextual factors and internal factors similar to other new democracies. Unstable media legislation, fuzzy media ownership, symbiotic relations of media with politics and business, weak civil society, small media markets with ownership concentration and re-monopolization trends, political unwillingness and public ignorance are the principal contextual factors in which the transformation of rtsh is taking place in Albania. What is more, the internal factors include the communist legacy and embedded culture in rtsh as serving the government; inefficient management of funds, human capital and resources; weak management, communication and coordination; self-censorship and lack of self-regulating mechanisms; inadequate dedication to PSB values.

The current debate on PSB in Albania is a reflection of daily political confrontations and business vested interests, rather than guided by core principles and normative functions. Currently in Albania, although there is no reliable audience measurement, commercial audio-visual media meet the demands of the viewers more than rtsh, which in turn leads to the conclusion that there is no need for public service intervention. Contrary to the case in Europe, in Albania there has been little criticism of state intervention that relates to arguments about the legitimacy of state intervention in the media system and the distortion of the media market due to the state aid for PSB. Debate in Albania rather mirrors the daily confrontations of political parties with no regard to ideological issues on the role of PSB and the state in democracy. The criticism mostly reflects the political interference of political parties in the governing of PSB, whether left or right wing.

Albania has lacked a thorough and constructive debate on the legitimacy, relevance and future development of PSB. Sporadic and fragmented debates can be identified mainly on media market liberalisation, funding, and media-politics relations and currently on the issue of digital switchover. Rather than tackling the core issues of PSB in the contemporary society, such debates have merely been an attempt to catch up with the already existing media practices in the country. For instance, digital broadcasting has been a reality in Albania for 10 years and rtsh has already expanded online, but a proper debate and analysis on what it means for rtsh and its further development is generally lacking. The value and relevance of rtsh in Albania has not been questioned, it has been taken for granted. For instance, in contrast to European settings, the concept of public interest as the underpinning principle of PSB has not been called into question. This is at odds with the reality whereby rtsh serves the interest of the government, and not the audience. What is more, interrelations with audiences still need to be discussed. It is thus necessary to discuss the shift towards PSM and the application of multimedia strategies, which for rtsh implies a crucial transformation in its relationship with audiences.

## **5.2 The Current Focus of Policy Activities and Debates Related to PSB in Albania**

The overall media policy approach in Albania is a combination of the mimetic and atavistic orientations, highly dependent on the degree of democratization and political culture in the country. This is a result of the high level of colonization of public life by political parties and of the highly polarized political system in Albania, combined with the modestly developed civil society. The policy orientation has attempted to achieve some degree of approximation with the EU Audio-visual Media Directive as shown in the case of the Law from 2013, in which the mimetic orientation could be recognized. Further on, atavistic tendencies

could be observed from the fact that the political elite in Albania has refused to give up control of the media and its ability to influence content and performance, interfering in electing the governing bodies of rtsh and putting pressure on rtsh regarding its content and programming. The research shows that rtsh fails short in offering objective, high quality and diverse content, but rather serves the interest of the incumbent government. This is even more concerning considering that civil society, media organizations and the public have proven too weak to influence the process and put pressure on the government regarding the role and function of PSB.

The current debate on the financing of the PSB in Albania is focused on the effectiveness and transparency of managing funds rather than introducing new ways to generate income. The overall Strategy on Digital Switchover as well as the new law on media, adopted in 2013, confirm the current funding model. rtsh is not funded only by the license fee, although that is the biggest share (approximately 70%), but also from public funding from the government (almost 25 %), while other funding is secured from advertising. The research shows that this model is adequate in the sense that it generates considerable resources for the functioning of rtsh, however it does not tackle the issue of state intervention and the implications for media market competition. What is more, the biggest concern is the management of the funds and the efficiency of their use.

While the PSB remit has been widely discussed in Europe, especially taking into account the effects of digitalization and the expansion of its services online, this is not the case in Albania. The current legislation pays no particular attention to the transformation of the PSB remit to embrace the challenges of the information society, and there is no significant debate at the moment regarding this issue. In addition, there are few developments in regard to the plurality of communication modalities or program portfolio diversification to appeal to mass audiences by using new media and ICTs. rtsh has its official website, but as analysed above, this is all it offers in terms of multimedia. Also as analysed above, rtsh does not fulfil its remit and objectives of quality programming, editorial independence, plurality, diversity and universality and therefore it is difficult to argue for its value and relevance in the democratic processes in Albania unless it transforms itself. rtsh is also responding very slowly to the new social and cultural changes that affect media consumption. For instance, patterns of media consumption in Albania have also changed with the decline of linear television viewing and the increase in the use of new media platforms, particularly by younger generations. The transformation of the rtsh into PSM encapsulates “the governing dynamics of contemporary media-society relations... that will ultimately affect everyone to an important degree because media and society are interdependent.”<sup>159</sup>

