

MONITORING MEDIA PLURALISM IN THE DIGITAL ERA

APPLICATION OF THE MEDIA PLURALISM MONITOR IN THE EUROPEAN UNION, ALBANIA, MONTENEGRO, REPUBLIC OF NORTH MACEDONIA, SERBIA & TURKEY IN THE YEAR 2022

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 that is 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 that was carried out in 2022. 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 the media	Representation of minorities
Protection of right to information	Plurality of media providers	Editorial autonomy	Local/regional and community media
Journalistic profession, standards and protection	Plurality in digital markets	Audiovisual media, online platforms and elections	Gender equality in the media
Independence and effectiveness of the media authority	Media viability	State regulation of resources and support to the media sector	Media Literacy
Universal reach of traditional media and access to the Internet	Editorial independence from commercial and owners' influence	Independence of PSM	Protection against disinformation and hate 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 digitally specific risk scores, and the report contains a specific analysis of the risks that 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 the Indicators, scores of 0 are rated as 3%, while scores of 100 are rated as 97%, by default,

in order to avoid an assessment that offers a total absence, or certainty, of risk.

Methodological Changes

For every edition of the MPM, the CMPF updates and fine-tunes the questionnaire, based on the evaluation of the tool after its implementation, the results of previous data collection and the existence of newly available data. For the MPM 2023, no major changes were made to the questionnaire, except for the Indicators Transparency of Media Ownership, Plurality in Digital Markets and Editorial Independence from Commercial and Owners Influence (Market Plurality area), and Protection Against Disinformation and Hate Speech (Social Inclusiveness area). The results obtained for these indicators are therefore not strictly comparable with those results obtained in the previous edition of the MPM. The methodological changes are explained on the CMPF website at http://cmpf.eui.eu/media-pluralism-monitor/.

In the Market Plurality area, the names of three Indicators have changed. The former indicator on "News Media Concentration" is now named "Plurality of Media Providers"; "Online Platforms and Competition Enforcement" has been renamed as "Plurality in Digital Markets"; "Commercial & Owners' Influence Over Editorial Content" has been renamed as "Editorial Independence from Commercial and Owner Influence".

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 who carried out the data collection and authored the report. Due to updates and refinements in the questionnaire, MPM2023 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 MPM2023, which is available on: http://cmpf.eui.eu/media-pluralism-monitor/.

2. Introduction

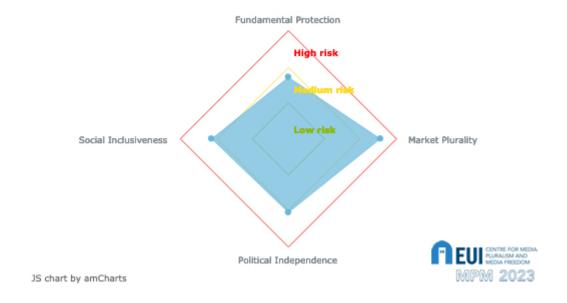
- Country overview: Albania has a geographic area of 28,748 square kilometers and a population of 2.8 million inhabitants. Located in the Western Balkans along the coast of the Adriatic and the Ionian Sea, the country borders Montenegro and Kosovo to the north, North Macedonia to the east and Greece to the south.
- Languages: Albanian is the country's official language and is spoken by 98.8% of the population. Other languages spoken by minorities include Greek, Romani and Vlach. The Albanian language is divided into two dialects, Tosk spoken in the South and Ghegh spoken in the North.
- **Minorities:** Albania's population is made up mainly of ethnic Albanians and only 1.5% of its inhabitants are listed as 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 has been postponed to 2023, due to the COVID-19 pandemic, elections and procurement problems. 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: On the back of a major rebound of the tourism and hospitality sector and heightened domestic demand the GDP grew 8.5% in 2021. The economic expansion continued in the first quarter of 2022, when the economic output grew with 6.5%, before slowing down to 2.2% in the second quarter, due to the lack of private investments. Despite the rising inflation driven by global food prices, the exchange rate was stable. The rate of inflation in 2022 was the highest in the last 20 years and has had a negative impact on household consumption. The current account deficit narrowed in the first half of 2022, as the growth of exports in goods and services offset imports, which in turn supported the stability of the exchange rate. GDP growth for 2023 is projected at 2.5%. The Central Bank tightened monetary policy four times in the first 10 months of 2022, by raising the rate from 0.5% in March to 2.25% in October, in light of mounting energy security concerns due to the start of the Russian aggression in Ukraine (European Bank of Reconstruction and Development, 2023).
- Political situation: The year 2022 was marked by high level corruption scandals, migration and a further consolidation of power by the ruling Socialist Party of Prime Minister Edi Rama in Albania (Erebara, 2022a). After the arrest of the former Minister of Environment Lefter Koka in December 2021, socialist MP Alqi Bllako was also detained in April over a waste management scandal, which also sent a dozen government officials behind bars. In February 2022, former Minister of Interior, Saimir Tahiri, was convicted for abuse of office for aiding and abetting drug traffickers from whom he received gifts. In July 2022, the former socialist mayor of the city Lushnja was also convicted on charges of corruption. Despite the arrests and the convictions, questions were raised on the independence of the justice system, which has been undergoing a major reform over the last few years. At year's end, the US Ambassador in Tirana, Yuri Kim, raised concerns over undue influence in the process of selecting the new head of the Special Prosecution Office Against Organized Crime and Corruption. Albania's opposition remained deeply divided in 2022, between supporters and opponents of former Prime

Minister Sali Berisha - sanctioned by the United States for corruption, while the ruling majority further consolidated power. More than 15,000 Albanians migrated illegally into the UK in 2022, often crossing the English Channel with rubber dinghies, registering one of the largest waves of migration in recent years. On a positive note, in July 2022, after many delays, the EU Council launched the first intergovernmental conference as part of the accession negotiations with Albania and the Commission immediately launched the screening process (European Commission, 2022). Albania has strongly opposed Russia's aggression in Ukraine and has joined the EU and US in imposing sanctions against Moscow.

