LOW PRIORITY FOR ETHICAL ISSUES

Media self-regulation in Albania

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South East European Network
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CONTENTS

EXECUTIVE SUMMARY

Media self-regulation in Albania has been a long and challenging process through the years, and the effectiveness of self-regulation initiatives has not always been satisfactory. While there have been some positive examples and there are still ongoing attempts to develop self-regulation and reflection on professional standards in the media, to this day there is no specific example or mechanism that could be regarded as a success story and serve as a reference for self-regulation.

The current media system, characterised by problems related to the lack of transparency in media ownership and funding, as well as the effects of ownership patterns on editorial content, may not inherently favour a robust and professional media community when it comes to protecting ethical standards. These standards have been further put to the test by new developments, including a boom in online media, pressure from competition between media, and declining concern for professional standards on the part of an increasing number of media outlets, in addition to lower staffing levels in newsrooms.

• Stakeholder consultations and a review of existing research suggest the following main conclusions:

• The existing codes of conduct and guidelines generally provide the necessary basis for ethical conduct.

• Media outlets, with a few exceptions, have not further developed their own codes or mechanisms to guide ethical conduct within their newsrooms.

• The current codes and guidelines do not cover online media in detail, while professional debate on new developments, such as imminent EU regulation or the effect of algorithms or AI, is quite minimal.

• There have been positive attempts with self-regulatory initiatives such as the Alliance for Ethical Media, but questions about their future sustainability and effectiveness persist.

• Co-regulation is encouraged with the latest legal amendments, but its practical implementation remains an open question.

• The need for self-regulation by online media has become more urgent in view of the rules imposed by Facebook and other social networks and this might have a more immediate effect on the content of online media.

• The business interests of media outlets and pressure from the market and competitors are among the key challenges for newsrooms seeking to foster ethical conduct.

• The choice made by some media outlets to adopt a business model that caters to sensationalism, resorting to clickbait, unmoderated user-generated content, anonymity, and other phenomena, is another obstacle to self-regulation in the country.

• Citizens have low trust in the capacity of institutions to engage sufficiently in demanding media accountability through existing self-regulation mechanisms. At the same time, the level of media and information literacy has to be further bolstered in order to intensify positive pressure on media to self-regulate and show more integrity and accountability vis-à-vis the public.

I.
INTRODUCTION

This report focuses on the current situation concerning codes of ethics and self-regulation initiatives in Albania and assesses them against the background of reforms required in view of imminent EU regulation, but also the changing demands of the profession. In so doing the report outlines the main existing documents concerning regulation and self-regulation, along with the mechanisms that are supposed to contribute to the implementation of such professional rules. The report analyses the challenges posed by trends in media development in the country and the way that specific factors and actors affect the success of self-regulation attempts among Albanian media. The analysis is based on existing studies, monitoring reports, and in-depth interviews with representatives of the regulator, self-regulation bodies, the media, and media experts. The research was carried out in March-July 2023.

II.

GENERAL ASSESSMENT: THE BIG PICTURE

The Code of Ethics for Journalists was last updated in 2018 and does not generally cover online media and ensuing dilemmas, even though the basic principles are the same and can largely apply to online media. At the same time, individual media outlets have not drafted their own codes in this respect, at least not in a detailed manner. In a more recent development, in view of the partnership of Facebook with local factcheckers, some newsrooms have been led to establish some rules to comply with the criteria required in terms of posting content, photos, and other images on social media platforms.

A recent instance of progress has been the amendment of the audiovisual media law in 2023 to include a particular article on self-regulation and co-regulation. In this article the regulator urges media outlets to prepare codes of conduct that determine standards and practices, with the aim of guaranteeing respect for human rights and dignity. The provisions also include the requirement of regular monitoring of the objectives set in these codes and ensuring effectiveness of implementation, including efficient and proportional sanctions (Audiovisual Media Authority, 2023a). A similar requirement was included in the licence terms for television and radio stations, which foresaw the mandatory drafting of their own code, a provision that has not been respected in practice. According to the audiovisual regulator, the Audiovisual Media Authority (AMA), this body has a promotional role in this respect and plans to organise roundtables and provide assistance to media outlets on how to draft these codes of conduct (Interview with Kejsi Ziu). However, these changes were just recently approved by parliament and the process of adopting the codes has not started yet; it remains to be seen what will be the main outcomes and reactions.

In addition, in July 2023, amendments to AMA's Broadcasting Code were approved (Audiovisual Media Authority, 2023). This Code serves as a guideline for ethical principles that audiovisual media should respect in their activity. It is also used as a basis for citizens to file complaints with AMA's Council of Complaints, which can also impose sanctions on media outlets. The main amendments to the Code focused on expanding the categories of sensitive content or vulnerable people, rather than reflecting any technological changes.

The main problem in the Albanian media landscape has not been a lack of legislation, policies, or codes of conduct, but rather the voluntary adherence of media to self-regulation practices and their willingness to build a self-regulation mechanism and abide by these rules.

