

## HEAD OF PRESENCE'S INTERVIEW WITH *VOICE OF AMERICA* ON MEDIA ISSUES

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**VoA:** Mr. Ambassador, in Albania, one of the problematic fields are also the media, with all their problems. The OSCE has followed step by step the media, their freedom and reports each year in Vienna on this. I would like to have a general opinion by the OSCE on media in Albania.

**Ambassador Borchardt:** That is a multi-faceted picture. Our sources are of course, primary, observing media; and, secondary, what other good sources say about the media.

My own primary impression with my limited Albanian is mainly based on the news channels, on the pictures that I see, and on what I read on the news channels. There I realise that the media scene is very much split. It is difficult to get unbiased information. When I want to get a round picture, I have to go to different channels and read different news. Or look at the reporting about the demonstrations. Those who are friendly for one side put the cameras in a position that you can see a crowd of people. Those who are friendly of the other side have a drone and show that there are very few people. This is not balanced within the channels, it is biased.

Another aspect of deterioration is that quite some reporting is based on what politics produces – on Facebook, prefabricated tapes, etc., – instead of own investigations.

The secondary sources, of course Reporters Sans Frontières is the main international judge on media. Albania had been pretty good, place 62, but that's 13 years ago. Until 2013 we saw a bad deterioration, from 62 down to 102. After 2013, it went up again until last year, and now it starts deteriorating again. So we saw an improvement and then it was getting worse.

So what are the problems now? Where do we see the main problems?

There is the issue of self-censorship. Many journalists tell us that they feel that they are under pressure from the owners of the media, that there is interference from the side of the owners. Often they do not have proper contracts, payment is irregular, precarious situation. I know that the Assembly committee on media is getting into this matter, and it is not rocket science to solve that. It's application of the Labour Code. It's not reinvention of the wheel. Parliament should press for that.

In general, this triangle of media, politics and business seems quite problematic. Business interests, of course, want to be protected. That has an effect on the quality of the media.

Limitation of ownership was abolished by the Constitutional Court, but that does not hinder the parliament to find an acceptable way of limiting that again.

Then there is the issue of violence. In neighbouring countries it is much more prominent, but it happens here as well and is very bad. We had some attacks on journalists which were threatening.

The third aspect are the verbal attacks on the media, which I find excessive. On the other hand, I see the anger which is standing behind it, and this anger comes from defamation, fake news and slander. We know what we are talking about; we were object of defamation and slander as well. The way out is very narrow, because you are moving between two human rights: the human right of free speech and the human right to have your dignity protected. The government has prepared a draft law, and we are very happy that this draft law is being consulted with our experts. If the final product is according to the best international standards, this would be great. Albania will be the Chairman-in-Office of the OSCE next year, and can thus develop an example on how to deal properly, how to find the proper balance between free speech, freedom of media and protection of human dignity. And I hope that this is going to work. Some recommendations that we will certainly make is decriminalization of defamation. This is an issue of the civil code, not of the criminal code, from our point of view. Another one is to limit the use of prefabricated tapes, particularly during elections. At the very least they have to be clearly identifiable that this is a party product and not a journalistic product.

So, in general, we see the media in a situation of deteriorating political climate, which has an effect on the whole situation. We see a deterioration of the situation not only in the media field. I quoted the rating for Albania of the Reporters Sans Frontières. The same is the deterioration on the Transparency International ratings on corruption. After 2013, things got much better. Now they are worse again, not yet as bad as 2013, but worse. We saw an improvement of the investment climate, quite substantially. And also that is getting worse again. So, I think this has a lot to do with the negative political climate.

**VoA: We talked about the triangle business, media and politics. The issue of media ownership is drawn a lot of attention recently, because of the numerous claims about dark financing of media, also based on surveys and studies. The advertising market is about 40 million euro per year, but the media generate much more money than that. This has increased the doubts – starting from government officials such as the Prime Minister and the former Interior Minister – and there are also claims that the media is financed by the organized crime, or that some media owners use their media for blackmailing or in order to increase their incomes in other companies. Do you have an opinion on this?**

**Ambassador Borchardt:** You have mentioned two different problems. One is a crime problem and that is an issue for the police, the prosecution and the courts to deal with that. This is not as such a media problem, this is a crime problem. The other issue, I have mentioned already: the concentration of power in the media field. Your Constitutional Court abolished the law which limited ownership, but that should not hinder the parliament to search for other ways to ensure plurality in the media field. We are willing to work with the Assembly committee on these issues, as we work on the law on defamation.

**Ends**