- **Media market:** Despite the high number of television and online outlets, market and audience concentration and lack of transparency of media funding continue to remain issues of concern as regards to media freedom in the country. Meanwhile the print has shrunk considerably during the last few years and in 2022 only seven daily newspapers were printed (European Commission, 2022).
- Regulatory environment: Although there have been no changes to the media regulatory environment
 during 2022, in November the ruling majority announced that it was withdrawing from parliament a
 controversial bill to amend the Audiovisual Media Law. If passed the amendments would have
 empowered the Audio Visual Media Authority to regulate the content of online media outlets and
 impose steep fines. The bill was contested by local and international media watchdogs, which warned
 that it would have a chilling effect on media freedom in Albania (European Centre for Press and Media
 Freedom, 2022).
- **COVID-19:** In 2022, Albania registered 122,088 new coronavirus cases. From the pandemic's start until 31 December 2022, 3,569 fatalities were registered due to COVID-19. Only in 2022 there were 378 fatalities (Agjencia Kombëtare e Shoqerisë së Informacionit, 2023).

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

Albania: Media Pluralism Risk Areas



Albania's risk to media freedom and pluralism ranged from medium to high in 2022 in the four key areas assessed by the indicators of the Media Pluralism Monitor. The media scene ranked high risk in terms of Market Plurality (85%), Political Independence (68%) and Social Inclusiveness (71%) while scoring medium risk only in the area of Fundamental Protection (57%).

Albania scores a medium risk rating (57%) when it comes to the **Fundamental Protection** area. Although the legal framework provides safeguards for the protection of freedom of expression in the Constitution, the Audio Visual Media Law and through international conventions, the legal remedies in cases of the breach of such right are not always effective. In practice, during 2022, there have been systematic violations of freedom of expression in the country. Defamation is not fully decriminalized and remains punishable by fine, while court decisions for damages are often disproportionate, leading to strategic lawsuits against public participation (SLAPP-s). Although the media authority, in theory, should be independent of political and corporate pressure, in practice, the current appointment procedures do not minimize the risk of political and economic interference and the authorities' power is not used in an independent manner.

Within the **Market Plurality** area Albania registers a score of 85% in 2022 and as in the previous year ranks is at high risk. Albanian media lacks editorial independence from the owners' political and commercial interests, which hamper quality journalism. Media ownership and finances lacks transparency. The concentration of market share and audiences in the audiovisual media in the hands of few powerful family-owned media conglomerates, continue to remain issues of concern as regards media freedom.

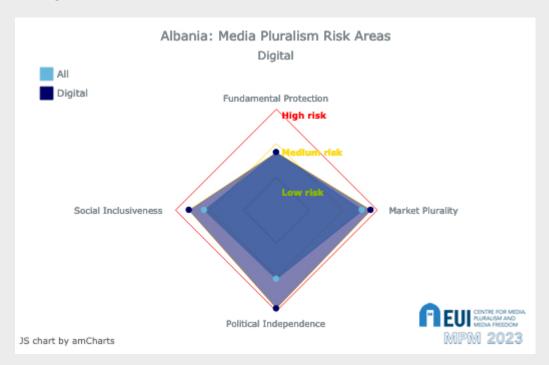
The **Political Independence** area in 2022 is ranked as high risk with a score of 68%. Although the legislation is in accordance with international standards, the public administration systematically denies journalists access to information in an arbitrary way. The journalists' professional association and the Media Council are somehow effective; however, media workers face frequent delays of payments and a general lack of job security. The lack of job security and poor working conditions have made journalists vulnerable to self-censorship and less resilient against disinformation. Some audiovisual media and newspapers are politically controlled and cases of political interference in the appointment of editors in chief are reported. Self-regulatory measures that stipulate editorial independence from political interference in the news media

are not effectively implemented, while systematic interference from politicians on editorial matters is reported.

The area of **Social Inclusiveness** ranks as high risk, with a score of 71%, registering a difference of seven percentage points compared to 2021, when it registered a score of 64%. Media literacy policies in Albania remain underdeveloped and not well implemented. Although there is some occasional training for teachers in media literacy and some teaching is available through informal education, it does not target vulnerable groups. In both public and private media there is a lack of gender equality and representation of minorities.

The impact of the **COVID-19** pandemic on media pluralism rescinded in 2022 compared with previous year, after the removal of restrictions to journalists' access to public institutions. However fake news campaigns and conspiracy theories regarding the pandemic and vaccines, for ideological and economic impetus continued.

Focus on the digital environment

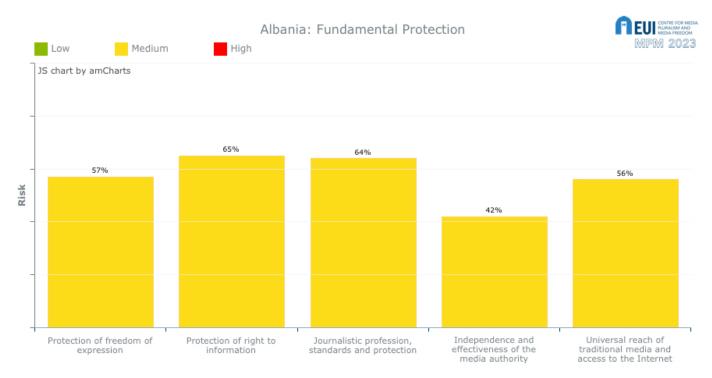


The assessment of the media pluralism in the digital environment in Albania in 2023 is ranked as high risk on all indicators. Three areas are scored with a higher risk in the digital sphere compared to all media, while the area of Fundamental Protection had the same score in the digital environment and all media. With regard to digital media in Albania the area of Fundamental Protection registered the lowest risk score at 57%, the same as for all media. The area of Political Independence had the biggest difference between digital and all media with 29 percentage points, followed by Social Inclusiveness with 14 percentage points. The area of Political Independence online scored at 97%, compared to 68% for all media and Social Inclusiveness scored 84% in the digital environment, compared to 71% for all media in the same area. Market Plurality registered a score of 93% in the digital environment and a score of 85% for all media. The area of Market Plurality in the digital sphere scores as high risk due to a lack regulation on transparency of ownership and lack of data on revenues and market share. This area is rated as high risk also due to a lack of transparency on ad revenues from platforms like Meta and Google and no provisions in the legislation that would restrict a