These amendments included new principles and rules for the promotion of gender equality, prevention of gender discrimination and combating sexism in audiovisual media. They also touched upon prevention of hate speech and incitement of radicalism and violent extremism. Access to audiovisual media and the protection of the rights of persons with disabilities was another addition, and the section on children and minors was revised and updated with further criteria and requirement for child protection policies.

However, the main problem in the Albanian media landscape has not been a lack of legislation, policies, or codes of conduct, but rather the voluntary adherence of media to self-regulation practices and their willingness to build a self-regulation mechanism and abide by these rules. There have been several initiatives to draft general codes of conduct, as well as more specific thematic ones, for example on elections, gender reporting, investigative journalism, coverage of minors, etc. However, even though the main media outlets participated in the consultation phase of drafting the general codes and in discussing their implementation, at the end such self-regulation mechanisms have not materialised and the implementation of the Code has been left to the readiness and professional integrity of individual reporters and editors.

The most recent attempt on self-regulation which seems to have made some progress dates to 2020, when the Alliance for Ethical Media was founded. More than 30 online media have become members of this initiative, which was founded and facilitated by the Albanian Media Council. The Council "is an independent organisation of journalists, registered as a legal NGO aiming at a more ethical, professional and independent media" (Albanian Media Council, n. d.). This progress remains fragile, though, and there are doubts on its sustainability. At the same time, according to the chair of the Albanian Media Council, the expectations for this organisation are often unreasonable: "They expect from a simple association of media outlets and journalists to solve all the problems of transition of Albanian media and succeed where the judiciary or other more powerful actors have not succeeded" (Interview with Koloreto Cukali).

In fact, there is a multitude of factors affecting the chances for success of self-regulation efforts. Awareness of professional principles and the integrity to commit to them are, to a large extent, individual choices of journalists, influenced by overall professional culture in media and journalism in the country. However, the systemic problems of the Albanian media sector, and the influence of global developments concerning online media, certainly go beyond the professionalism and integrity of journalists and editors.

There is a lack of tradition in this respect and no point of reference fpr particular media or processes. "There is no consolidated tradition that online media can look to in order to solve their ethical dilemmas if they have this concern, since we have failed to build a professional tradition of self-monitoring and self-regulation, both in traditional and in new media", said journalist and media expert Lutfi Dervishi.

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The pressure from competition – fighting for the scarce attention of the public and for funding – has led to a fierce struggle between online media. Their content is often of dubious professional and ethical quality, catering to commercialism rather than upholding professional principles. Unfortunately, traditional media, while in a more consolidated position, are hardly immune to such risks.

The pressure to follow a hectic schedule of news and content posting and keep the audience while operating with highly reduced newsroom staff certainly affects the quality and ethics of journalism. In view of poor implementation of copyright principles in this area, the copy-paste tendency also reigns supreme, often leading to quick dissemination and multiplication of content that may be unverified or unethical. "The pressure on news production with a high rhythm is very strong in terms of competition, and for reporters to respect the Code is the last thing you can ask for, making this a very difficult terrain for self-regulation" (Interview with Erlis Cela).

Given the enormous problems journalists face due to their social and economic position and the narrow degree of autonomy they have within the media structure, it comes as no surprise that ethics is not seen as a priority. According to previous research and interviews with editors and journalists, the media often lack the incentive to start initiatives focusing on ethics. "Self-regulation assumes you aspire to improve professionally or ethically. Our media have no incentive to self-regulate, as standards and ethics are not viewed as important for their market success".[1] Any assessment of self-regulation efforts should be viewed in their professional and social context. "There can be no self-regulation among people who have not received their salary, it makes no sense".[2]

According to interviewees, the most problematic aspect of ethical violations in the media is related to crime reporting, such as exposing images of killed people and testimonies of abused children. While emphasising that compared to 20 years ago ethical coverage has improved, the prospects for successful media self-regulation are very gloomy if the situation with the basic rights of journalists does not improve first.

Another issue arises from citizens' expectations of the media and their personal mindset, especially in light of their very low trust in institutions and self-regulation. "People, even journalists, sometimes point to more extreme measures as a solution, tired as they are from ethical violations in the media, rather than going through complaints, mediation, etc." (Interview with Koloreto Cukali). Resulting from years of lack of self-regulation in the media, coupled with a lack of media and information literacy policies and programmes for citizens, the level of general knowledge of how the media work is low, especially on self-regulation. Since citizens are a key part of holding media

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1   In-depth interviews with editors. See also Albanian Media Institute (2019).
2   In-depth interviews with editors. See also Albanian Media Institute (2019).

accountable through self-regulation, this is yet another factor that affects the whole process.

