

MONITORING MEDIA PLURALISM IN THE DIGITAL ERA

APPLICATION OF THE MEDIA PLURALISM MONITOR IN THE EUROPEAN UNION, ALBANIA, MONTENEGRO, THE REPUBLIC OF NORTH MACEDONIA, SERBIA & TURKEY IN THE YEAR 2021

Country report: Albania

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1. About the project

1.1. Overview of the Project

The Media Pluralism Monitor (MPM) is a research tool designed to identify potential risks to media pluralism in the Member States of the European Union and in candidate countries. This narrative report has been produced on the basis of the implementation of the MPM carried out in 2021. The implementation was conducted in 27 EU Member States, as well as in Albania, Montenegro, The Republic of North Macedonia, Serbia and Turkey. This project, under a preparatory action of the European Parliament, was supported by a grant awarded by the European Commission to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.

1.2. Methodological notes

Authorship and review

The CMPF partners with experienced, independent national researchers to carry out the data collection and to author the narrative reports, except in the case of Italy where data collection is carried out centrally by the CMPF team. The research is based on a standardised questionnaire that was developed by the CMPF.

In Albania the CMPF partnered with Kristina Voko and Besar Likmeta (Balkan Investigative Reporting Network Albania), who conducted the data collection, scored and commented on the variables in the questionnaire and interviewed experts. The report was reviewed by the CMPF staff. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly evaluative questions (see Annexe II for the list of experts). For a list of selected countries, the final country report was peer-reviewed by an independent country expert.

Risks to media pluralism are examined in four main thematic areas: Fundamental Protection, Market Plurality, Political Independence and Social Inclusiveness. The results are based on the assessment of a number of indicators for each thematic area (see Table 1).

Fundamental Protection	Market Plurality	Political Independence	Social Inclusiveness
Protection of freedom of expression	Transparency of media ownership	Political independence of media	Access to media for minorities
Protection of right to information	News media concentration	Editorial autonomy	Access to media for local/regional communities and for community media
Journalistic profession, standards and protection	Online platforms concentration and competition enforcement	Audiovisual media, online platforms and elections	Access to media for women
Independence and effectiveness of the media authority	Media viability	State regulation of resources and support to media sector	Media Literacy
Universal reach of traditional media and access to the Internet	Commercial & owner influence over editorial content	Independence of PSM governance and funding	Protection against illegal and harmful speech

Table 1: Areas and Indicators of the Media Pluralism Monitor

The digital dimension

The Monitor does not consider the digital dimension to be an isolated area but, rather, as being intertwined with the traditional media and the existing principles of media pluralism and freedom of expression. Nevertheless, the Monitor also extracts digital-specific risk scores, and the report contains a specific analysis of risks related to the digital news environment.

The calculation of risk

The results for each thematic area and indicator are presented on a scale from 0 to 100%.

Scores between 0 and 33%: low risk Scores between 34 and 66%: medium risk Scores between 67 and 100%: high risk

With regard to indicators, scores of 0 are rated 3% while scores of 100 are rated 97% by default, in order to avoid an assessment of total absence, or certainty, of risk.

Disclaimer: The content of the report does not necessarily reflect the views of the CMPF, nor the position of the members composing the Group of Experts. It represents the views of the national country team that carried out the data collection and authored the report. Due to updates and refinements in the questionnaire, MPM2022 scores may not be fully comparable with those in the previous editions of the MPM. For more details regarding the project, see the CMPF report on MPM2022, available on: http://cmpf.eui.eu/media-pluralism-monitor/.

2. Introduction

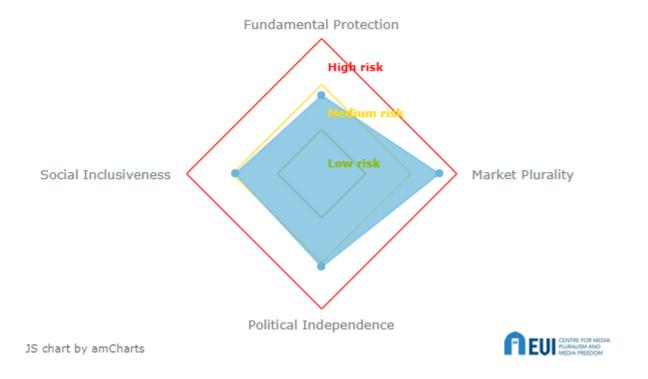
- **Population:** The Republic of Albania is a country of 2.8 million inhabitants, with a geographic area of 28.748 square kilometers located in the Western Balkans along the coast of the Adriatic and the Ionian Sea, bordering Montenegro and Kosovo to the north, North Macedonia to the east and Greece to the south.
- **Minorities:** The majority of the country's population is ethnic Albanian and according to the 2011 census, only 1.5% of its inhabitants come from ethnic minorities (INSTAT, 2012). The 2011 census data remain controversial because only 83.2% of the respondents declared themselves ethnic Albanians, while 14.07% refused to answer questions based on nationality. A new census planned for 2020 was postponed to 2022. In 2020, the census could not be held because of the COVID-19 pandemic, while in 2021 because it was an electoral year. According to Article 3 of the Law no. 96/2017 for the Protection of National Minorities in the Republic of Albania, recognized ethnic and/or cultural minorities in Albania include: Greeks, Macedonians, Aromanians, Roma, Egyptians, Montenegrins, Bosnian, Serbs, and Bulgarians. The largest national minority in Albania is the Greek minority, which is concentrated mainly on the country's southern border with Greece, followed by the ethnic Macedonian minority around the shores of Lake Prespa to the west and the Roma cultural minority.
- Economic situation: In 2021, Albania's economy registered a rebound from the economic recession caused by the COVID-19 pandemic one year earlier. For three quarters in a row, from the last quarter of 2020 to the second quarter of 2021, the economy registered a positive expansion of the gross domestic product (GDP). The growth of GDP reached nearly 18 percent in the second quarter, fueled by a rebound in domestic trade, household consumption boosted by remittances, as well as the construction industry. Export revenues in the first eight months of 2021 surpassed pre-pandemic levels in 2019 by nearly 15 percent in nominal value. Tourism also rebounded in the second and third quarters, with the number of tourists in the June-August period similar to the pre-pandemic period (EBRD, 2021).
- Political situation: In 2021, the political environment in Albania was relatively calm. General elections were held on 25 April 2021, following a cross-party political agreement that led to electoral reform, largely in line with the OSCE-ODIHR recommendations. In the parliamentary elections, the ruling Socialist Party of Prime Minister Edi Rama won an unprecedented third term in office. However, as in previous electoral contests, the campaign was marred by allegations of vote-buying and the use of public resources for electoral gain from the ruling party. Media coverage during the campaign was skewed toward the rulings Socialist Party (Likmeta, B., 2021a). Following the elections, the opposition cried foul but stopped short of rejecting the vote's legitimacy, which they characterized as 'an electoral massacre'. In May 2021, former Prime Minister Sali Berisha and his family were declared as 'nongratae' by the US State Department for his involvement in corruption. Berisha was banned from the Democratic Party's parliamentary group leading to conflict with party chairman Lulzim Basha. The decision to ban the former premier from the parliamentary group created a schism among the supporters of the Democratic Party, leading to a power struggle between Berisha and Basha. (European Commission, 2021).
- **Media market:** Despite the high number of print, online, and television outlets, Albania's media market lacks plurality, with revenues and audiences concentrated in the hands of few owners, who use their