high degree of cross-ownership between different media. Political control over digital media is also rated as high risk. Although Albania has reportedly hundreds of digital native media outlets, they are often accused of spreading fake news and disinformation on behalf of vested interests. Ranking for the area of Social Inclusiveness in the digital sphere remained high risk in 2022, due to the lack of digital skills in the general populace and the limited efficiency of regulatory and self-regulatory mechanism to report hate speech and discriminatory language, particularly toward marginalized sexual minorities.

3.1. Fundamental Protection (57% - 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.



Albania scored medium risk in the **Fundamental Protection** area (57%). None of the five indicators scored a low or high risk, but the highest risk in this area was registered for the indicator on the Protection of the right to information (65%). Although the legal framework is generally aligned with international standards, its poor implementation translates into arbitrary restrictions on the right to information and freedom of expression.

Article 22 of the Albanian Constitution guarantees freedom of expression and freedom of the press, radio and television and specifically prohibits prior censorship of the means of communication. Albania has ratified without reservation also several international conventions that guarantee freedom of expression. Despite the legal guarantees of freedom of expression, in practice, there are systematic violations of the **Protection of freedom of expression** (57%). In the 2022 Freedom of the Media Index published by Reporters Without Borders (RSF), Albania is ranked 103rd out of 180 countries rated, with a score of 56.41 points (Reporters Without Borders, 2022). Albania lost 20 positions in the index compared to 2021 when it ranked 83 out of 180 countries. The report underlines that the media's editorial independence in Albania is threatened by partisan media regulation, while the physical integrity of journalists is undermined by organized crime, the state's failure to protect them and even by police violence. According to RSF, the Albanian media landscape is dominated by outlets owned by a handful of private companies, which have links to politicians and, at the same time, operate in highly regulated sectors such as construction. While there are hundreds of online media in the country, only a small minority has a sustainable business model with transparent funding. The 2022 Country Report on Albania (European Commission, 2022) writes that the independence of media and the quality of journalism remain hampered by the intersection of business and political interests. Disinformation campaigns are recurrent, especially in online media, while journalists who report on the rule of law, corruption and justice issues face threats, intimidation, and online smear campaigns.

The indicator on the **Protection of right to information** scored as medium risk (65%) in 2022. The right to information in Albania is recognized both by the Constitution (Article 23) and through the Law No. 119/2014 "On the right to information". Most restrictions on the right to information are defined in law; however, some provisions are not clear, especially those related to the access to information of judicial institutions. Based on the Mapping Media Freedom Monitoring Report for 2022, journalists in Albania work in a restrictive climate for accessing information from government sources, and journalists viewed as representing "opposition" news outlets were denied accreditation or barred from asking questions at press conferences (Media Freedom Rapid Response 2023). Denials to access information can be appealed in the Commissioner for the Freedom of Information and Protection of Personal Data and in the Administrative Court, but these mechanisms are time-consuming and not always effective because the decisions of the commissioner are not binding for public officials. The procedures are subject to systematic misuse from the public administration or delays to limit access to information (European Commission, 2022). The new Media and Information Agency (MIA) created in 2021 has tightened control and centralized the information flow further (European Centre for Press and Media Freedom, 2022). Although the protection of whistleblowers is regulated, the law protects only members of private and public sectors reporting within the institution or at the state-run agency, the 'High Inspectorate of Declaration and Audit of Assets and Conflict of Interests' (HIDAACI). The law does not permit public disclosures or disclosures to the media under any circumstance. Despite a number of awareness-raising activities held in 2021, the number of complaints filed remains low.

The indicator **Journalistic profession**, **standards**, and **protection** (64%) scores as medium risk in 2022. Despite the best efforts of journalistic associations in Albania and of the Media Council to improve editorial independence, they are not yet consolidated organizations and have limited resources and competencies. This indicator is also negatively impacted by the poor working conditions for journalists and media workers. According to the National Barometer on the Freedom of Speech (Albanian Helsinki Committee, 2022), 12.5% of journalists report not having a proper labour contract with their employers. At the same time, 21% of the respondents to the survey reported that their salary is not paid in full through their bank accounts but partially in cash, which is a violation of the Labor Code. According to the Country Report on Albania (European Commission, 2022), the lack of enforceable employment contracts continues to remain an issue of concern, especially in local and online media. According to data provided by the Union of Journalists, onequarter of media workers are working without a contract. Reportedly, about 80% of reporters are paid minimum wages, and almost 48% of wages were delayed by 2 to 6 months. According to the Safety of Journalists Platform (Council of Europe, 2023), among the eight alerts registered on Albania, three of them were on physical attacks against journalists in 2022. For the same time period, the Mapping Media Freedom platform has registered at least five physical attacks (three of them resulting in injury) involving 11 journalists or media professionals (European Centre for Press and Media Freedom, 2023). Intimidation of journalists during 2022 was made by high state officials and police officers. The most serious case was the intimidation of A2 CNN journalist Klevin Muka by Prime Minister Edi Rama. Muka was barred from the government press conference and sent for 'reeducation' after asking a pointed question on conflicts of interest to the minister of foreign affairs (SafeJournalists Network, 2022a).