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<sup>159</sup> Johannes Bardoel and George Ferrel Lowe, “From Public Service Broadcasting to Public Service Media: The Core Challenge”, in *From Public Service Broadcasting to Public Service Media*, eds. George Ferrel Lowe and Johannes Bardoel (Göteborg: Nordicom; Göteborg University, 2007), p. 21.

Therefore, rtsh needs to respond to the new preferences of the audience in light of the digital convergence.

The discussion on the transformation of rtsh into PSM requires more transparency when it comes to its public dimension, efficiency when it comes to services, and adherence to the core principles constituting its remit and democratic role in society. The implication here refers to the need for rtsh to focus more on its external obligations towards the public (audiences) and to do this in a consistent way. As argued in other studies regarding the transformation of the PSB into PSM, the core challenge is that of “*succeeding in the transition from supply-oriented PSB thinking to demand-oriented PSM thinking*”.<sup>160</sup> rtsh is caught between the public remit and political clientelism and thus reflects party politics and personal interests more than the public interest. In this light, the public support for rtsh is relatively low given that rtsh is primarily accountable to political and economic powers than to the public.<sup>161</sup> rtsh needs to mobilize public support for the institution and their program of transformation and therefore acknowledge the public as an active partner rather than assuming a passive receiver. This implies not only that PSM is of the public because they finance it through the license fee, but also that it ought to be a service by the public. The implication here is more profound and relates to participatory claims on PSM, which it is media by the public because it is financed and controlled by the public, but also produced by them.

### 5.3 The Challenges on the Future Development of PSB in Albania

In order for rtsh to successfully transform from state-owned broadcaster to a public service media, it needs to rebuild social trust and strengthen its relations with audiences. For this to happen, two components are of paramount importance: independence and professional autonomy guaranteed by law and safeguarded by the relevant supervisory and regulatory bodies as well as the public and civil society (for instance the proper functioning of the Council of Listeners and Viewers). rtsh lacks *directionality*, i.e. the ability to set directions of change and innovation in the media market, for instance in creating or shaping media trends. For the future transformation of rtsh it is thus paramount to set clear directions vis a vis other media stakeholders in the Albanian market and in response to the contemporary developments of the Albanian society.

<sup>160</sup> Ibid, p. 23-25.

<sup>161</sup> For case studies such as Spain, Italy, Poland see Eva Nowak, *Autonomy and Regulatory Frameworks of Public Service Media in the Triangle of Politics, the Public and Economy: A Comparative Approach* (Oxford: University of Oxford, Reuters Institute for the Study of Journalism, 2014).

Apart from the two phases already elaborated in the previous sections, a future, third phase of development of PSB in Albania, should seek to achieve three main goals. First, a rebalancing of the media market in Albania. This implies an increased audience and interest in the public broadcaster and not just the private media. This would enable a new balance between public and private media in the market and therefore allow for more competition between media outlets, better quality of content and program and higher standards of professionalism. Secondly, the transformation of rtsh would be an added value to the Albanian media market in light of the new information and communication technologies that have affected the audio-visual mediums. Third, this transformation would be in favour of the citizens of Albania, the real “*owners’ of the rtsh, who so far have only paid the bill without getting benefits in return.*”<sup>162</sup>

The attempts to establish PSB in Albania come at a time when the PSB itself is undergoing major transformations in pursuit of redefining its role in society and democracy. There is also no clear model of PSB and its future development in Europe that could possibly be transplanted to Albania. But even if there were, the attempt to introduce a media institution developed in an entirely different historical context as well as different social, political, cultural, economic and technological conditions than those in Albania is problematic. What is more, the efforts to come up with a solution for the future of PSB in Albania are situated amongst two main current phenomena: on one hand, Albania, like other new democracies, is experiencing “democratic fatigue” and to some it still seems vulnerable to political instability, which does not favour the transformation of PSB; on the other hand, the EU as the guarantor of democratization in Albania is under unprecedented economic, financial, and democratic crisis.<sup>163</sup> This is an issue of concern considering that the EU and other international actors have pushed forward the agenda for the transformation of PSB in Albania. Therefore, the transformation of PSB in Albania is even more difficult when considering the broader picture rather than simply the local context and the internal media organization factors.