media outlets to advance political and economic agendas. Owners' political and economic interests are strong push factors for journalists' censorship and self-censorship, while the source of financing of media outlets remains opaque. The economic situation of local media was worsened by the COVID-19 pandemic, which generally led to a downfall in advertising revenues (European Commission, 2021).

- Regulatory environment: Albania's constitution guarantees freedom of expression and freedom of the media. The audiovisual media is regulated by Law no. 97/2013 For Audiovisual Media in the Republic of Albania while Law no. 7756/1993 On the Press as amended has only one article, which reads "The Press is free, and its freedom is protected by law". Following a negative opinion from the Venice Commission (2020) and criticism from local and international media organizations, the government indicated that they had reconsidered the adoption of a series of draft amendments the Law no. 97/2013, For Audiovisual Media, to extend its scope and control the content on online media outlets (European Commission, 2021). In July 2021, parliament appointed the center-left government spokesperson as the chairwoman of the board of the Audiovisual Media Authority, raising concern over the institution's impartiality (Erebara, Gj., 2021). In September 2021, the government announced the creation of a new agency to coordinate public communication efforts. However, local and international rights organizations warned that the new agency would be used to further solidify control over the flow of public information (Media Freedom Rapid Response, 2021).
- **COVID-19**: In 2021, Albania registered 152,360 new coronavirus cases. From the pandemic's start until 21 December 2021, 3,217 fatalities were registered due to COVID-19. A curfew remained in place in 2021 as part of the authorities' effort to curb the spread of the new coronavirus (AKSHI, 2021).

3. Results of the data collection: Assessment of the risks to media pluralism

Albania: Media Pluralism Risk Areas



Albania's media pluralism risk ranged from medium to high risk in 2021 in the four key areas assessed by the indicators of the Media Pluralism Monitor. The media scene in the small Balkan country of 2.8 million ranked high risk in terms of Market Plurality (87%) and Political Independence (69%), while scoring medium risk in the areas of Social Inclusiveness (64%) and Fundamental Protection (58%).

Although Albania's legal framework provides for safeguards for the protection of freedom of expression and freedom of the media, in practice, these freedoms are restricted by the political and economic interests of media owners, the concentration of market share and audiences in the hands of few powerful family-owned media conglomerates, strategic lawsuits against public participation (SLAPPs) against critical journalists, poor implementation of labor rights legislation, widespread self-censorship, and undue political interference in the independence of the media regulator.

The appointment of the former government spokesperson as the head of the Audiovisual Media Authority in 2021 further eroded the media regulator's impartiality (Erebara, Gj., 2021). Meanwhile, the establishment of the Media of Information Agency, a new institution that will oversee all government communications, monitor social media, and conduct polls, has been compared by local and international rights organizations to a bona fide ministry of propaganda (Media Freedom Rapid Response, 2021), raising concerns of further concentration in the flow of information, already dented in the previous year by COVID-19 imposed restrictions. According to reports published by the Council of Europe Platform for the Protection of Journalists, seven attacks on physical safety, harassment, and other acts that have chilling effects on media freedom were recorded in 2021.

The worst scoring area for media freedom in Albania in the 2021 is the cluster of **Market Plurality** indicators. Although this area improved a few percentage points compared with 2020, it still receives a score of high risk (87%), due to the lack of transparency in media ownership, news media and platform

concentration coupled with a lack of competition enforcement, lack of media viability and the undue influence of media owners' political and economic interests on editorial output.

After Market Plurality the second worst ranked area in the MPM for Albania in 2021 is the group of indicators linked with **Political Independence** (69%), which worsened from a medium risk rating in 2020 (64%). This area is particularly affected by the lack of editorial autonomy and political independence of the local media that ranks as high risk, and less by the lack of independence of the PSM and media regulator or the rules governing audiovisual media and platforms during elections, which rank as medium risk.