However, probably the most intractable factor when it comes to succeeding on the self-regulation scene is the way that media and society function, where business, politics, and the media are locked in a web of mutual influence. The link between politics, business and the media has ruled the development of the media landscape in the last 20 years and self-regulation is no exception, as long as there are no alternative economic models of funding media. "Even media or journalists that want to be more professional and serious in their work and also commit to self-regulation, they can no longer do it if self-regulation threatens their chance of economic survival, and they will take a step back", said the head of the Albanian Media Council (Interview with Koloreto Cukali).

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III.

ETHICS CODES

In the last 30 years there have been several initiatives to draft ethics codes or guidelines, even though the degree of implementation has been questionable. Only a few media outlets have drafted their cod well-known foreign journalist. es, while the tendency is to have more general codes that different media can adapt in their course of work. At the same time, there have also been examples of organisations drafting codes and guidelines covering specific reporting, such as gender reporting, elections reporting, coverage of minors, human trafficking coverage, terrorism and extremism reporting, etc.

Table 1: **ETHICAL CODES IN ALBANIAN MEDIA**

TITLE OF THE CODE	GENERAL OR SPECIFIC	YEAR OF ADOPTION AND EVENTUAL REVISION*	IMPLEMENTED IN PRACTICE	WHICH SELF-REGULATORY BODIES OBSERVE IMPLEMENTATION OF THE CODE AND PROCESS COMPLAINTS RELATED TO THE CODE
Code of Ethics for Journalists	General	2018	It depends on the media and on the cases	Alliance for Ethical Media, led by Albanian Media Council
Ethical guidelines for online journalism	Specific – online media	2018	It depends on the media and on the cases	Alliance for Ethical Media, led by Albanian Media Council
Editorial Principles of RTSH	Specific – RTSH, public broadcaster	2016	No information available	No body for overseeing its implementation
Ethical Code of FFM Group	Specific – FFM Group	N/A	No information available	Employees should consider the code as part of the contract, but there is no information on supervisory body on its implementation.

3.1. CODE OF ETHICS FOR JOURNALISTS

In 2017 the Albanian Media Institute, in cooperation with the Albanian Media Council, established a group of experts that revised and renewed the Code of Ethics. The Code went through several consultation phases with different media stakeholders, such as journalists, editors, and civil society organisations. The Code was drafted after consulting many codes of conduct, mainly from Western European countries, and its final form also included contributions from a well-known foreign journalist (Albanian Media Council, 2018).

The Code itself does not really distinguish between online media and traditional media, but rather addresses and lists professional principles in journalism, considering the basis of the profession the same, independently of the medium used to disseminate the content. When referring to its scope, the Code states: "The principles of this Code apply equally to all media and journalistic platforms, offline and online, including journalism disseminated through social media and internet portals" (Albanian Media Council, 2018).

However, the drafting of the Code also coincided with a period of growing concern about the lack of ethics and filters for users' comments in online media. This concern prompted the government to propose regulation that was considered restrictive, and which led to protests from the media community until the government withdrew it. In this context, the Code amended in 2018 introduces a special section titled "liability after publication". The provisions in this section consider the publisher and editor responsible for the publication of articles, but also letters to editors, comments, and replies. According to these provisions, terms and conditions for publication of comments from the public should be clearly published and media should monitor and review such comments, recognising the right not to publish them at all. The Code also suggests that before publishing a comment that contains serious accusations against a third party, staff should investigate the basis for such accusations and the accused party must have the opportunity to respond (Albanian Media Council, 2018, Section 7).

Given the situation of the Albanian online media, frequently considered a jungle by media professionals, the expectations and guidelines set out on the Code might not be entirely reasonable. In fact, the Code recognises this, stating that any important edits can be done post-publication:

> "It may not realistically be expected that all comments be read, edited, or rejected prior to publication. However, the editorial staff, or the editors, may delete or remove unacceptable comments from publication where it is abusive, hateful, or is found to contain malicious and unfounded allegations". (Code of Ethics of Journalists)

In fact, practice has shown that online media usually choose extreme measures when it comes to monitoring comments: they either do not monitor them at all, or they choose not to offer the option of commenting to the public. In fact, for most media it seems like a luxury to appoint a separate person in the newsroom dedicated to the analysis, filtering, and moderation of the comments section.

> "It is impossible to control the comments, usually the media just let them be. When we can we do remove some of them, usually the offensive comments. However, only a few media can afford to have this kind of control and most of the media usually give up on checking comments and people are free to write whatever they want." (Interview with Luis Tanushi)

The responsibility of dealing with comments from the public is the only reference of the Code to the online or digital environment. However, this was a deliberate choice from the group of experts at the time of drafting; they decided that the Code would lay down the principles of professional conduct independently of the medium, while a separate document with guidelines on online media was produced parallel to the amendment of the Code in 2018, to fill the gap for online publications (Albanian Media Council, 2018a).

3.1.1. Ethics Guidelines for Online Journalism

The Guidelines highlight the need for online media to respect all principles laid out in the Code and add some rules considered specific to online publications. For example, the guidelines stipulate the need to clearly separate editorial content from user-generated content, and it has a special section on dealing with users' comments. The section details the need to monitor this content, remove any language that might be considered hate speech, and also establish clear policy and procedure for monitoring, filtering, and editing users' comments, including the availability of a simple mechanisms for users to report offensive comments (Albanian Media Council, 2018a).