The indicator of the **Independence and effectiveness of the media authority** acquired a score of 42% in 2022, registering the same score as in 2021. This ranking is mainly due to the perception in the local media community that the Audio-visual Media Authority (AMA) is not independent and the appointment of its board members is not free from political influence, as only a simple parliamentary majority is required for their appointment. In February 2022, Parliament filled six vacancies out of the seven members of the audio-visual

regulatory authority board and the independence of some of the new AMA members was questioned due to their political links and affiliations (European Commission, 2022).

The indicator on the **Universal Reach of Traditional Media and Access to the Internet** acquires a score of 56% and ranks as medium risk. In the previous year, this indicator acquired a score of 75% and ranked as high risk. The improvement in the risk of this indicator is due to increased broadband coverage in the country.

Focus on the digital environment

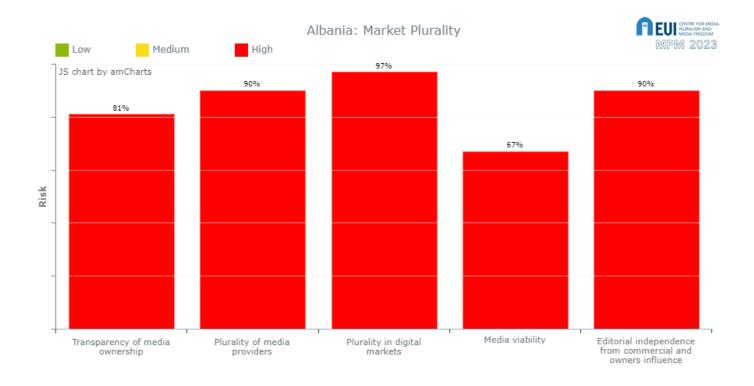
Although online media in Albania is not clearly defined in law and not regulated, case law makes no difference between broadcast, print and media outlets. In the last few years, the Albanian government has made repeated attempts to expand the scope of the Audiovisual Media Law in order to regulate the content of online media outlets. In November 2022, Albania's parliament withdrew from the agenda a series of controversial amendments to the Audiovisual Media Law, which would have empowered the Audio Visual Media Authority to review the content published by online media, with the power to sanction heavy fines. The bill was contested by local and international media watchdogs groups. The Venice Commission (2020) had warned that if passed it could have had a chilling effect on media freedom. During 2022, the Albanian government refrained from blocking, filtering or monitoring the internet in an arbitrary manner. No data was published on possible illegal content filtered or blocked by the government institutions. However, internet platforms like Facebook occasionally filtered content verified by independent fact-checkers as fake news and disinformation. According to the database held by the European Centre of Press and Media Freedom (2023) there have been three cases of online harassment against journalists in 2022 in Albania. These included threats and intimidation against media workers from a deputy police commissioner in the city of Elbasan and a data breach suffered by a journalist from the BIRN network, which appeared to be linked with his reporting. There were no reported cases of online harassment against women journalists during the 2022 registered in Albania. However, previous reports have warned that women journalists are very hesitant to come forward.

The law in Albania establishes data retention obligations for Electronic Telecommunications Operators and Internet Service Providers which do not comply with the European Convention for Human Rights. National legislation in Albania does not ensure a right balance between data protection and freedom of expression with regard to journalistic activities. According to the European Commission (2022) annual country report, Albania Legislation on protection of personal data still needs to be further aligned with the EU General Data Protection Regulation (GDPR) and the related "law enforcement" directive 2016/680. A draft law aiming to achieve this alignment has been submitted to public consultations, but hasn't been voted in the parliament.

More than 96.5% of Albanian households had access to the internet in 2022, compared with 88.3% in the previous year. It is estimated that 90.3% or 665,362 households have fixed broadband internet access (optic fiber or cable network, ADSL, etc.), this indicator has shown an increase by around 12 percentage points. 99.2% of households have internet through mobile broadband connection (3G / 4G, tablet, etc.) compared with 99.1% in 2021 (INSTAT, 2023).

3.2. Market Plurality (85% - high risk)

The Market Plurality area considers the economic dimension of media pluralism, assessing the risks deriving from insufficient transparency in media ownership, the concentration of the market in terms of both production and distribution, the sustainability of media content production, and the influence of commercial interests and ownership on editorial content. The actors included in the assessment are media content providers, with indicators including Transparency of media ownership, Plurality of media providers, Media viability, Editorial independence from commercial and ownership influence, and digital intermediaries (with the indicator on Plurality in digital markets).



In 2022, the indicators in the area of **Market Plurality** ranked as high risk with a score of 85%, almost the same risk level that was registered the previous year. All the indicators of this area score as a high risk in 2022, with particularly extremely high risk is evaluated the indicator on Plurality of digital markets (97%). The digital market in Albania is not 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 overall media market.

The indicator of **Transparency of media ownership** registered a score of 81%, ranking as high risk and registering no change in comparison to the two last years. 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. New amendments proposed on the Law on Audiovisual Media have been proposed and consulted during 2022, in order to align it with the provisions of the Directives 2010/13/EU and 2018/1972 of the European Parliament and of the Council, aim to increase transparency of media ownership, especially in regards to the beneficial owners. On the other hand, 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. As a result, transparency of media ownership continues to be one of the main repeated recommendations of European Commission (2022) and of the partner organizations of the Council of Europe's Platform on Safety of Journalists (European Centre for

Press and Media Freedom, 2022) towards the Albanian government.

The indicator on the **Plurality of media providers** is ranked as high risk and registered in 2022 a score of 90%. This indicator has registered no improvement compared to 2021. Although the Audiovisual Media Law does contain concepts on the limitation of the owner's shares / voting rights in respect of a second media company, for print and online media there is no legislation containing specific thresholds and/or other limitations. Regarding audiovisual media restrictions are imposed on the percentage of the total capital (20%) in a second company holding a national license, while for analogue audio broadcasting media, the maximum amount of participation in a third media with a national license is limited to 10% of that media company's capital. The audio-visual media law also provides for a restriction of a commercial nature, which concerns the prohibition of occupying a share of more than 30% of the advertising market by a company that holds a national audio or audio-visual broadcasting license (RSF, BIRN Albania, 2018). The Audiovisual Media Authority in Albania and the Competition Authority do not provide any data on market share of media. The audiovisual media law does not have any provisions regarding the publication of info on the market. However, data analyzed by BIRN Albania based on the financial statements of 2021 show that the Top4 audiovisual media control 77% of the market, and two of them control 63.3% of the market, respectively TV Klan with 35.6% and Top Channel with 27.7% (Erebara, 2022b).