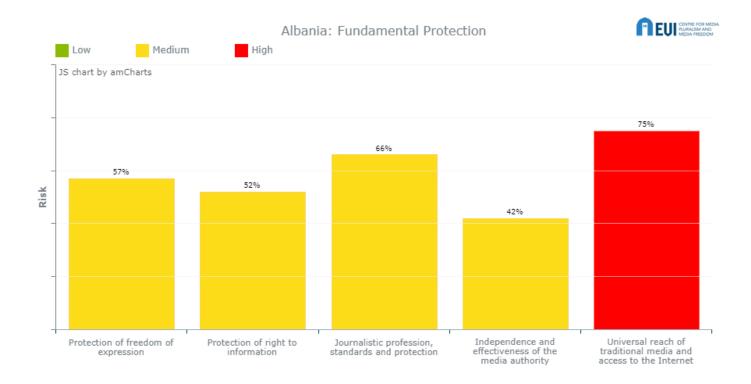
Albania scores medium risk for the **Social Inclusiveness** area (64%). Such a score is due to the poor level of access to media for women, the absence of coherent media literacy policies, as well as the lack of effective safeguards against illegal and harmful speech, both in legacy media and in the digital space. By the other hand, the indicator Access to media for local and regional communities and for community media is the only indicator for which Albania obtains a low risk score (31%).

The cluster of indicators on **Fundamental Protection** scored as medium risk in 2021 (58%), just one percentage point lower than in 2020 (59%). The worst-ranked indicator in the area of Fundamental Protection was related to the reach of traditional media and access to the internet (75%). Problems were also recorded for the indicators on the Journalistic profession, standards and protection, the Protection of freedom of expression, and the Independence of the media authority, which all rank as medium risk.

The COVID-19 pandemic continued in 2021 to negatively impact various aspects of media pluralism, particularly in regards to journalists' access to public institutions and the increased circulation of disinformation, fake news campaigns and conspiracy theories regarding the pandemic and vaccines, for ideological and economic impetus.

3.1. Fundamental Protection (58% - medium risk)

The Fundamental Protection indicators represent the regulatory backbone of the media sector in every contemporary democracy. They measure a number of potential areas of risk, including the existence and effectiveness of the implementation of regulatory safeguards for freedom of expression and the right to information; the status of journalists in each country, including their protection and ability to work; the independence and effectiveness of the national regulatory bodies that have the competence to regulate the media sector, and the reach of traditional media and access to the Internet.



In 2021, the area of Fundamental Protection scores as medium risk (58%), registering nearly the same evaluation as in the previous year. The worst scoring indicator in this area in 2021 is the **Universal reach of traditional media and access to the Internet** (75%), which scores as high risk. This particular indicator scores as high risk due to the low penetration of broadband in the country and the lack of provisions in the Law no. 9918 of 2008, "On Electronic Communications in the Republic of Albania" on how to enforce net neutrality.

Although the Article 22 of the Albanian Constitution and the European Convention on Human Rights recognize the fundamental rights on **Protection of freedom of expression** (57%) and restrictions are clearly defined in the legal framework, these rights are not always respected. In 2021, Albania ranked 83rd out of 180 countries in the World Press Freedom Index (RSF, 2021), gaining one position in the ranking compared with the previous year. According to RSF, the government stepped up pressure on the media in the last year by again threatening to approve a new defamation law despite criticism from press freedom organizations and despite the Venice Commission's advice against it. Blocked by a presidential veto in 2020, this law would likely result in an increase in censorship in a country where the government already restricts journalists' access to state-held information and uses the allocation of licenses to control the media landscape. The fate of the draft defamation law remained unclear even during 2021, as it still continues to appear in the calendar of the Parliamentary Commission on Media.

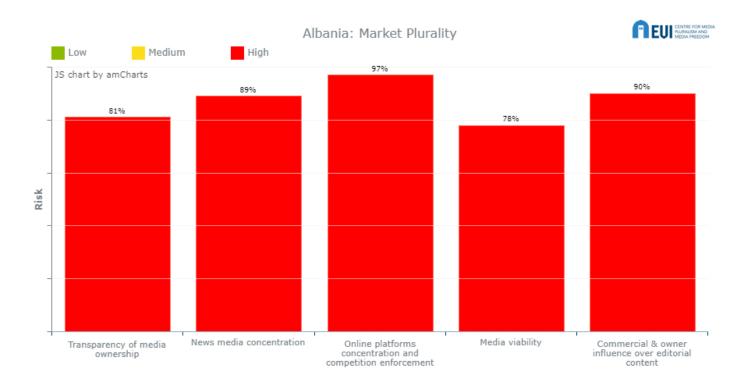
The indicator on the **Protection of right to information** scored as medium risk (52%) in 2021. The right to information is recognized in the Constitution of the Republic of Albania and is regulated by Law no. 119/2014 "On the Right to Information". Although most restrictions on the right to information are defined in law, there are not clear provisions for all the aspects that are restricted, especially those related to the access to information of judicial institutions. The denials of access to information can be appealed to the Commissioner for the Freedom of Information and Protection of Personal Data and later to the Administrative Court, but these mechanisms are time-consuming and not always effective. Also, decisions of the Commissioner on the Right to Information are not-binding for public administration officials (European Commission, 2021). The establishment of the Media Information Agency in September 2021 as a new body to control all government communications raised the alarm with local and international rights organizations on the government's hold on the flow of information (Media Freedom Rapid Response, 2021).

The second worst scoring indicator in this area is the **Journalistic profession, standards, and protection** (66%). This indicator scores poorly in 2021 due to the adverse working conditions faced by Albanian journalists. According to the National Barometer of Media Freedom in Albania (Albanian Helsinki Committee, 2021), 30.2% of journalists report not having a proper labor contract with their employers. Also, the latest Western Balkans Journalists' Safety Index (Safejournalists.net, 2021) states that labor rights are not fully respected, particularly in private media, local media, and online media outlets. According to the Index, young journalists and women reporters face more challenges. Lack of employment contracts, inadequate social and other welfare security policies, and the general working conditions of journalists that deteriorated during the COVID -19 pandemic, remains an issue of concern. Several cases of physical attacks, threats and intimidations against journalists were recorded in 2021. The most serious case of harassment was the investigation launched by the Special Anticorruption Prosecutor's Office against the news portal *Lapsi.al* to force journalists to reveal the source of a major private data leak. In April 2021, the ECtHR issued an interim decision imposing a security measure to prevent the seizure of servers and computer data of the online news outlet (CoE, 2021).