In addition, the Guidelines address the need for online media newsrooms to establish and maintain a simple and effective "notification and take-down" mechanism, suggesting 48 hours as the maximum time in which to respond to requests for the removal of inappropriate content. Two other final issues addressed in the Guidelines relate to how the media should deal with content published on social networks and republication from archives and copyright.

In addition to the general Code, other more niche guidelines, codes, or manuals have been produced, such as on investigative journalism, reporting on trafficking victims, reporting on minors, reporting on vulnerable groups, etc. The application of ethics rules is again left to the goodwill and conscience of journalists and are not enforced in any way.

Apart from the general Code of Ethics for Journalists, the annexed Guidelines, and the thematic codes, the public service broadcaster has an extremely detailed code of conduct.

3.2. THE EDITORIAL PRINCIPLES OF PUBLIC BROADCASTER RTSH

The Editorial Principles of RTSH were drafted with the assistance of the European Broadcasting Union (EBU) and cover multiple aspects of conduct of the public broadcaster's employees, ranging from basic professional principles to dress code, policies for inviting persons on programmes, dealing with phone calls from the public, and many other situations (RTSH, 2016). In general, these provisions seem to address television broadcasting, but one of the sections is devoted to online media, social platforms, and contributions from the public. This section advises caution when dealing with information from social networks and when inviting to television shows persons contacted through these networks, stressing the need to verify information and make it clear that a certain piece of information is sourced from social networks. At the same time, this code also addresses the conduct of RTSH employees on social networks, to ensure that their behaviour will not cast any doubts on RTSH's integrity or professionalism. This section, in other words, is more concerned with how to filter and shape behaviour on social networks, while the online content of RTSH is addressed only from this angle rather that from the viewpoint of professional journalism.

3.3. CODE OF CONDUCT OF FREE AND FAIR MEDIA GROUP

An even more detailed code of conduct is the one used by the Free and Fair Media group (FFM Media Group, n.d.), which owns online media Shqiptarja. com, news channel Report TV, and radio station Radio Rash. This is perhaps the only case of a private media group that has published its own code of ethics, stating that it is based on other codes from foreign media, e.g., the BBC. The Code covers numerous aspects and is highly detailed, paying special attention to TV programmes in several of its sections, focusing even on the angles that a camera should take during the broadcasting, the portrayal of specific groups and categories, dress code, etc. Overall, while highly detailed, the Code does not specifically cover online media and new professional challenges, but lays out professional principles that the media should consider in all cases, independently of its way of reaching the public.

3.4. RULES AND SELF-REGULATORY POLICIES OF OTHER MEDIA

Other media do not have detailed or structured codes of conduct, but policies regarding their transparency or responsibility for the content they publish. This is especially true for donor-funded media and content sponsored by foreign donors. More specifically, BIRN Albania has on its website policies on privacy and other rules (BIRN Albania, n. d.), explaining how it uses cookies and the information collected from visitors on the page. Another section on the same page is dedicated to the publication of complaints from the public, or most likely, from persons or companies that have been subject to BIRN Albania's reports and investigations (BIRN Albania, 2021), containing both complaints and BIRN's reaction to the complaint, or rectification of information when appropriate. Investigative Network Albania, a US-funded project administered by three Albanian NGOs, has drafted an editorial guide to orient the journalists it funds on the professional principles they should follow (INA Media, n.d.). Finally, Faktoje.al, the only fact-checking website in Albania, also states on its website – apart from the general Code of Ethics and a section for correction of information – that as part of the International Fact Checking Network, it abides by IFCN's code of ethics. The website includes a link where readers can complain directly to IFCN on their member's potential inaccuracy or problem with information (Faktoje.al., n.d.).

Another form of self-regulation particular to online media is the drafting of internal sets of rules on some aspects of online publishing, especially on social media platforms. Editors and journalists interviewed pointed out that this has become more necessary currently as a result of Facebook rules regarding publication of content. In July 2022 Facebook and its Albanian partner launched their cooperation as part of Facebook's struggle to stop fake news, in cooperation with national fact-checking services in different countries (Faktoje.al., 2022).

"In our newsroom we have some internal rules to have in mind when posting content, including images that cannot be published, keywords, particular expressions, etc." (Interview with Emirjon Senja). Another interviewed editor pointed out that unlike earlier experience, the newsrooms have to adapt their social platform conduct, "especially regarding images that are particularly violent, or containing nudity", which can no longer be published as social platforms will penalise offenders, which hinders their presence and reach (Interview with Luis Tanushi). In this respect, it seems that social platforms, more specifically Facebook, through its own regulations and fact-checking initiatives with local organisations, is serving as a push for local media to self-regulate in some aspects. However, some of the interviewees pointed out that this is not always a faultless or smooth process.

