



Organization for Security and  
Co-operation in Europe  
**Presence in Albania**

#### **4th Annual Media Development Forum**

*Tirana, 21 November 2018*

Dear Milva,

Dear Albania,

Dear Luigi,

Dear guests and friends.

The OSCE Presence has been involved in the development of media in Albania since 21 years ago. We actively supported, among others:

- media self-regulation as alternative to government media regulation;
- the raising of the level of professionalism of journalists, including through training;
- the process of switching over from analogue to digital TV broadcast;
- the financial and political independence of the public broadcaster;
- the reform of the criminal law regarding defamation and slander;
- and online media development and regulations.

Also, over these 21 years, we have constantly followed and raised our voice when we saw that media freedom or freedom of expression or the safety of journalists have been endangered, be it from threats against journalists, or even by physical attacks, or when there were legislative initiatives going as far as preferential government advertising.

In sum, our Presence stands for media freedom and media development, as all Albanian journalists, local and international partners know.

Media freedom has progressed over the last decade, but there still a lot to be done. Albania has to fully decriminalize defamation. This is also a recommendation raised by us and ODIHR in the context of the electoral reform. While prison time is no longer foreseen in the criminal Code, journalists face fines and a criminal conviction if successfully prosecuted.

- Civil Code provisions are more than enough to counter defamation. Indeed, even Civil Code provisions can be a risk and a deterrent against freedom of expression if they are used massively and as a broad attack against journalists.
- The Public Broadcaster has to function free from political control, given its real partner role for the people, for the State itself and also for the commercial sector.
- The regulation of online portals is an issue of the day, including media portals. This has to be carried in full observance of international standards, with due care and attention as not to infringe with media freedom, after broad consultation in a transparent manner and respecting the principle of proportionality. We stand ready to provide support in this endeavour and we very much welcome that Prime Minister Rama yesterday committed the government to this pass during his meeting with the OSCE Representative for Freedom of the Media.

On the other side we encourage professionalism and media responsibility in reporting.

Through ethical conduct and professionalism, media and journalists themselves should do their part in the effort to see media freedom respected. To put it in a nutshell, politicians will not defend your profession; you must do that yourselves.

- Media associations, journalists unions, media owners, should act and promote media self-regulation as alternative to government regulation.
  - An actively observed and upheld Media Ethics Code is better than criminal Code provisions;
  - Let me point out that Wild West freedom is not the same as media freedom, liberty does not equal anarchy; media freedom requires professional standards embodied in principles, rules and regulations. Best practises are that journalists themselves develop media ethics codes and implement them through media self-regulatory organizations.
- If you do not act against copy/paste journalism, if you do not take labour action against employment informality, if you accept editorial control by owners, then you are also responsible for the situations that you are confronted with.
- One cannot hide behind the excuse of media freedom and freedom of expression when spreading slander, defamation and fake news that suits either political or economic interests. The OSCE Presence has been victim itself of this kind of attacks so I know what I am talking about.
- This situation is particularly critical in the area of online media in Albania.
  - There are hundreds of websites that just throw out low quality news through copy/paste invention.
  - Many pieces of information also are highly interpretable can be considered slander, while some pieces of information are simply slander.
  - The ownership of these websites is often very non-transparent. We found one in Columbia. Interesting.
  - The sources of funding of these websites are unclear.
  - The regulation of online media is necessary, but it has to be done as I said earlier proportionally and in accordance to international standards. The jurisprudence of the European Court on Human Rights sets the benchmarks and the guidelines.

Dear guests, distinguished audience,

Let me be clear: Albania is a democracy today. The media and the journalists here do not confront the political control and brutal repression specific of dictatorial or authoritarian regimes. But let us also not hide it: Albania still has a long way to go to devise, approve and systematically uphold best standards in the field of media regulation.

Equally, the Albanian media themselves have not achieved the level of professionalism, ethical conduct and collective self-regulation that is essential for their independence and further development. By independence, I mean both from political forces and from media moguls.

Thus, I am very glad to see that today's forum is addressing real issues of the present day Albanian media. I wish this Forum a fruitful conclusion and I hope that it will provide another impetus for the advancement of the cause of the freedom of the media in Albania.

Thank you for your attention!