The indicator of the **Independence and effectiveness of the media authority** acquired a score of 42% in 2021. This is a result of the commonly shared perception in the media community that the Audiovisual Media Authority is not independent of undue political and corporate pressure. According to the Venice Commission's opinion on the proposed Albania's Audiovisual Media Law amendments, members of AMA's board have a clear political affiliation, with members proposed by the ruling party/coalition having a slight majority in this body. At the same time, they also are perceived to be under the influence of big media and industry special interests (Venice Commission, 2020). Although no new legislation was passed in 2021 to impose restrictions on media freedom due to the COVID-19 pandemic, the continuous government threats and attempts to regulate online media by expanding the scope of the Audiovisual Media Authority, which is perceived as politically controlled after the appointment of the government's spokeswoman as its chair, remains an issue of concern.

3.2. Market Plurality (87% - high risk)

The Market Plurality area focuses on the economic risks to media pluralism which derive from a lack of transparency and the concentration of ownership, the sustainability of the media industry, the exposure of journalism to commercial interests. The first indicator examines the existence and effectiveness of provisions on the transparency of media ownership. Lack of competition and external pluralism are assessed separately for the news media (production of the news) and for the online platforms (gateways to the news), and we consider separately horizontal and cross-media concentration; the concentration of the online advertising market; and the role of competition enforcement. The indicator on media viability measures the trends in revenues and employment, in relation to GDP trends. The last indicator aims to assess the risks to market plurality that are posed by business interests, in relation to the production of editorial content, both from the influence of commerce and owners.



In 2021, the area of Market Plurality scores as high risk (87%), improving slightly with two percentage points from 2020. All the indicators of this area score as a high risk in 2021, with particularly extremely high risk evaluated for online platforms concentration and competition enforcement and for the undue influence of owners and commercial actors on editorial policy. The market is scarcely regulated and as a result there isn't any official reporting, neither by the authorities nor by the companies. This leads to lack of data that is evaluated as a risk, reducing the transparency of the media market.

The indicator of **Transparency of media ownership** acquires a score of 81%, ranking as high risk and registering no change in comparison to 2020. Albania's legal framework contains no specific provisions on transparency of media ownership, except for broadcasters, which are obliged to register as separate entities. Such data are collected and disseminated by the Audiovisual Media Authority, but also it is possible to access this information through National Registry of Business for audiovisual media, but only for few other media outlets. Digital native news media outlets are not regulated in Albania and their only obligation is the registration of the domain, which can be done by any individual or a commercial/nonprofit entity.

The indicator of **News media concentration** acquires a score of 89%.

It is rated as high risk due to the lack of regulation of ownership and market share concentration for print and online media. This indicator has registered no change in its risk assessment compared to 2020. The Audiovisual Media Law restricts to 20% the shares a national broadcaster can own in a second broadcast media company and also prohibits of single company that holds a national broadcasting license from occupying a share of more than 30% of the advertising market. There is a lack of data on the market and audience share of top television, radio, print and online media. There are no provisions in the Albanian law to prevent a high degree of cross-ownership between the different types of media.

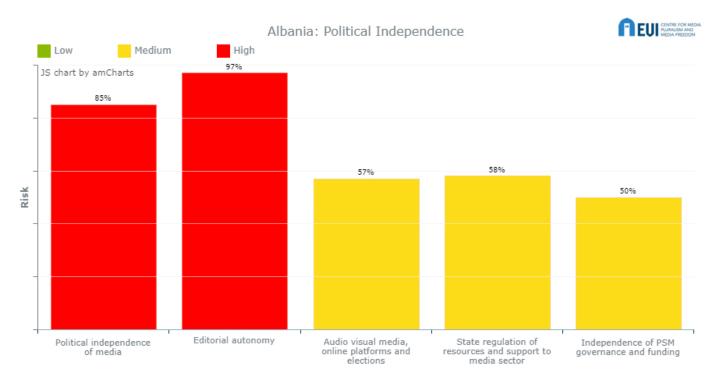
The indicator on **Online platforms concentration and competition enforcement** acquires a score of 97% and is rated as high risk. This mainly due to a lack of data on market and audience concentration, and the lack of data on media consumption habits, in particular on the access to the news online. In terms of competition enforcement a high degree of ownership concentration cannot be effectively prevented through the enforcement of competition rules, because in 2017 the Albania Competition Authority ruled that it is not competent to review a complaint against an audio-visual medium, as the media field falls exclusively under the jurisdiction of the Audio Visual Media Authority. In Albania there is no specific legal framework regulating the digital advertising market, neither any form of taxation of digital services (BIRN Albania, 2020).

The indicator of **Media viability** acquires a score of 78% and is rated high risk. This indicator has registered an improvement from the previous year, when it recorded a score of 94%. Generally there were no data available on main broadcast companies and was impossible to assess the impact the COVID-19 crises had on them. The same was true for the radio, print and digital native online media outlets. As a result it was impossible to assess whether the total revenues of the news media sector, increased or decreased in 2021. There were also no data available on total advertising (online and offline) on news media in Albania in 2021. There are no reported initiatives to develop new sources of revenue for the media, such as subscriptions or Google ads, while the state support did not establish any support scheme for media in Albania to weather the pandemic. The lack of financial data is due to the fact that financial statements for each financial year are made public by the National Register of Businesses only in the third quarter of the following year. Anecdotal evidence collected by key informants suggest that employment in national media outlets has been stagnant in 2021.