"The problem is that there might be cases when I do not agree with their decision on content I publish, or the recommendation. However, there is no

mechanism of complaint and going against the decision would be harmful for future content in the way that content is disseminated in the social networks, so we just roll with it even when we do not entirely agree". (Interview with Emirjon Senja)

3.5. THE CODES OF ETHICS COVER THE BASICS

The in-depth interviews with stakeholders in the media community revealed a generally unified stance regarding the quality of the existing codes of conduct: these are helpful mechanisms that generally cover the basics of the profession, despite the problems in their day-to-day implementation. "In the process of drafting the Code, the intention was to concentrate some of the best practices from other countries, trying to have an optimal version of the Codes", said Lutfi Dervishi, one of the experts who worked on the code revision. At the same time, he recognises that the Code cannot be exhaustive and by definition cannot cover every possible case or dilemma.

> It is like life, the Code also has grey areas which are not clear. There will always be disputable cases, where we cannot say with 100% certainty whether an act is ethical. However, we should keep in mind that codes of ethics are not prohibitive, but they are supposed to serve as reference". (Interview with Lutfi Dervishi)

When asked whether the code of ethics responds to current needs and challenges, the interviewees agreed that the professional basic rules remain the same, but more needs to be done to address the novelties posed by online media and technology more broadly. "The challenges of technology are several steps ahead and do not fit with the current situation of the community or the discussions on ethics. We talk of AI, but are still lagging very much behind when speaking of codes or regulations", said Erlis Cela, a former journalist and professor of journalism. "The digital environment is constantly updating, while the Code has its basic principles and takes much more longer to change and adapt. The basics are always there and do not change, but details stemming from technology will always need to be addressed", said the editor of an online outlet (Interview with Luis Tanushi).

The professional basic rules remain the same, but more needs to be done to address the novelties posed by online media and technology more broadly.

IV.

SELF-REGULATORY BODIES AND MECHANISMS

The only experience of a self-regulatory body within a newsroom was that of daily newspaper Shekulli, whose set-up in 1998 also included a Code of Ethics and an Ethics Bureau, "which, rather than working on complaints from readers, did a retrospective weekly review of the journalists' work from an ethical point of view. However, this novelty, rather than originating from the newsroom, came from the owner of the newspaper" (Londo, 2008). Financial burden and lack of interest led to its closure after a few years.

Currently there is no media ombudsperson who would serve as an intermediary between journalists and the public. At a time when the trend is for newsrooms to work with minimal reporting staff, hiring someone to deal with ethics would be a luxury that cannot be afforded.

Table 2: **MEDIA SELF-REGULATORY BODIES**

NAME OF SELF-REGULATORY BODY/MECHANISM	YEAR OF FOUNDING	FOUNDERS	SOURCE OF FUNDING	ACTIVE/ PASSIVE
Alliance for Ethical Media	2020	Albanian Media Council and 19 media outlets	UNESCO/EU, initially, currently project-based	Active

4.1. ALBANIAN MEDIA COUNCIL AND ALLIANCE FOR ETHICAL MEDIA

A recent development was the establishment in 2015 of the Albanian Media Council, a voluntary group of journalists, initially supported by the Council of Europe and later also by UNESCO in a project co-funded by the European Union. Its aim was to increase professional standards of journalism through respect for the Code of Ethics (Java News, 2015; Alliance for Ethical Media, n. d.). After the initial awareness-raising phase, the Alliance for Ethical Media was established in 2020. This alliance is defined as "a voluntary group of Albanian

media devoted to abide by the Code of Ethics of Journalists. The members implement the decisions on violation of reporting that are made by the Board of Ethics, selected from members of the Alliance" (Alliance for Ethical Media, n. d.). In addition, the Alliance states that its mission is "to promote quality reporting in all of its forms, so that it can show the public that the members of the Alliance are reliable sources of information". The Alliance initially started with 19 member media outlets, including some of the main online news media in the country, or the online editions of popular television stations. Currently the membership of the Alliance stands at 32 members.[3] The media that are members of this Alliance display the logo of the Alliance on their website, with a link enabling readers to write a complaint on a particular article.

According to the Statute of the Alliance, a Board is elected from the members of the Alliance to deal with eventual complaints, while the procedures are facilitated by the Albanian Media Council.[4] Media outlets have to file application forms and submit the required documents to eventually become a member. Both natural and legal persons (companies and organisations) can file a complaint, while anonymous complaints are not considered. Complaints may be filed in the three months after publication of an article, although this can be extended to up to a year in special cases, depending on the complaint. Before the Board considers a complaint, the chair of the Board considers whether the complaint has merit and can be considered by the Board; in case of refusal, the chair informs the applicant of the reasons why the complaint was refused. According to the Statute, the Board convenes once a month, and the decisions are made by consensus of all members, or by simple majority of those present if consensus is not reached. The Board has five members who should be reputable persons in the area of journalism, law or civil society. The members, the Albanian Media Council, and the Department of Journalism at the University of Tirana propose the candidates for the Board. Board members should declare any conflict of interest they might have before examining a complaint.

