

Executive summary

Albania has at the moment a vivid media scene, which has marked significant development since its early stages. However, in spite of undeniable progress, ethical violations still exist. Part of the journalists has perceived freedom of expression as a license for hunting. Although many journalists seem to be aware of the situation, they lack both the incentive and the initiative to amend the situation.

There was some progress in the area of self-regulation last year, with the approval of the revised Code of Ethics by the journalists' associations and their agreement to endorse the Council of Ethics as a self-regulatory body. However, given the weak organization of these very own associations, self-regulation as a practice has not progressed significantly.

On the other hand, the trade union of journalists has progressed on the negotiations with the Ministry of Labour and the media community on the agreement to sign a collective agreement, although a concrete achievement has yet to be reached. In this context, the labour market and the working conditions of journalists continue to be unstable, leading to a low interest in achieving ethical excellence through self-regulation. Similarly, media owners, with a few exceptions, do not seem to be particularly interested in improving ethical record of their media.

On a more positive note, after several negotiations and discussions the attempts to decriminalize defamation have marked significant progress and the law is expected to pass this year. This expectation renders the necessity for media self-regulation even more imperative and the need for an efficient and widely accepted implementing body of ethical conduct more urgent.

Context

Free press constitutes perhaps the clearest achievement of young Albanian democracy. Media role in Albanian life has become progressively more powerful and it is increasingly being perceived as a tool for development in different sectors of society.

However, in spite of the undeniable progress made in this regard, it can be noticed that Albanian media presents itself as oriented more towards politics rather than towards public interest. In this context, problems of journalism ethics remain among the most serious problems in Albanian media. Part of the journalists has perceived freedom of expression as a license for hunting.

When it comes to journalism standards, even though significant attempts to provide sources and balanced reporting have occurred, implementation of ethical codes is underdeveloped. In fact, the last revision of the Code of Ethics was completed last year, along with a project that aimed at examining the possibility of establishing a self-regulatory mechanism. In September 2006 the representatives of the journalists' associations and the journalists' trade union signed an agreement that stipulated the observance of the Code of Ethics and their support for the Council of Ethics. However, due to the numerous political developments since last September and the lack of awareness and agreement among the media outlets on the need of a body that would

oversee ethical conduct, there has not been any real progress with the activity of the Council so far.

On the other hand, two years ago the Albanian Media Institute in cooperation with the Open Society Justice Initiative drafted proposals for the amendment of Albania's Civil and Criminal Codes, which would in effect decriminalize defamation. After discussions and negotiations with many Members of Parliament, the Minister of Justice and recently the Prime Minister, these amendments have made it to the agenda of the Parliament. The amendment seems to counter no particular resistance and is expected to pass in early autumn, once the Parliament elects the president and other emergency issues are addressed. This will mark an important step forward, but this step needs to be balanced by a greater responsibility by the journalists and it also demands the application of higher professional and ethical standards.

In this context, this balance would be provided by an efficient self-regulatory mechanism, which would improve the ethical standards of the Albanian media, increasing its social value as well as diminishing the potential of libel cases. Having in mind the Albanian media landscape, establishing an efficient self-regulatory system is not at all an easy task. In fact, self-regulation so far has been almost inexistent. The lack of journalists' rights pose serious difficulties for the facilitation of self-regulation process. Although in the last year the trade union has made progress and has agreed to sign a collective agreement with the Ministry of Labour for journalists, it still has to work on convincing the media owners on respecting this agreement. On the other hand, low ethical standards and the existence of criminal law on defamation and inconsistent court practices in this area point to a clear need for establishing such practice.

However, in spite of the generally accepted need to self-regulate the media, the Council faces the formidable task of establishing its authority with the media community and raising awareness about the necessity of requiring and enforcing ethical rules both among the media and the general public. This task becomes increasingly important in advance of the decriminalization of defamation and libel measures currently under debate in the parliament. Hence, the efforts to promote media self-regulation as an invaluable tool in implementing ethical standards should rank among the priorities in media development.