According to the National Barometer for the Freedom of the Media (Albanian Helsinki Committee, 2020), businesses that advertise in the media are perceived as a threat to media freedom by 35% of journalists, while 80% of journalists interviewed list as threat media owner's business interests. As a result the indicator of **Commercial & owner influence over editorial content** acquires a score of 90% and is rated as high risk, improving a single percentage point from 2020. In Albania there are no mechanisms granting social protection to journalists in case of changes of ownership or editorial line and there are no regulatory or self-regulatory safeguards, which seek to ensure that decisions regarding appointment and dismissals of editors in chief are not influenced by commercial interests. The Journalist Code of Ethics (Albanian Media Institute, 2018) stipulates that editorial content should be clearly distinguished from advertising; however, the code is not endorsed by most media outlets. There are no data on the scale of hidden advertising in 2021, despite the fact that this has been a systematic problem in the past.

3.3. Political Independence (69% - high risk)

The Political Independence indicators assess the existence and effectiveness of regulatory and self-regulatory safeguards against political bias and political influences over news production, distribution and access. More specifically, the area seeks to evaluate the influence of the State and, more generally, of political power over the functioning of the media market and the independence of the public service media. Furthermore, the area is concerned with the existence and effectiveness of (self)regulation in ensuring editorial independence and the availability of plural political information and viewpoints, in particular during electoral periods.



The area of Political Independence changed in 2021 from medium to high risk (69%), compared with the previous year when it registered a score of 64%. This hike in ranking is mainly due to two key indicators, the lack of editorial autonomy and the lack of independence of the media from politics.

The indicator of **Political independence of media** acquires a score of 85% and is rated as high risk. This indicator worsened in ranking compared to 2020, when registered a score of 79%. Political control over audiovisual media in Albania is high. There is no known case of direct ownership of audiovisual media by politicians or their family members. However, political control is exerted through affiliated business interests of the media owners in sectors with high state regulation such as construction, mining and natural resources or products with excise duties such as coffee (RSF, BIRN Albania, 2018). The majority of media professionals report in surveys that the pressure from local and central government and political parties are the two main factors that lead to censorship in the Albanian media (IDRA, 2019; Albanian Helsinki Committee, 2020). Furthermore, the data from an audiovisual media monitoring conducted by AMA during the last electoral campaign in Albania, showed that all the leading TV stations in the country favored the ruling political party in their coverage, despite the legal provisions in place (Likmeta, B., 2021). Also, the latest Progress Report (European Commission, 2021) emphasizes that 'the strong influence of politics and business over the media remains a key source of concern for freedom of expression in the country'. In September 2021, the government established the Media Information Agency, a new body tasked in centralizing all government communications, conduct polls and monitor online media. At the helm of the

agency was appointed Endri Fuga, the Director of Communications for Prime Minister, Edi Rama. The establishment of the MIA has alarmed rights organisations, who fear it will enable the government to further stifle freedom of the media and further reduce media access to government sources (Media Freedom Rapid Response, 2021). The agency has of December 2021, a staff of 61 and its director has the status of a State Minister (Gjoka, B., 2022)

The indicator of **Editorial autonomy** acquires a score of 97% and is rated as high risk, registering an increase of nine percentage points from the previous evaluation. This indicator is ranked as high risk due to the lack of regulatory safeguards to guarantee autonomy when appointing and dismissing editors-in-chief of media outlets. Also in practice the appointments and dismissals of editors-in-chief are not independent from political influence. Although the Journalists Ethics Code stipulates the independence of the media from political interference, the code is not adopted from all outlets and is not effectively implemented. In 2020, 16 media outlets launched a self-regulatory mechanism called the Alliance for Ethical Media, but none of the largest media outlets per each category is part of this alliance. Only few large private media outlets have adopted, at least in paper, organizational documents to ensure editorial independence by separating newsrooms from managers and marketing departments. According to public perception surveys, media owners and other political and commercial entities systematically influence editorial content (Ipsos Strategic Marketing, 2021).

The indicator on **Audio visual media**, **online platforms and elections** acquires a score of 57% and is rated medium risk. This indicator declined 13 percentage points compared from 2020, when it received a score of 44%. The steep decline in ranking of this indicator is due to the bias displayed by commercial audiovisual media outlets toward the ruling party in the April 2021 parliamentary elections (Likmeta, B.,, 2021). There is no regulation that aims to ensure transparency of political advertising on online platforms during electoral campaign. Albanian political parties are not transparent about the spending and techniques used in social media political campaigns. In the 2021 parliamentary elections none of the local parties made available on their website information on their expenditure for online activities, including paid online political advertisements and communications (Likmeta, B., 2021). The Albanian Commissioner on Freedom of Information and Data Protection does not take sufficient account and monitor the use of personal data of individuals by political parties during electoral campaigns. During the April 2021 parliamentary campaign, a database containing the personal information and contact details of approximately 900,000 Albanian voters, covering also the political preferences, was leaked by raising many concerns for local and international actors (European Commission, 2021).

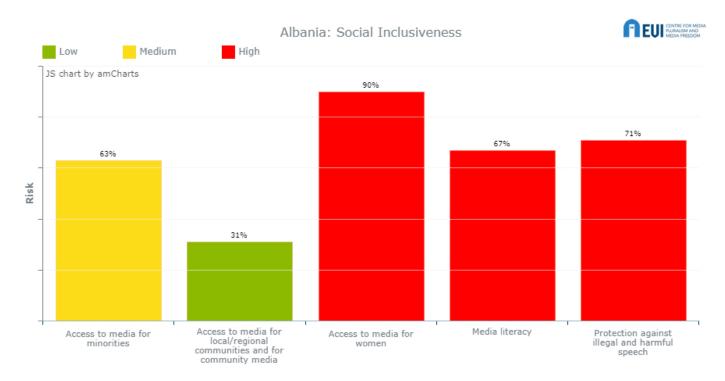
The indicator **State regulation of resources** and support to media sector acquires a score of 58% and is rated medium risk. This indicator has registered no change in percentage since 2020. This ranking is mainly due to the risk associated with the lack or rather simplistic regulations/procedures on the distribution of state advertisements. The lack of procedures leaves room for abuse, particularly in the audiovisual media market, because there is no mechanism in place to guarantee that the promotional campaigns of state institutions are awarded based on audience share. When advertising campaigns are outsourced to advertisement agencies, the later are not obliged to follow any specific rules on the distribution/award of the campaign to various media outlets. The government, the public institutions do not monitor and make transparent the way state advertising is distributed.