After receiving a complaint, the Board requests from both the applicant and the media outlet in question further materials to support their claims or additional facts and information, to be provided within seven days. A hearing session may also be fixed. The Board has no more than 30 days to decide on a complaint. The Board should initiate a conciliation session and urges the media to use its right to reply to publish any correction or clarification to the complaint. After the Board decision, the media should publish this decision in the same spot where the article in question was published, and members of the Alliance are notified in case the media outlet refuses to do so. The Board can also consider complaints concerning media outlets that are not part of the Alliance, with the same procedure.

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3   See https://aleancaetike.media/sq/anetaret/

4   All information on Alliance's procedures are from their statute and regulation: https://aleancaetike.media/sq/statuti-dhe-rregullorja-e-bordit/

This kind of organisation is a relatively new development in Albania, where media outlets have not previously engaged in any kind of cooperative effort of self-regulation. Journalists have found it challenging to join efforts even for issues that are closer to personal interests, such as labour relations. In this context, any self-regulation initiative faces formidable challenges, both in terms of novelty and capacities they should build, and in terms of the not-so-friendly environment and distrust that exists in this respect from many actors.

Against this background, the success and effectiveness of the Alliance up to now has to be viewed in relative terms. According to Koloreto Cukali, the chair of the Albanian Media Council, this initiative is still fragile, but there have been positive signs that it might work and improve self-regulation to some degree. According to him, the main challenge this initiative faces internally is related to its efficacy and sustainability, which are closely linked and depend on the manner of organisation, human resources, and the availability of funding. Cukali explained that at the time of the Council's creation, the anti-defamation package was also proposed by the government, and the Council had to react publicly in view of the problems it posed for the media. "This led to us being viewed as an anti-government organisation, which kept many media outlets from becoming member of the initiative at the beginning, as they did not want to be associated with this" (Interview with Koloreto Cukali). After this slow start, the Council chose to create a new association, the Alliance for Ethical Media, inviting media outlets to join.

While this solution worked in bringing together a group of media interested in self-regulation, the problem with this kind of organisation is that it cannot apply for funding since it is a non-formal organisation or association.

> "We have not registered the Alliance as an organisation or association at court, because the moment you register you also have to pay dues. In the current Albanian media scene and with the ongoing economic hardship media face, I seriously doubt that they would be interested to pay a fee for being member of this association". (Interview with Koloreto Cukali)

On the other hand, the lack of formal status of the Alliance prevents applying for donor funding, which might be an alternative source. In this uncertain context, the choice has been for the Albanian Media Council to apply for funding and act as a secretariat for the Alliance and facilitating the administration process of handling and conveying requests, convening meetings, and other procedures. At the same time, the policy of donors is such that they do not provide long-term support for organisations, and "at a time when we are seriously understaffed, we have to spend energy on short-term projects and cannot be more devoted to raising awareness among media, making new members, and strengthening the self-regulation process", according to Cukali.

Despite the difficulties and the need for a shift in mindset, as well as public mistrust toward self-regulation, Cukali believes that this initiative has begun to show progress to some degree, albeit within the constraints and context

of the existing media landscape in Albania. He mentions the example of Jeta Osh Qef, a website combining citizens' contributions to news, which has for a long time been the epitome of lack of ethics in online media while being highly popular. According to Cukali, they wanted to change this perception and have been much more receptive toward complaints, even though they have a high volume of published content and possibly an even higher volume of complaints, due to their practices. "First they refused to publish names of journalists, claiming to protect them, and we had to convince them that anonymity is not acceptable in serious media outlets, and now they have started to publish the names", Cukali said. Admitting that these are just baby steps and can be considered only small achievements, given the calcification of systemic problems in Albania that hinder self- regulation, these achievements cannot be ignored, according to Cukali.

Other journalists and media experts also agree with the formidable challenges that self- regulation presents in the current media context.

> "The interests of the media involved are the main factor preventing a strong self-regulation process. No media can claim to be ethical vis-à-vis other media outlets when they all violate ethics under commercial pressure for more views or clicks, or just from competition from other rivals". (Interview with Luis Tanushi)

In fact, there are strong allegations that media have based their business model on gains made from ethical violations. As media expert Lutfi Dervishi noted:

> "Online media run after clicks, sensational headlines, clickbait, take advantage of misfortunes, of children, crime reporting, all of these. It is not that they are not aware that they are not supposed to do this, but they do hope that all of this will generate clicks, audience, advertisement, and money; ultimately it has become a business model".

Apart from this business model, even media that are more ethical and professional face the problem of devoting human resources to self-regulation, which they cannot afford to do.