The potential risks and dilemmas that come with the transformative processes of the rtsh require the establishment of capacities (structures and processes) that will mitigate risks and be capable of addressing the challenges in a rapidly changing media landscape. rtsh, based on its remit and specific objectives, should provide diverse programming for all interests and perspectives. rtsh is the only one audio-visual media offering programs for minorities through its regional centres. At present, rtsh only partially fulfils the requirement of the public service broadcaster to be accountable to the public through a board of representatives of the society at large, and selected in an independent, open and transparent manner. Although the law allows for a wide range of associations to propose

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<sup>162</sup> Interview with policymaker and media professional, April and May 2015.

<sup>163</sup> Rupnik and Zielonka, “Introduction”, p. 2.

members for the Steering Council, in practice the election of members reflects the political positions and preferences of the key political actors. This also refers to the development of internal capabilities at rtsh to build partnerships with the private sector, other media stakeholders and above all the public (diverse publics). A positive development in this regard has been the introduction of a program portfolio of rtsh and its channels such as the arts, sports, music etc. Moreover, the development of a learning organization requires re-organization of the internal procedures and workflow within the rtsh. With the digital services, the media production processes do not start with the development of a single program, but rather with a concept or idea that is then elaborated into various media formats and platforms.

## 6.

# Conclusion

This research investigated the current and future developments of public service broadcasting in Albania. The research explored the PSB challenges and future perspectives in the context of the political and socio-economic factors in Albania: post communism; democratization; EU accession; liberal reforms and free market; new social and cultural trends; secondly, it provides recommendations for the future perspectives of PSB in Albania to respond to the contemporary developments in the country. The research is relevant both in terms of media policy and developments in Albania, and for researchers working on media studies. This research relied on a qualitative methodology of primary and secondary data. Through in-depth interviews with media professionals, scholars and policymakers and the explorations of existing studies, reports and publications on media in Albania, the research analysed the current developments and future challenges of the transformation of the state-owned media, rtsh, into a public service broadcaster.

The introduction of the PSB in Albanian post-communist society was a big step for its democratization. When analysing the challenges of PSB in Albania and its future development it is thus necessary to consider the socio-cultural context as well as the political and economic structures. Similar to that of media systems in Central and Eastern Europe, the media system change in Albania has been subject not only to structural and systemic political and economic transformations, but also to changes in social consciousness and culture. Therefore the introduction of PSB in these countries has proven particularly challenging and difficult to implement successfully.<sup>164</sup> One of the main challenges was the establishment of democratic guarantees for freedom of the press and freedom of expression and of the media. Another was the introduction of neoliberal reforms, as well as attempts to catch up with developments in media and information technologies.

The research shows that the media legislation and policy in Albania have not been driven by the public interest, but have been affected by specific interests of certain political, economic and media actors. The media legislation and policy have not been developed based on a clear vision and strategy for the future development of media and in line with the increasing demands of the public in the context of the digital society. Media legislation was introduced after already existing media realities such as commercial media, digital broadcasting, online media etc. Therefore, the media policy processes have been influenced by

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<sup>164</sup> Jakubowicz, "Ideas in Our Heads", p. 54.

powerful and well connected media actors, who pursue, rightly so, their economic and political interests, rather than the public interest. The lack of strong advocacy for the public interest in formulating media policy and legislation is also linked to the weak civil society and poor organization of the media community and associations. Although the media policy framework stipulates the independence from the state and the democratic remit as the founding principles of rtsh, the research demonstrates that the situation in practice is far from what it is expected of a PSB.

The transformation of rtsh to a public service broadcaster has been challenging. First, the transformation of rtsh is a process not set in a vacuum, but in the particular political, economic and socio-cultural context in Albania. The struggle towards democratization, the polarized party system with severe opposing standpoints; the unwillingness for compromise and consensus; disregard for the public interest and EU-conditioned reforms are some of the key features of the Albanian political landscape that have also impacted the transformation processes of rtsh. Second, despite improvements in media policy and legislation and increased funding for rtsh, some key constraints still persist, such as political pressures, quality of the content, weak editorial independence, clientelistic ties with the government, lack of adherence to the public interest; lack of transparency and modest application of advanced technology for improvement of programming. Third, the transformation of rtsh into a public service broadcaster in Albania comes at a time when the role of PSB in Europe is being redefined because of the proliferation of ICTs, advancements of online media, market liberalization and socio-cultural changes in society. Therefore, rtsh has to redefine its role not only against the not so enabling political and economic context in Albania, but also in light of the overall challenges to traditional PSB by the transformative factors mentioned above. Finally, rtsh has to regain the trust of 'its owner', i.e. the public in Albania. For this to happen a public and inclusive debate on the future development of rtsh is needed.