The indicator on the **Independence of PSM governance** and funding acquires a score of 50% and is rated medium risk. This is score is similar to the previous year. The medium risk assessment is a result of the political interference in the appointment of the managers of PSM. Also, from December 2020 to May 2021,

the Parliament (dominated only by the governing party at the time) replaced all board members of the public broadcaster whose mandates had expired, including the chair. Such movement was highly criticized by local actors who called the Parliament to wait for the newly elected Parliament to elect the members in order for the opposition to be present and exercise its right to dismiss some of the candidates. Out of four new members of the board of Albania's public broadcaster, two are considered by local actors to have a clear political affiliation (Erebara, Gj., 2021).

3.4. Social Inclusiveness (64% - medium risk)

The Social Inclusiveness area focuses on the access to media by specific groups in society: minorities, local and regional communities, women and people with disabilities. It also examines the country's media literacy environment, including the digital skills of the overall population. Finally, it also includes new challenges arising from the uses of digital technologies, which are linked to the Protection against illegal and harmful speech.



The area of Social inclusiveness ranked as medium risk in 2021, registering an eight percentage point improvement compared with the previous year, from 72% to 64%. This area includes the only indicator in the MPM2022 for Albania that ranks as low risk: Access to media for local/regional communities and for community media.

The indicator on **Access to media for minorities** acquires a score of 63% this year, three percentage points worse than in the previous edition of the MPM. Based on the Article 14 of the Law no. 96/2017, "For the Protection of National Minorities in the Republic of Albania", minorities are guaranteed and enjoy the right to express opinions and views, as well as to receive and disseminate information in the minority language, without discrimination and without the interference of public authorities. As in previous years, minorities still have limited access to airtime on the PSM channels. Public broadcaster RTSH 2 is currently broadcasting programs in its second channel in the five minority languages: Greek, Montenegrin, Macedonian, Roma, and Vlach. These programs consist of a 30-minute long translation of the PSM's main news edition. Two of the regional TV stations of public broadcaster also produce on a weekly basis

programs in the languages of the biggest minorities in their respective areas: Macedonian and Roma for RTV Korça and Greek and Aromanian for RTV Gjirokastra (RTSH, 2021). While the access of minorities to airtime in the PSM is considered not fully satisfactory, by the other hand they do not have access to airtime in private television and radio. There are several provisions in the National Action Plan 2021-2025 on facilitating access to media for people with disabilities, summarized under the 'Specific Objective 3. Ensure access to information and to communication'. However, the existing measures to ensure access to media for people with disabilities remain fragmented and not effectively implemented as highlighted by existent monitoring data of the previous Action Plan (World Vision Albania, 2020).

The indicator **Access to media for local/regional communities and for community media** got a score of 31%, within the low risk range, marking an improvement of 13 percentage points compared to the previous year. The Articles 63 of the Law no. 97/2013, "For Audiovisual Media in the Republic of Albania" grants regional or local media access to media platforms. However, there are no subsidies for local media and some media owners have complained that the costs to host their outlets in the existing media platforms is too high. The PSM is not obliged by law to keep its own local/regional correspondents or branches, but its statute, under Article 13¹⁰⁰, stipulates that PSM should keep four regional audiovisual branches. Apart from correspondents, the PSM has also four local broadcasters, RTSH Kukesi, RTSH Shkodra, RTSH Gjirokastra and RTSH Korca. This indicator scores markedly lower in 2022, because of the steep drop in the scoring of the subindicator *Access to regional/local media*, which switched from 63% to 38%. In the in 2022 MPM this subindacator includes an extra variable compared to 2021, which is evaluated positively and as a result lowers the score for the whole subidicator.

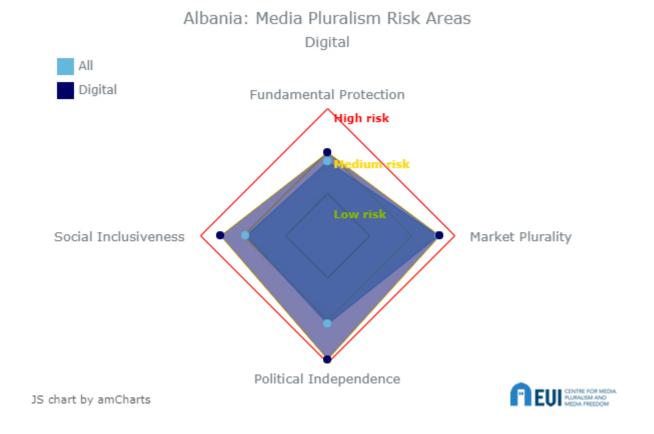
The indicator on **Access to media for women** has a score of 90% and is rated as high risk. This indicator has not registered a change in percentage to the previous years, where equally was rated as high risk. The negative rating is due to the fact that the PSM does not have any gender equality policy and in the statute of the PSM, there are no provisions regarding gender equality in decision-making bodies. In 2021, only two of the nine members of the PSM Management Board were women, while all five top managers were men. Besides, out of six members of the board of the two main commercial TV stations there are no women. All editor in chiefs of the most important audiovisual, radio, newspapers and digital native media in Albania are men. A latest study showed that on TV shows, about 73% of guests are men, while only 27% of them are women. Exceptions are sports shows, where women are mostly seen in the third role, as a sexual object (Pro LGBT, 2020).