> "Codes are fine but remain difficult to implement. It might work in larger countries, or in richer countries, where there is enough manpower in newsrooms and the editor also helps in the filtering process. With the current workload, you cannot check your own reports and those of interns or young journalists for any violation, there is simply no time and energy". (Interview with Luis Tanushi)

In addition, all interviewees mentioned the shortage of newsroom staff in the newsrooms compared to earlier times. "Before you had several editors, deputies, checking your work and filtering it, now there are very few people in the newsroom, with an intense publishing schedule, so it is very easy to miss things and mistakes." (Interview with Luis Tanushi)

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V.

CHALLENGES AND EXAMPLES OF SELF-REGULATION IN ONLINE MEDIA AND SOCIAL NETWORKS IN ALBANIA

The main challenge for the success of self-regulation initiatives that experts agree on is related to the conviction of media outlets that such a process is necessary and should come from within. According to Luis Tanushi, one of the editors interviewed:

> "We must be convinced to engage in this first of all, and not see this as a punishment. We have to face the fact that us or our colleagues also abuse freedom of speech, can offend someone, there can be defamation, or worse, even blackmailing from media. We should no longer hide behind our rights and protest on everything; citizens should also exercise their right not to be defended and defamed by us".

In addition, other experts also point to the weak professional conscience of some journalists, and the overall lack of organisation in the media newsrooms in this regard, also due to the fact that the profession of journalism is not regulated in any way (Interview with Erlis Cela). In this respect, for example, the Albanian Media Council proposes that a revision of the Code of Ethics from the members of the Alliance would be helpful, both to bring it up to date,

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but also to give a sense of ownership to the media outlets involved and make them more passionate and committed to this process (Interview with Koloreto Cukali).

Another problem frequently highlighted in the research is the level of citizen engagement and overall level of media and information literacy (MIL) among the population. The Albanian Media Institute has worked for the last three years to introduce curricula on MIL in formal pre-university and university education, supplementing it with teacher and student training, creating resources, and other initiatives. However, this is a long-term process which will take time; positive pressure from citizens on media regarding self-regulation can only happen if citizens are media-literate. "We start with this self-regulation initiative, and structure it, but it will take a lot of time to educate people and this will certainly affect self-regulation to some degree", said Cukali.

Along the same lines, there is no particular discussion or initiatives on newer phenomena such as algorithms and Artificial Intelligence (AI). Media articles on this subject are extremely rare and usually just republications from foreign media. While online journalists and editors might have a greater awareness of the role of algorithms, this is mainly for the commercial purpose of visibility of their content on social platforms rather than for their implications for the profession. At the same time, respondents also highlighted the novelty and uncertainty around these topics, which might be another factor explaining the lack of internal debate on these issues.

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VI.

CHALLENGES AND EXAMPLES OF SELF-REGULATION IN PUBLIC SERVICE BROADCASTING IN ALBANIA

The case of the PSB self-regulation mirrors to some extent the situation with the other self-regulation efforts in the country. The public broadcaster, RTSH, did engage foreign consultancy and approved a very detailed document on editorial principles. The Code itself does not specify how it will be implemented, whether it is mandatory for employees, and other similar issues; it only states that it will be available for the public on the main website of RTSH and will be distributed to employees in printed form (RTSH, 2016).

To this day, there is no information on its implementation and there is no special body overseeing its implementation. The Code itself does not specify any rules or mechanisms for ensuring that its principles are implemented in practice. The only other reference is to the Statute of RTSH (2016a), which states that among others, the activity of RTSH is based on the ethics code and on the editorial principles. In addition, all departments of RTSH have drafted their own regulations, including even detailed rules related to appearance and dress code in the institution, but there is no further refinement of a self-regulating mechanism (RTSH, n.d.).

"If we look at the case of ethics and public broadcaster, on paper we have the ethics, we have all of these categories, gender, hate speech, all of these editorial principles which are very detailed and are nicely put on paper. In practice, we do not have anything concrete about respecting these principles. There is no body that sees to its implementation; even though the code at first sight is excellent, it is left on paper only". (Interview with Lutfi Dervishi)

In general, the main challenge the public broadcaster has faced are related to the perception of its political bias or lack of independence in relation to the government, even though politicisation runs deep in the Albanian media landscape and is often visible even in commercial media. According to the latest observation mission report about the 2023 local election campaign, RTSH allotted the largest amount of airtime to the ruling SP (43%) and to the Together We Win coalition (35%) while the DP received just 17% (OSCE/ODIHR, 2023). At the same time, the percentages were similar on other television stations,[5] indicating that public broadcaster is not an outlier in these terms.

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5   According to the same report, the other two national TV stations devoted 39% and 51% of allotted time to the ruling party (OSCE/ODIHR, 2023).

VII.

GOOD TO SHARE: SELF-REGULATION INITIATIVE BASED ON MEDIA OUTLETS' MEMBERSHIP

It is difficult to establish good practices in media self-regulation in Albania, since other systemic factors have influenced the media sector to the point that ethics and professionalism are often considered an unaffordable luxury. At the same time, changes in the media landscape, the influence of online media, and the trends that it brought about, have also led to dubious business practices, favouring financial benefit at the expense of professional principles.