The indicator **Plurality in digital markets** is ranked as high risk with a score of 97%. There is generally no data on the concentration of the market share of online advertising in the new ecosystem of media, including platforms, traditional media with a presence online or digital native media. Data is not accessible also on the audience share of the main players in the digital market. A high degree of ownership concentration in the digital media market or the digital advertising market cannot be prevented through the enforcement of competition rule, because the Competition Authority in a 2017 ruling held 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. The ruling is understood to apply also to digital media. In Albania there is no specific legal framework regulating the digital advertising market. In Albania there are no measures to promote publishers' remuneration by the digital platforms and the fiscal system in Albania has not introduced or scheduled some form of taxation of digital services during 2022. Digital platforms and intermediaries, like search engines and social media netwroks remain unregulated in Albanian and unregistered with the tax authorities, although in the last few years they have come to account for a sizable share of the online advertising market.

The indicator of **Media viability** acquired a score of 67% in 2022 and is ranked as high risk. For the assessment of this indicator there is generally no data available for broadcast and print media, because Albania's business register makes company fiscal data for 2022 available only in August of the following year. In Albania there are no industry associations that collect and publish data on the audiovisual media market. Due to the lack of data it is impossible to assess whether the revenues in the media sector have increased or decreased in 2022. According to interviews with key informants the market was stagnating in 2022, with no major changes recorded in terms of the number of employed journalists and media professionals nor the level of salaries. Some local media outlets in Albania have made strides towards innovation in the last three years through the use of Engaged Citizen Reporting and new forms of monetization, to increase resilience, stability and revenues. The latest available data from 2021, show an increase of 30% of revenue compared with the previous year in the audio-visual market, due to a boost from campaign advertising from the parliamentary elections held the same year. It is assumed that in 2022, there should have been an adjustment in revenue and a decline compared with the electoral year.

The indicator on Editorial independence from commercial and owners influence 90% in 2022 and is rated high risk. According to the Freedom of the Media Index (Reporter Without Borders 2022), during the last year high-profile business groups in Albania have increased their economic penetration in the media market, while media organizations and activists have continued to raise concerns about the use of media channels to promote owners' political agendas and economic interests, including tax evading practices. According to the partners of the Council of Europe's Platform on Safety of Journalists (2022), which issued a statement at the end of a fact-finding mission in November 2022, journalism in Albania is under threat due to the capture of significant parts of the media environment by vested business interests. Also, both latest country reports issued by the European Commission (2022) and United States Department of State (2023) identify the economic interests of media owners as main threats toward media independence in Albania. The US State Department notes that most media outlets in Albania are owned by prominent businesspersons with sprawling interests who use their media outlets to advance their interests including by gaining favor and promoting their interests with political parties. In Albania there are no social protections schemes in cases when media changes ownership or editorial line. There are no regulatory or self-regulatory safeguards in place, which seek to ensure that decision regarding appointment and dismissals of editors in chief are not influenced by commercial interests. Although the Journalist Code of Ethic stipulates that the media should avoid any conflict of interests due to financial interests; few media outlets respect and endorse it. The Code of Ethics also stipulates that editorial content should be clearly distinguished from advertising; however, in practice hidden advertising and product placements are widespread. Advertorials and hidden advertisement are published in the online media, print and television channels.

Focus on the digital environment

Market Plurality registered a score of 93.5% in the digital environment and a score of 85% for all media. The indicator ranked as high risk in the digital environment.

There is no legislation on digital native news media in Albania, nor any specific requirements on the disclosure of their ownership structure in a dedicated and easily accessible register or database. The only requirements are those similar with any other business in the country, which still make it difficult to identify the companies and owners, particularly when they are part of media conglomerates (European Commission, 2022). The only obligation for digital news media is to identify the owner with the Postal and Telecommunication Authority if they register a .al domain, which can be done by any individual or a commercial/nonprofit entity (BIRN Albania, 2020).

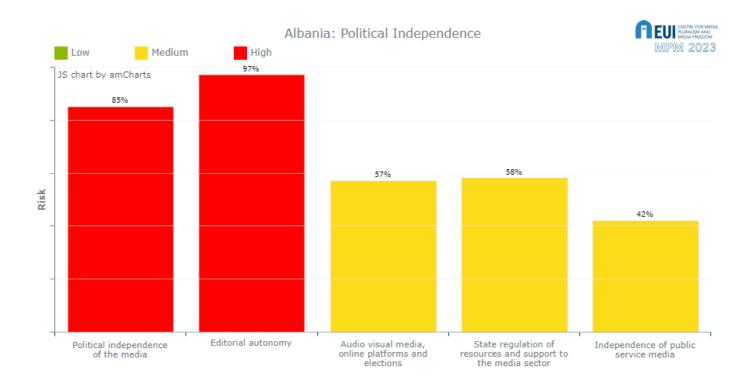
Data on digital media revenue in Albania for 2022 are not available, because Albania's business register makes company fiscal data for 2022 available only in August of the following year. Due to the lack of data it is impossible to assess whether the revenues in the digital media sector have increased or decreased in 2022. In Albania there are no reported initiatives to develop new sources of revenue for the digital media, such as subscriptions or Google ads. In Albania there are no regulatory safeguards to prevent a high degree of concentration in the media sector that apply to digital media. As for other types of media, there is no data on the concentration of ownership or audience in online media. There are also no provisions in the Albanian laws to prevent high degree of cross-ownership between the different media (RSF, BIRN Albania, 2018).