The indicator on **Media literacy** has a score of 67% and is rated as high risk. The indicator has improved by four percentage points compared to the previous edition of the MPM. Albania has not developed specific policies on media literacy, but in some cases they are part of a broader regulation. For example, the Article 3 of the Law No. 69/2012 "On Pre-university Education System in the Republic of Albania" and the curricula framework include some elements that are classified as media literacy, such as media content deconstruction, elements of advertising, how to write an article, etc.. In 2021, the Albanian Media Institute piloted a draft curricula based on UNESCO guidelines in 10 schools, while other 10 schools joined the pilot phase in January 2022. Training of teachers for media literacy is very limited in numbers and has been provided only through some civil society projects.

The indicator **Protection against illegal and harmful speech** has a score of 71% and is rated as high risk. This indicator has registered an improvement of 23 percentage points compared to 2020, when it scored 94%. The improvement comes as a result of the latest amendments of the Law No. 10 221 dated 4.2.2010 'On Protection from Discrimination' approved at the end of 2020, introduced the first definition of 'hate

speech' in the Albanian legal framework, by recognizing it also as a form of discrimination. There is no specific regulation, nor laws or policies for disinformation in Albania, nor direct use of this term or a legal definition of what constitutes disinformation. Political parties, oligarchs and interest group routinely engage in homegrown disinformation campaigns, which have become a ubiquitous feature of domestic political competition (Londo, I., 2021). There is relatively little evidence of attempts by foreign powers to distort Albanian politics or international affairs. Some cases disinformation are linked with media's efforts to boost traffic/audience or need of politicians to register more followers in their social media channels (European Union, 2021).

4. Pluralism in the online environment: assessment of the risks



The assessment of **Media Pluralism Online** in Albania ranges from medium to high risk. All four areas are scored with a higher risk in the online sphere compared to all media. Regarding digital media in Albania, the area of Fundamental Protection has the lowest risk denominator, ranked as medium risk with a score of 65%, followed by Social Inclusiveness with 84%, Market Plurality at 88%, and Political Independence at 97% - all three areas rated as high risk. The level of risk is related many times to lack of legal provisions, as well as lack of data collecting and reporting systems in place by the public authorities, online platforms or watchdog organizations.

Fundamental Protection (65% - medium risk)

Freedom of expression online is not clearly defined in law. Still, in the case law, regarding the criminal offense of slander or civil lawsuits for defamation, online media have the same responsibilities and obligations as audiovisual or print media outlets (BIRN Albania, 2020). In 2019, the government tried to expand the scope of the Audiovisual Media Law, but the initiative was scrapped due to opposition from journalists, media organizations, the EU, and the Council of Europe (Erebara, Gj., 2020). According to the Mapping Media Freedom Database in Albania there was one reported online threat against the safety of a journalist in 2021. However, the level of harassment online might be higher as there is no systematic data being collected in such regards (ECPMF, 2021).

No specific law explicitly regulates the filtering and blocking of illegal internet content, however, the provisions of several laws regulate unlawful internet content. Media watchdog groups did not report any arbitrary restrictions, filtering/removing of content in an arbitrary way from the state or online platforms in Albania during 2021. However, in 2021 Facebook automatically included a reference link to the Ministry of Health updates on most posts related to the COVID-19 pandemic. In general, the social networks have limited capacities to monitor content in the Albanian language due to lack of interest in such a small market.

Individuals in Albania have at least four complaint mechanisms to address violations of rights that were conducted by state or non-state actors in the online environment - through the Anti-Discrimination Commissioner, Information and Data Protection Commissioner, State Agency for the Rights and Protection of the Child, and the Complaints Council in the Audio-Visual Media Authority. However, these mechanisms offered by state actors are not well-known nor very effective in addressing complaints. Also, there is a lack of tradition and trust in self-regulatory bodies in such regards.

According to the Electronic Communication and Postal Authority (2021), 67% of the population was covered by broadband coverage in 2021, up from 63% in 2020. The percentage of the population with 3G/4G broadband access, based on the three mobile companies that operate in the country, is 70%. The Law on Electronic Communications refers to net neutrality under Article 1, the goal of the law, but there are no specific provisions on how to enforce it and there are no data or case laws reported from Authority on Postal and Electronic Communications in this regard.

Market Plurality (88% - high risk)

In Albania there is no law that requires disclosure of media ownership to public bodies for digital news media outlets and the activity of digital news media is not regulated. Even though Albania has approved the Law on Beneficial Ownership (owners with up to 20% of shares) for all companies registered at the National Business Center, it is difficult to identify the owners who own the digital media outlets, as they can be part of larger companies. There are no regulations regarding concentration that apply to the digital news media, nor provisions to prevent high degree of cross-ownership between the different media. There are no data on the market and audience share of digital native news media.

In Albania there are no data reported on the main way in which people access news online. However, according to the Eurobarometer survey, when looking for information about the EU, its policies, its institutions, 21% of respondents in Albania said they get their information through websites, 19% from online social networks, 3% from blogs and 6% from video hosting websites (European Commission, 2021). In Albania there is no specific legal framework regulating the digital advertising market, which results in lack of data on the size of the digital advertising market, revenues of the digital native news media sector and which outlets are the main online competitors.

The Journalist Code of Ethics applies to journalistic work in online news media but is not endorsed by most media outlets. In 2020, a number of online media outlets launched an alliance for media ethics in order to improve the application of the Code of Ethics and installed a self-regulatory mechanism based on it. Until the end of 2021, only few media outlets have joint the alliance (CoE, 2020). The Code of Ethics stipulates that advertorials and advertising should be clearly labeled, however, this rule is regularly breached by media outlets and there is no sanctioning mechanism in such regards.