This research concludes that the transformation of rtsh into a genuine public service media has to be done by taking into consideration the political, economic and socio-cultural context in the country. It is naïve at best to assume that rtsh in Albania can be detached from politics in a country like Albania, with a high level of politicization marked by continuous and all-encompassing confrontation between political parties. It is also not realistic to expect journalists to adhere to Western European standards on journalistic professionalism in isolation from the conditions in which they work in Albania such as lack of labor contracts, constant political pressures, self-censorship, financial instability, low level of adequate professional development, to mention but a few. Therefore, to provide recommendations for the deep and multifaceted transformation of the PSB in Albania, it is important to understand the complexity of the context. As for recommendations in any other area, the principal recommendation for the future development of PSB in Albania is the radical transformation of the political system towards the establishment of genuine and functioning public institutions.

As regards limits to the research, it was primarily based on qualitative data as well as secondary resources, which is an appropriate research approach considering the purpose of the research and the context of the research questions. The volatile and changing PSB and media landscape in Albania during the lifespan of the project proved particularly challenging, especially when drafting findings and conclusions. In addition, contacting media professionals and policy makers during the fieldwork proved to be a demanding task. Nonetheless, taking into consideration the limited available data on various components of media development and the PSB in Albania, as argued above, the qualitative approach and review of secondary resources was adequate. In addition, contrary to some sporadic publications on PSB in Albania, this research offers a systematic and thorough analysis of the developments of PSB in Albania, which is set within a conceptual framework of contemporary debates on PSB and within the media context in Albania.

Based on the findings of this research and the limitations mentioned above, future research should use a combined methodology approach of both qualitative and quantitative in order to address the future development of PSB. Future research should focus on the internal functioning of the PSB by looking at the media logic and practice, programming and production, journalism professionalism and culture, and investments in technology. Another area of research could be the analysis of the content of PSB and its ability to serve marginalised communities.

## 7.

# Recommendations on the Future Development of PSM in Albania

The rtsh and the media regulatory body (AMA) should aim for more transparency, validity, consistency and efficiency of funds. A public value annual assessment should be in place as well as more focus on human capital and professionalism in the media. The work, reward and promotion of media professionals with the rtsh has little to do with performance and content, but more with appointment and political affiliations. There is an on-going appetite from elites in Albania not simply for political influence, but also for control over the rtsh, despite the audience shares. While the reform has already started with the new law on audio-visual media and the strategy on digitalisation, there is an urgent need for a thorough and inclusive public debate from a multiplicity of actors and perspectives regarding the transformation and the future role of the rtsh.

Political and other powerful interferences in the election of the managing bodies (Steering Council, Director General) and in the day-to-day media production and operations of PSB should be eliminated. The financing model of PSB should be revised in order to assert more accountability and transparency in terms of finances, management of funds, targeted performance and fulfillment of the PSB remit. The program portfolio should be improved to include a diverse range of audiences and groups in society and respond to the current needs of the Albanian society. Practices to encourage audience participation should be strengthened. A level playing field and competitive rules in the overall media landscape in Albania should be enforced in order for all media outlets to equally adhere to them (copyrights, intellectual property, labor relations, media ethics, etc.). While it is interesting to dwell on the transformation of the political system per se, it is not within the scope of this research, and therefore based on the findings of this research and drawing from the current developments in the media in Albania as well as from the trends in PSB in new democracies, the following recommendations for the future development of rtsh in Albania are outlined:

### **At contextual and media policy levels in Albania:**

- Strengthening the public service broadcaster as a potential representative of the public interest;
- Enhancement of the professionalism of the regulatory authority on audio-visual media and their competences to oversee the compliance of operations to the law;

- Elimination of the influence of politics in the election and functioning of the regulatory authority on audio-visual media;
- Elimination of political interference in the election of Steering Council members and Chair and in the content and programming of rtsh;
- Agreement on a formula for the election of the Director General avoiding delays and gridlocks in the process that inhibit the daily management of rtsh;
- Amendments to clarify the specific competences of the rtsh governing bodies and avoiding overlapping;
- Improvements to the financing model of rtsh particularly regarding collection of the license fee and license fee transfer;
- Encouragement of fair competition practices to ensure that rtsh and commercial media compete under the same rules regarding intellectual property, labor relations, programming etc;
- Enhancement of the role of civil society and academia in advocating for public interest in the media and holding accountable the AMA, rtsh and relevant public bodies;
- Establishment by the regulatory authority of an online register of the registered media outlets, listing ownership data and other relevant information;
- Grounding media policy on a multi-stakeholder and evidence based approach, which implies: open consultations with diverse stakeholders; availability of data and reports prior to consultations; availability of drafts for review and feedback; reference to existing research and studies – evidence based approach; ethical guidelines on conflicts of interest and involvement of actors with a vested interest in a given policy;
- Increased interest and commitment of the civil society in the media policy process and implementation.

