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*Interview by Head of the OSCE Presence in Albania*

## **Vacek: Draft law on digital TV, ‘de facto’ monopoly**

*By Lindita Çela*

*TIRANA – The OSCE Ambassador to Tirana, Pavel Vacek, says that the draft law on digital TV constitutes a monopoly for just one broadcaster. Vacek said in an interview with Shekulli that the OSCE experts had prepared an acceptable draft at the end of December 2004, but this draft was changes late in April. “The conclusion why this happened is up to the Albanian public,” Vacek says, adding that the Assembly has been widely informed of the international opinion and is facing a clear choice.*

***Q: The Albanian Assembly is preparing to approve of the draft law on digital broadcasting in Albania at its last plenary session. What do you think of this decision? Do you think that such laws should be approved during electoral campaigns, also taking into consideration the fact that there is only one interested party?***

**A:** The draft law approved by the Media Committee of the Assembly in April represents a departure from the draft prepared with the assistance of international experts (OSCE, Council of Europe) in December 2004. The OSCE Presence and the OSCE Representative on Freedom of the Media, together with the missions of the Council of Europe and the European Commission, and the European Radiocommunications Office made their comments on the draft, which we have not considered good and shared them with the Speaker of the Assembly and the chairpersons of the party groups on 13 May. I also spoke of the issue with Speaker Pëllumbi on 16 May. Thus, the Assembly has been widely informed of the international opinion and is facing a clear choice.

I also emphasise that we never intended to cause a delay in the legislative process, which still can be completed. We prepared a good expert draft within two weeks already in December 2004. We did so upon request of the Media Committee and the NCRT – however, the expert draft was suddenly altered only in late April. The conclusion why this happened is up to the Albanian public.

***Q: Do you think that the draft law that will be voted upon by the Assembly guarantees free competition of the operators in the market, or rather it allows for monopoly in this field?***

**A:** The principal concern reflected also in our comments on the draft law we have made with other international organizations, is that the amended draft law, if passed unchanged, would constitute a de facto monopoly for one broadcaster. The Assembly has been made well aware of that concern in our comments.

**Q:** *You have been asked to provide your expertise on this law. What has been your stand, and was it taken into consideration by the lawmakers?*

**A:** The expertise of international organizations was primarily reflected in the initial draft of December 2004. The comments on the amended draft law we presented to the Assembly on 13 May only reacted to the amended draft of April which has altered the key features of the expert draft.