Political Independence (97% - high risk)

The leading digital native media in Albania are politically affiliated. This does not include direct ownership, but mainly indirect control though financing. In several cases, ownership of news websites is not known and the source of their finances is also opaque. Based on the data published by the Albanian Media Institute (2018), at least 1 in 10 online media are not registered in any form and 1 in 3 news websites operate without apparent revenues from ads, concluding that there is a lack of transparency and significant anonymity in

online media. Also, data from a 2019 survey on media landscape in Albania show that journalists from online media are more prone to report cases of censorship and self-censorship, as well as removal of articles from owners and editors in comparison with journalists working in print and audiovisual media (IDRA, 2019).

That is no regulation that aims to ensure equal opportunities of political advertising on online media during electoral campaigns or any monitoring mechanism for such spending. Despite the lack of regulation on online media, both in terms of coverage and political advertisement during the campaign, the political parties and candidates should report all the expenses, independently from the medium used for advertisement. Similarly there is no regulation that aims to ensure transparency of political advertising on online platforms during electoral campaigns. In the 2021 parliamentary elections none of the local parties made available on their website information on their expenditure for online activities, including paid online political advertisements and communications (Likmeta, B., 2021).

Social Inclusiveness (84% - high risk)

According to Eurostat (2020), in 2019, 21% of the population of Albania has basic or above basic overall digital skills, while 47% of population has low overall digital skills. Lack of digital skills open the space for political parties, oligarchs and interest group to routinely engage in homegrown disinformation campaign. A report published by European Parliament (2021) underlines that in Albania, disinformation is a ubiquitous feature of domestic political competition, but efforts are generally opportunistic and campaigns are short-lived. There is relatively little evidence of attempts by foreign powers to distort Albanian politics or international affairs.

Data analyzed by BIRN Albania regarding Covid related information, showed that Albania is proving fertile ground for conspiracy theories (including anti-vaxxers) and fake news concerning the coronavirus pandemic, both is social and mainstream audiovisual and online media (Likmeta, B., 2020). As a result, regional reports show that the country with the highest number of supporters of any of the COVID19 conspiracy theories in the Western Balkans is Albania, with more than 80% of the population that believe a lot, or to some degree to these theories. Such believes on conspiracy theories have influenced also the trust of people in the vaccine, with more than 50% of people not believing in it (BiEPAG, 2021).

But, in a positive note, the latest amendments of the Law No. 10 221/2010 "On Protection from Discrimination" approved at the end of 2020, introduced the first definition of 'hate speech' in the Albanian legal framework, by recognizing it as a form of discrimination, while it covers also online and social media.

5. Conclusions

Fundamental Protection

- Albania should do more to increase access to broadband internet to strengthen the reach of digitalnative news media outlets. In addition, poor working conditions for journalists, which push many reporters toward self-censorship, remain an issue of concern.
- Albania should do more to protect freedom of expression by upholding existing legislation. Any
 change to the current legal framework should be consulted with media actors and aligned with
 international standards on media freedom.
- More efforts should be made to ensure the proper implementation of the Freedom of Information legislation. At the same time, watchdog groups should monitor the role played by the Media and Information Agency and its impact on the flow of information.

Market Plurality

- The lack of data on market and audience concentration in television, radio, print, and digital makes it
 impossible to assess the plurality of the media scene in Albania. The Media Authority should play a
 role in collecting ad disseminating audience data on audiovisual media outlets and on the
 advertising market.
- Outlets should also make efforts to strengthen editorial autonomy and limit the influence of owners' political and economic interests on journalistic output.

Political Independence

- Efforts should be made to address the independence and professionalism of the media authority and the board of the PSM by ensuring that the appointments of the members of both institutions are made without undue political or corporate influence.
- Regulations should be put in place for the distribution of government advertising in order to limit the influence of politicians and political parties on media outlets.

Social Inclusiveness

Women's representation in the media remains low and more effort should be made to create gender-balanced management boards and promote women journalists and editors to managerial positions. Also, commercial media outlets should offer space to ethnic and cultural minority communities, particularly in light of the low audience share of PSM channels.

- Albanian authorities should make efforts to develop and disseminate a more comprehensive media literacy policy and curricula for pre-university education, backed by proper teacher training and resources.
- The Media and Information Agency risks becoming a tool of censorship for any government current or future, to control the flow of public information to the media and to influence what citizens read, hear and watch.

6. Notes

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ANNEXE I. COUNTRY TEAM

First name	Last name	Position	Institution	MPM2022 CT Leader
Kristina	Voko	Executive Director	Balkan Investigative Reporting Network Albania	Х
Besar	Likmeta	Editor in Chief and Balkan Investigative Researcher Reporting Network Albania		

ANNEXE II. GROUP OF EXPERTS

The Group of Experts is composed of specialists with a substantial knowledge and recognized experience in the field of media. The role of the Group of Experts was to review the answers of the country team to 16 variables out of the 200 that make up the MPM2022. Consulting the point of view of recognized experts was aimed at maximizing the objectivity of the replies given to variables whose evaluation could be considered as being subjective, and, therefore, to ensure the accuracy of the final results of the MPM. However, it is important to highlight that the final country report does not necessarily reflect the individual views of the experts who participated. It only represents the views of the national country team that carried out the data collection and authored the report.

First name	Last name	Position	Institution
Sara	Xhumbari	Director of Legal and Licenses Department	Albanian Audiovisual Media Authority
llda	Londo	Lead Researcher	Albanian Media Institute
Mimoza	Kociu	Coordinator	Association of Professional Journalists of Albania
Koloreto	Cukali	Executive Director	Albanian Media Council
Brejdon	Xhavara	Journalist Minority Right's activist	COMMUNITY REPORTERS ALBANIA
Alba	Ahmetaj	Cofounder	Pro LGBT / Historia Ime

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