### **At the internal level of rtsh:**

- Increased accountability of rtsh to the public through transparency of the financial management of funds and publication of decisions made by governing bodies;
- Improvement of the reporting and accountability mechanisms of rtsh to the regulatory authority and Parliamentary Commission on Education and Mediums of Public Communication through online publication of public hearings reports, annual reports and other materials related to the performance of rtsh;
- Enhancement of the role of the Council of Viewers and Listeners through a more inclusive approach on selection of members in order to hold rtsh accountable to the public;
- Elimination of the practices of employment of staff by political affiliation and interference, in order to improve the quality and integrity of human resources at rtsh;
- Improvement of efficiency in terms of management and coordination of processes, staff and resources;

- Application of advanced technologies to improve quality of programming and broadcasting;
- Use of online media instruments to embrace the opportunities offered by media convergence and move towards the transformation from PSB to public service media;
- Engagement of leading public figures to advocate for the role of rtsh as the public broadcaster in the Albanian media market;
- Establishment and improvement of self-regulating mechanisms and self-organization bodies;
- Promotion of a public debate on socially responsible media with an embedded public interest;
- Annual financial reports made public with easy to follow explanations;
- Annual assessment reports on the performance of the PSB as per its remit;
- Periodical reports by the Council of Listeners and Viewers made available online;
- Announcement of public meetings, whereby citizens can participate;
- Announcement of the meetings attended by the Council of Listeners and Viewers;
- Set up of the Council of Listeners and Viewers;
- Ensuring the independence, transparency and integrity of the regulatory body: limiting political and other powerful interferences and pressures; increasing the transparency of official data provided by the regulator; putting in place an adequate funding scheme and accountability mechanisms;
- The PSB remit and role in society should be emphasized with the digital switchover process in order to increase awareness, understanding and commitment to the PSB by the public, civil society, stakeholders and ultimately the government and legislators;
- The improvement of the program portfolio and the quality of content of the PSB in order to ensure universality of coverage, diversity of perspectives, a platform for access, interaction and participation to debate issues of common interest, reliability and watchdog functions. Develop media literacy programs thus working more on the educational dimension of its remit;
- PSB should initiate a public debate on its positioning in the digital age and the revision of its remit and transformation towards public service media. This should include self-reflection and stakeholder involvement. This is also linked to the requirement for increased transparency and accountability. For instance, making annual financial and assessment reports available may help the public and/or civil society to provide feedback to the PSB.

## 8.

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## ANNEX

*Table 4: Sample for in-depth interviews Albania*

| Position                             | Institution                                                          | Category                                                                |
|--------------------------------------|----------------------------------------------------------------------|-------------------------------------------------------------------------|
| Deputy Head                          | Parliamentary Commission on Education and Public Information Mediums | Legislation and Policy Making; former journalist and media professional |
| Counsellor (2010-2014)               | National Council for Radio and Television                            | Policy maker                                                            |
| Lecturer in Media and Communications | Head of Department of Communication & PR, UET                        | Scholar                                                                 |
| Lecturer in Media and Journalism     | Faculty of Journalism, University of Tirana                          | Scholar                                                                 |
| Director General                     | Albanian Radio & TV (rtsh)                                           | Media professional                                                      |
| Former Director                      | Audio-visual Media Authority                                         | Policy maker                                                            |
| Director                             | Albanian Radio (RSH)                                                 | Media professional                                                      |
| Head UGSH                            | Albanian Union of Journalists                                        | Journalist                                                              |
| Freelance                            | Syri.net                                                             | Journalist                                                              |
| Art Director                         | Albanian Radio & TV (rtsh)                                           | Media expert                                                            |
| Lecturer in Politics and Media       | Sapienza University of Rome                                          | Scholar                                                                 |
| Founder                              | MAPO Foundation                                                      | Media expert                                                            |

## About the Authors

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