In this context, a good practice has perhaps been the establishment of the Alliance of Ethical Media, currently with more than 30 members. Ideally, such good practices would be highly effective if they came directly from media outlets, who view the current situation as a threat to their deontology and overall reputation. The fact that there have been media that have become members of this initiative on their own will, and there is at least some form of professional reflection and scrutiny enabled by this mechanism, is an achievement on its own. In our interviews other editors also expressed the intention to join the Alliance, considering it would be a good move in terms of media ethical conduct, while recognising that it has its limits as a mechanism in the current media sector. Even though there are doubts on how sustainable this initiative is and on its future, it is certainly a concrete step and an intention to raise awareness among both the media and the public on ethics in the profession.

VIII.

CONCLUSIONS AND RECOMMENDATIONS

Attempts to self-regulate in the media sector have been more successful in terms of drafting rules and potential codes of conduct, while initiatives to observe adherence to such codes have faced numerous challenges. The vested interests of media as businesses related to and dependent on politics and other businesses of their owners leave little room for the application of ethical rules in the profession. Even in those media outlets where there exists a goodwill to respect professional principles, the need to economically survive in such a small and fragmented market prevails over professional integrity most of the time.

The trends brought about by development of online media, such as anonymity, unmoderated user-generated content, clickbait, copy-paste of content without verifying information, are only some of the challenges faced by the media at the moment. All of these have led to further distrust of the public in the media which also affects traditional media, rather than being limited to online media. Finally, the scarce human resources in the array of media outlets operating in Albania and the priority of issues other than ethics for the journalists and other staff, also greatly affects the outcome of any self-regulation initiative.

Positive attempts have been made, but whether they are sufficiently effective or sustainable remains to be seen. The Alliance for Ethical Media has expanded its pool of members and aims to serve as a platform for discussion and reflection on ethics, as well as a way of discussing with the public the cases that they deem flagrant. However, there are administrative and financial challenges that the Alliance has to overcome, along with the need to further expand its membership pool and influence among media outlets in order to strengthen its efficacy as a self-regulatory mechanism.

At the same time, efforts of media outlets to self-regulate as result of new rules imposed by Facebook in partnership with local fact-checking organisations is another form of self-regulation. The new changes to the audiovisual law aim to push for greater co-regulation efforts under AMA guidance and supervision, but it remains to be seen what will be the results both in terms of content of

codes produced and the degree to which they will be implemented by media outlets. Finally, parallel to all these efforts and trends, higher awareness and a more media-literate and pro-active approach from citizens is essential in serving as a check and accountability mechanism towards media and any attempts to self-regulate.

Recommendations:

• AMA should assume a more active role in monitoring ethics violations and guiding both the media and the public in terms of education on the proper standards to follow in professional coverage in the media.

• AMA should inform the media on the most recent developments in terms of EU legislation, in order to prepare them for their future work in this respect.

• The Alliance for Ethical Media should be more proactive in monitoring violations, encouraging media outlets to self-regulate and correct their mistakes, and also promote a greater sense of responsibility among media outlets for flaws in their coverage.

• Media outlets, under the guidance of the Alliance for Ethical Media or other organisations, should revise or even rewrite existing codes and guidelines in a way that would best express the professional standards they aim to achieve, as well as the needs imposed by the changing media landscape.

• Efforts for the improvement of media literacy should be ongoing from all actors. The government should establish a strategy and clear policies on adopting media literacy as part of the curriculum in an appropriate form. Civil society actors should continue and intensify their efforts to raise awareness of critical thinking and media literacy. Public institutions and civil society should coordinate in this regard, possibly also engaging the media as a supporter of these initiatives and policies.

• Both traditional and online media outlets should consider self-regulating themselves, either individually or as a community, to commit themselves to ethical standards in reporting.

• Media outlets should offer an option for users to reach them for complaints and respect the principles of publishing corrections or denials if necessary.

• Public-awareness campaigns highlighting professional standards and achievements in the media should be organised more frequently, contributing to the public debate on media conduct.

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LIST OF INTERVIEWS:

The interviews for this research were conducted in Tirana, between 19 and 26 June 2023. We interviewed:

Erlis Cela (professor of journalism);

Koloreto Cukali (Albanian Media Council);

Lutfi Dervishi (media expert);

Emirjon Senja (editor of Albeu.com);

Luis Tanushi (editor of Tirananews.com);

Kejsi Ziu (director of legal department, Audiovisual Media Authority).

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Ilda Londo holds a degree in Journalism/Political Sciences and is Research Coordinator at the Albanian Media Institute. She is the author of several research works, focusing on media development issues, media ethics and professionalism, analysing media content and narratives, etc.

LOW PRIORITY FOR ETHICAL ISSUES

Media self-regulation in Albania

SEENPM
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for Professionalization of Media