The online media market in Albania is made by a plurality of hundreds of digital native outlets; however, there is no data available on market share and revenues. Most outlets are small and often copy paste content from the online pages of legacy media. A sizable amount of ad revenue in the

digital market goes to Google and Meta.	However	there is	no data	how bi	a their	share is	s also
because they are not regulated or registered				11000 01	guion	onaro k	, aloo,

3.3. Political Independence (68% - 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 **Political Independence** area overall scored a high risk of 68%, and the highest risks within this area were related to the indicators of Editorial autonomy and Political independence of the media. The area score in 2022 decreased by one percentage point compared to 2021, when it scored overall 69%.

The indicator on the **Political independence of the media** is ranked as high risk with a score of 85%. This indicator received in 2022 the same score as in the previous year. In Albania there are no strong regulatory safeguards that make government office incompatible with media ownership or prohibit media proprietors from holding government office. Direct control of audiovisual media outlets from politicians is reported in some cases, which contributes to the high risk rating of this indicator. However, even when politicians do not control outlets directly they still exert influence behind the scene. According to international media watchdog media owners in Albania, many of whom have cross ownership in key state-regulated industries reliant on public tenders, systematically use their media assets to serve their own private or political agendas rather than the public interest. According to Freedom of the Press Index the most influential Albanian private media are owned by a handful of companies which have links to politicians and at the same time operate in highly regulated sectors such as construction (Reporters Without Borders, 2022).

The worst ranked indicator in this area is **Editorial autonomy** with a score of 97%. This indicator is deemed as high risk because in Albania there are no regulatory safeguards in the Audio Visual Media Law regarding the appointment of the editor in chief, while print and online media are not regulated. In practice the appointments and dismissals of editors-in-chief are not independent from political influence. In 2022, the dismissal of Sokol Balla, the managing editor of Top Channel television, was considered as politically

motivated. This was due to a conflict between the owners of Top Channel and Prime Minister Edi Rama, who publicly accused the television station of blackmail (Erebara, 2022c). The Journalists Ethics Code (Albanian Media Institute 2018) stipulates independence from political interference, but it is not adopted from most of the media 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 (Safe-Journalists Network, 2022b). In 2022 the alliance listed a total of 32 members, in television, print and online (European Centre for Press and Media Freedom, 2022). Editorial content in the news media is not considered free from political influence. Although politicians do not always have direct control of media in Albania they still exert indirect control of its editorial policy and the content journalists publish or broadcast. Media owners in Albania use outlets to push their political and economic agenda, often changing the editorial stance to fit the narratives of the ruling party, opposition politicians or vested corporate interests. According to the 2022 Report on Human Rights Practices in Albania, political pressure, corruption, and lack of funding constrained independent media, and journalists reportedly practiced self-censorship (United States Department of State, 2023).

The indicator on Audio visual media, online platforms and elections ranks as medium risk and registered a score of 57% in 2022. This is the same score to 2021, due to the fact that Albania held byelections in only six municipalities in 2022 and the risk rating of this indicator reflects the bias shown by the public broadcaster and main commercial TV stations in Albania during the 2021 parliamentary elections. Data analyzed by BIRN on airtime dedicated to political actors in the main PSM channels and private TV stations during the election campaign, shows that its lion share was dedicated to Albania Prime Minister and his cabinet, as well as to the two major political parties in the country, the ruling Socialist Party and the center-right opposition Democratic Party. Small parties registered less than 5% of the overall coverage in the PSM (Likmeta, 2021). Also, as per past elections, most of the TV stations officially put on sale their editorial content / political talk shows to the political actors. At the same time, the central government, the Municipality of Tirana, and political parties, including the opposition, have institutionalized the practice of prerecording or preparing ready-made material that are then broadcasted and published by the media without input by journalists, editorial check, or framing (SafeJournalists Network, 2022b). There are cases of journalists being refused the right to report from events during the election period and the International Election Observation Mission reported that journalists remained vulnerable to pressure and corruption (OSCE/ODHIR, 2021).

The indicator of **State regulation of resources and support to the media sector** ranks as medium risk with a score of 58%. This indicator has registered no change in percentage since 2021. This ranking is many due to the lack of regulation to ensure a fair distribution of state advertising among media outlets. State advertisements are not distributed fairly among the media and there is no mechanism in place to guarantee that state advertisements are based on audience share. The state advertising procurement rules are rather simplistic and leave plenty of room for abuse, especially since the procedure allows for advertising contracts to be awarded to advertising agencies, which can then outsource the contract without being obliged to respect any specific criteria (RSF, BIRN Albania, 2018). There is no body mandated with monitoring this process of distributing state ads. Another problem regarding advertisements is that they are often commissioned in the context of various projects implemented by central or local government authorities that are not subject to any procurement rules. Such institutions can channel money to media outlets directly or indirectly through advertising agencies or other third parties. These transfers are particularly problematic, as they take on the role of subsidies in an environment where no clear rules exist on the distribution of state advertisements. The latest country report of the European Commission (2022) on Albania states that Tirana must ensure that requirements on public advertising are aligned to international

standards.