Media monitoring on ethical conduct

In order to identify the needs and areas of improvement in Albanian media and map the violations or good practices from the ethical point of view, a three-month monitoring was carried out in print and electronic media. In the absence of regular market research on the popularity of both print and electronic media, the selection criteria is made according to the general existing perceptions of popularity among the media community. The monitoring has included prime time news in two randomly selected days per week for a period of three months in TV Klan, a commercial national station, and Top Channel, also commercial one. Although this second TV station does not have a national license, it has managed to cover a substantial part of the territory by means of retransmission in other channels or by other means. In addition, it is also regarded among the three most

influential TV station in the country, because of news and other very successful programs. In addition, “Fiks fare,” shown on Top Channel after the prime time news, was also monitored. A satirical information program, this show combines investigative reporting to humour, resulting in one of the most popular programs broadcast in TV in the country.

With regard to print media, there are also no circulation figures or any other research that would show their impact or popularity. However, out of 25 daily newspapers, the monitoring focused on four of them, and more specifically: Shekulli, Shqip, Panorama, and Gazeta Shqiptare, perceived as perhaps the most influential ones in the market, although this can always be debated given the situation. The monitoring was done on a daily basis, focusing on the sections of social issues and that of crime and justice reporting, since these sections continue to be rather problematic. Coverage of these sections involves communicating to people in difficult situations, constituting thus a real trial in terms of ethical conduct.

In this context, the monitoring analysis was done having in mind the criteria for professional journalism, such as accuracy, impartiality, balance, good taste, public interest vis-à-vis private life, etc. With this in mind, after analyzing the reports in this period, the findings focus on the best practices and most flagrant violations with regard to coverage of minors, privacy, reporting of suicides, imagery in Albanian media, investigative methods, selection of topics, and economic interests vis-à-vis editorial content.

Reporting on minors

One of the most sensitive aspects of combing through media coverage is finding the articles that deal with children, the way they are identified, presented, and dealt with, especially in times of distress and cases dealing with juvenile crime or juvenile victims of crime. Naturally, these are delicate cases even when reporting on adults; however, from the ethical point of view they assume a special importance when talking about children, given the different care and method that takes addressing minors. Compared to several years ago, when identification and coverage of minors was a major problem in Albanian media, there has been significant improvement in this area. However, as the following analysis and examples will show, this is still a lingering issue and it is far from totally solved in the Albanian media. Hence, having a careful look at the way minors are covered in the media can be revealing of the progress made in ethics in this area.

More specifically, the basic feature to start with in this analysis is the identification of minors in the media. Simple as it might look, in practice this basic feature is dealt with in different ways and unfortunately, many of these are far from obeying the child’s highest interest. For example, it is very rarely that the minors are not identified in the articles. The most widespread practice is that of identifying them with initials, and no photos, which would seem reasonable. However, when looking closer at this practice, it does not seem that appropriate: most of the cases mentioned are in small villages or towns, where

people know each other well and it is not difficult to understand who is the victim or the perpetrator if you have the initials and the age.

For example, there have been some articles on cases of rapes, some of them involving minors. In none of the cases the name or image of the victim was revealed; only initials and other data were made public. So, in an article on *Gazeta Shqiptare* on May 28, the case of a 16-year old girl raped was mentioned and she was identified as “V.L., 16, in the first grade of high school in the village.” The village was Luzni in Peshkopia, which is a small village in a small town, and it should not be difficult for the inhabitants that read these lines to understand who got raped. Another example is that of another rape, this time in Saranda, and the victim was identified in *Panorama* on March 23 as “Z.L., 15, studying at the first grade of high school ‘Sulejman Delvina.’” Similarly, for a small town it is not difficult for the students of the school and other people to associate the initials and the other facts to the person that was raped. In these cases of rape, which are already rather traumatic for the victims, the gossip and public knowledge and attention thanks to the media coverage in small villages and towns certainly makes things much more difficult for the victims. On the other hand, it is questionable what is the real public interest in revealing the initials of the victims from the papers.

Other cases of reporting on minors, although not relating to such grave outcomes such as rape, also involve their identification, sometimes in full. For example, the article “High school girls, fight with bottles for their boyfriend,” published in *Gazeta Shqiptare* on April 17, cover the fight that happened between two girls in Berat. The article identifies the girls by full name and age, respectively 16 and 18 years old, following the aggressive quarrel that took place in the street and turned out with wounds for one of them. Again, it is questionable what is the gain in the public interest in reporting on this issue on first place, and secondly, reporting on it by revealing full identity, especially given the fact that this quarrel was related to private issues. In fact, intrusion into private life and the way often details, rather than the essence, become the motive for making some information public, is another aspect analyzed with regard to the ethical conduct of Albanian media.