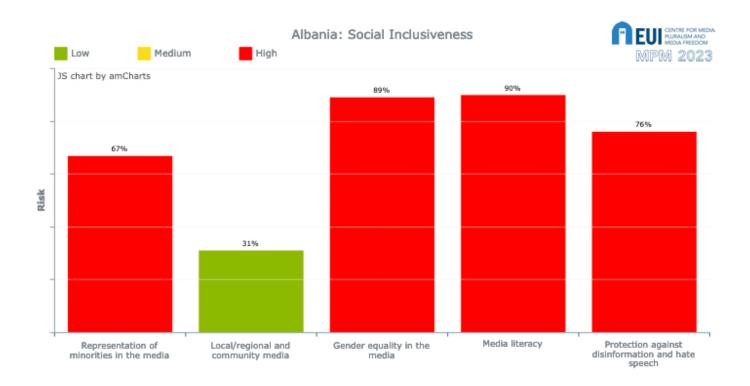
The indicator on Independence of public service media ranked as medium risk with a score of 42%, which was the best score registered in the area of Political Independence. This indicator registered an improvement due to methodological changes. Although the law provides fair and transparent appointment and dismissal procedures for the management of the PSM, there have been some occasions of political interference in the procedure. In March 2022, Parliament formally launched the process to fill two vacancies on the steering board of the public broadcaster, which is composed of 11 members. The vacancies have yet to be filled. During a commission hearing held in March 2022, opposition and ruling majority MP-s discussed openly the appointment of politically affiliated members to the board, raising concerns for the political independence of the PSM. The board appoints the director of the PSM but also in theory can influence the appointment of editors. Albania's public broadcaster remains underfunded, which raises concern that it is susceptible to political influence (Gjoka, 2022). Civil society report emphasizes that the most common form of political pressure toward PSM is indirect, with the ruling party being favored as its Steering Council is elected by the votes of the majority in Parliament (European Centre for Press and Media Freedom, 2022), while some of the new members of the board of Albania's public broadcaster are considered by local actors to have a clear political affiliation (Erebara, 2021). The current director of the PSM is considered close to the ruling Socialist Party, while the previous director of PSM used to be editor in chief of the ruling Socialist Party newspaper, as well as a chief of the department of communications of the previous socialist government.

Focus on the digital environment

The area of Political Independence in the digital environment acquired a score of 97% in 2022, a difference of 28 percentage points compared to the score of 69% for all media. The presence of political control over digital native media is ranked as high risk. In Albania there are an estimated 900 digital native media outlets, raising concerns over the spread of false news stories that allegedly benefited specific financial, political, and criminal interests (United States Department of State, 2023). According to the European Commission report on Albania for 2022, digital media are under strong influence by political actors, businesses and by third parties in terms of funding and content. However, the ownership of digital native news media is often opaque.

3.4. Social Inclusiveness (71% - high 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 disinformation and hate speech.



The area of Social inclusiveness is associated with a medium risk in 2022, registering an eight percentage point increase compared with the previous year, from 64% to 71%. This area includes the only indicator in the MPM2023 for Albania that ranks as low risk: Local/regional and community media. This indicator was the sole low risk indicator also the previous year for Albania.

The indicator on Representation of minorities in the media acquires a score of 67% this year, four percentage points worse than in 2021. The law guarantees access to airtime on PSM to legally recognized minorities and most of the minorities have limited access to airtime and coverage, with some exceptions.". Starting from 2018, there is a 5-minutes daily news edition in seven of the languages in the second PSM channel. The two minorities excluded are Egyptians, which are a cultural minority but speak Albanian, and Bosnians. The news editions in Serbian and Bulgarian were added in 2020. Despite the news editions, the second PSM channel covers topics related to the major minorities in its TV programs. However, the sustainability of this project is threatened by PSM's lack of financial and human resources and journalists from minority groups. Minority rights activists complain that apart from limited time allocated, the news editions are just a translation of the regular news in minorities' languages, but do not reflect specific concerns or events related to each group. For example, the latest National Action Plan for Equality, Inclusion and Participation of Roma and Egyptians foresees specific indicators in such regards, one of which is the responsibility of PSM to produce at least 5 TV programs and documentaries by 2025 that promote Romani and Egyptian culture in the public media outlets, in comparison with zero (0) registered in 2020 (Ministry of Health and Social Protection, 2021). At the same time, two of the regional TV stations of the public broadcaster also produce programs in the languages of the minority that is dominant in the area, mainly on a weekly basis: Macedonian and Roma for RTV Korça and Greek and Aromanian for RTV Gjirokastra. Most legally recognised minorities have little access to airtime on private TV and radio. There is no program in minorities' languages or run / dedicated to a specific minority in the two largest commercial TV stations and radios of the country.

The indicator on **Gender equality in the media** is ranked as high risk and registered a score of 89% in 2022. This indicator has improved with one percentage point compared to the previous year. This indicator ranks poorly for a number of reasons. The public broadcaster, which should ideally lead the way in terms of inclusion, does not have any gender equality policy. In the statute of PSM there are no provisions regarding dender equality in decision-making bodies. In 2022, only 20% of the PSM management board were women, while the share of women among the executives of the PSM is zero. The share of women among members of management boards of private TV companies in Albania is 17%; however, both CEO/administrators of Top Channel and TV Klan - the country's two leading broadcasters, are women. In contrast there are no women among the editor in chiefs of the most important audiovisual, radio, newspapers and digital native media. Media monitoring data in the last years have shown that women are less represented in both audiovisual and print media. Data from the media monitoring of the 2021 parliamentary elections showed that men accounted for 80.8% of the airtime while women for only 19.2%, although 39.8% of the MP candidates running in the election were women (Likmeta, 2021). A 2022 BIRN analysis show that on the six most prominent prime-time political talk shows on Albanian television, only 15% of the guests were women (Bezati, 2022). In terms of content of online articles between January 2020 and April 2022, the same analysis found 320 concerning cases of sexual abuse in which the victim is identified, the family are identified, the home address is revealed or other personal information is printed. The new draft Broadcasting Code that is being consulted by AMA aims to address some of these topics, especially regarding the programming content of audiovisual media.

The indicator on **Media Literacy** was ranked as high risk with a score 90%. This indicator has registered a steep decline compared to 2021, when it registered a score of 67%. Media literacy activities are limited both in formal and non-formal education. As mentioned by the 2022 Vibrant Information Barometer (IREX, 2022), the Albanian government shows little interest in promoting media and information literacy, with main activities being provided by civil society projects, but with a limited number of beneficiaries. Albania is ranked in the 33rd place among 35 European countries in the latest report of media literacy index, leaving behind only Bosnia and Herzegovina and North Macedonia (Open Society Institute, 2021). Also, trust in the media has continuously deteriorated in the last years in Albania, with only 47% of citizens trusting them in 2022 (Regional Cooperation Council, 2022).

The indicator **Local/regional and community media** got a score of 31%, within the low risk range in 2022. The score of this indicator was the same as in 2021. The Audiovisual Media Law in Albania grants regional or local media access to TV/Radio infrastructures and frequencies after the compilation of digitalization process from analog to numeric broadcasting. There are no subsidies granted for local media in Albania. Although the public broadcaster is not obliged by law to keep its own local/regional correspondents or branches, its statute stipulates that PSM should keep four regional programs / branches, without specifying which ones. The PSM has four local broadcasters, RTSH Kukesi, RTSH Shkodra, RTSH Gjirokastra and RTSH Korca, which run daily programs. There are currently four community radio stations in Albania linked with religious organizations: Radio Spektrum - The Muslim Community; Radio Dodona - Bektashi Order; Radio Maria - Radio Maria Foundation and Radio Ngjallja - The Autocephalous Orthodox Church of Albania. There is no reported evidence of violations of their independence.

The indicator on Protection against disinformation and hate speech ranked as high risk with a score of

76% in 2022. This indicator has registered an increase of five percentage point compared to 2021. The reason why this indicator is ranked as high risks sits with the fact that Albania has not in place an efficient strategy to tackle disinformation. The legal framework has no specific regulation for disinformation in Albania, nor direct use of this term or a legal definition of what constitutes disinformation. However, the Criminal Code regulates the dissemination of false information with the aim of causing panic (Article 267) or to intentionally hinder the efficacy of emergency units (Article 271), while Code of Ethics includes general provisions on accuracy of information and fact-based reporting, which can be considered to partially offer guidance in this respect (Albanian Media Institute, 2018). There are some independent fact-checking initiatives with high ethical and professional standards conducted against disinformation, but their impact is limited due to limited funds and human resources. Although there are continuous public statements or references to fake news and disinformation, there have been no specific centralized initiatives related to the regulation of disinformation. In contrast, the latest amendments of the Law '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. Despite the regulatory framework and the fact that the latest civil society reports emphasize the large proportion of people reporting cases of hate speech in television programs (mainly political talk shows), the number of complaints filed against hate speech to the Council of Complaints at the Audiovisual Media Authority and to the Commissioner for Protection from Discrimination remains very low.

Focus on the digital environment

Albania has also the lowest percentage of population (23.80%) that has basic or above basic overall digital skills among 36 European countries (Eurostat, 2021). Protection against disinformation and hate speech is weak and remains limited. The latest country report emphasizes that disinformation including smear campaigns are recurrent, especially in online media whose selfregulation needs to be ensured (European Commission, 2022). Although there are existing regulatory and self-regulatory mechanisms to report online hate speech cases, their efficiency is limited. Hate speech and discriminatory language in the media, especially online, against members of the trans-community remain a problem.

4. Conclusions

Fundamental Protection

- 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. Albanian authorities should do more to investigate cases of
 physical attacks against journalists. The media community and journalists associations should do more
 to counter smear campaigns against journalists, both online and offline, often emanating from the
 highest echelons of power.
- More efforts should be made to ensure the proper implementation of the Freedom of Information legislation. At the same time, the Commissioner on the Right to Information and Data Protection should sanction public officials that repeatedly deny or limit access to data and documents in an arbitrary way.
- More efforts should be made to raise journalistic standards and guarantee editorial independence. Professional associations and the media council should strengthen their advocacy for editorial independence and respect for professional standards.
- Political leaders should avoid inflammatory language and attacks against media and journalists.

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 or professional
 associations should play a role in collecting and disseminating audience data on audiovisual
 media outlets and on the advertising market. Civil society organizations, donors and experts should
 make an effort to update databases and mechanism on media pluralsim, like the Media Ownership
 Monitor, MOM.
- Regulatory bodies and self-regulatory mechanism should do more to restrict media owner and commercial entities influence on editorial content. The Competion Authority should review cases of vertical concentration in the media market.

Political Independence

- Efforts should be made to strengthen editorial autonomy, by ensuring that the appointment and dismissal of editors in chief is not politically influenced.
- 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.
- Stronger regulatory safeguards should be put in place in place that make government office incompatible with media ownership.

• Politicians should avoid the institutionalized practice of pre-recording or preparing ready-made material that are then broadcasted and published by the media without input by journalists, during or inbetween elections campaigns.

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. Media Literacy classes in pre-university education should be made mandatory for pupils.
- More funding should be made available to fight disinformation and hate speech, by strengthening fact-checking initiatives and monitoring of the dissemination of homegrown and foreign disinformation narratives in the media
- Regulatory and self-regulatory mechanism to fight hate speech and discriminatory language in the digital sphere should be strengthened on broadened, particularly to counter hate speech against marginalized groups and sexual minorities.

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ANNEXE I. COUNTRY TEAM

First name	Last name	Position	Institution	MPM2023 CT Leader
Kristina	Voko	Executive Director	Balkan Investigative Reporting Network Albania	Х
Besar	Likmeta	Editor in Chief and Researcher		

ANNEXE II. GROUP OF EXPERTS

The Group of Experts is composed of specialists with a substantial knowledge and experience in the field of media. The role of the Group of Experts was to review especially sensitive/subjective evaluations drafted by the Country Team in order to maximize the objectivity of the replies given, ensuring the accuracy of the final results.

First name	Last name	Position	Institution
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
Blerjana	Bino	Researcher on Albania	Safe Journalists
Nolian	Lole	Editor-in-chief	Albanian Public Broadcaster
Glorian	Tusha	Expert in the Legal and Integration Department	Electronic and Postal Communications Authority

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