Intrusion into private life

The way people are addressed by the media in cases of grief, mourning, accidents, or general distress and how this is reported to the public, are very revealing of the ethical level of the media and journalists. In general, Albanian journalists seem to have no problems getting interviews from victims, witnesses, or relatives of the victims or perpetrators, sometimes even the perpetrators themselves. This is an aspect that adds to the complexity of covering social issues or crime and court reporting; however, this is not necessarily done in a manner that is ethical to the interviewees and the information is not necessarily vital to the public.

This aspect is especially worthy to study in cases of domestic crime, which abound in the pages of Albanian media. For example, in mid April the police arrested a woman in villages near Tirana for murdering the husband a year ago after suffering continuous

violence from him. After murdering the husband, she asked her 10-year old daughter to help bury him, and then tell to the neighbours some story that would cover his disappearance. The girl was identified by name, age, and a newspaper even had a photo of her crying after the mother was arrested. It is important to notice that when the crime was discovered, almost all newspapers had interviews with the daughter, trying to get details on the crime.

Although one of the papers recognizes the traumatic experience of the girl, it has no problems interviewing her and publishing the interview: “Nobody but Migena understood what happened. In a real difficult situation, where even the adults could not find an easy solution, Migena has revealed to the newspaper details of the crime after the discovery of the crime.”¹ Then the interview follows, taking her through the steps of witnessing the murder and concealing it; something which was surely horrible to live once, let alone twice, or as many interviews as she had to give to the papers. And, again, it is doubtful whether the readers had any benefit from knowing the manner of burying the victim, or the stories told to the peasants, and so on. Other than sensational details or interesting information for the readers keen on crime reporting, this story seems to present no public value in its whole; at least not one that would justify the torturing of the minor again and again.

The intrusion in times of distress is also rooted in media coverage in cases less severe than a murder. For example, in mid May, a 69-year-old professor, ex-Member of Parliament, suffered a depression and left home for two days; after this period he was found alone in the hills surrounding Tirana in a traumatic state and was taken to the hospital. Top Channel interviewed the professor in its news edition of May 15, at the hospital, while he was clearly in difficulty, exhausted, with a breathing mask. Furthermore, the question they asked was: “How are the doctors treating you?” which seemed to be totally irrelevant in the situation, and one that would only further exhaust the man, without any specific interest for the viewer.

Even in those cases when there is an interest for the viewer or the reader, the potential dilemmas on the balance between intrusion into privacy and public interest almost indiscriminately go in favour of the public interest, however that is defined. For example, a woman was hospitalized from the biting of an insect that was suspected to be a black spider, supposedly dangerous for the farmers, a threat that has emerged the last two years. So, there is definitely a public interest in this aspect. However, the coverage made in this case does not fully cover public interest: there is an interview of the woman in the hospital in the May 15 evening news edition of Top Channel: the woman, barely speaking, clearly tired, described very briefly how this thing happened. However, the story only elicited the interest, but did not satisfy the need for information: there were no interviews with the experts, no advice from doctors or experts, or data from relevant authorities on this perceived danger.

Other cases that might be argued as falling into the public interest are those concerning domestic violence, which is a widespread problem in the country. Covering these issues

¹ Gerti Xhaja, “Vret dhe gropos burrin ne sy te vajzes,” *Gazeta Shqiptare*, April 17, 2007, p.15.

has become a necessity in terms of raising awareness on the problem and trying to find ways of changing the situation. However, given the manner of coverage, the articles and stories often raise the question whether the aim is sensationalism rather than service to the society. It is very often that this coverage mentions the details of the crimes or offences, usually in the headline; there are shocking images, real or illustrative, and the victims are often interviewed. If properly used, these examples would analyze the phenomenon and try to address it in order to give information to the public and even attempt to find a solution. However, these articles often stop just at covering the case in hand and very rarely present it as part of a problematic phenomenon, with statistics, experts' opinions, and serious analysis or follow-up.

For example, a typical case was that of a woman, pregnant of seven months, who came to the hospital beaten up by her husband the night before. The story appeared in almost all media, showing the sad life of this woman after marriage, her personal problems in relation to the in-laws and her husband, and the many difficulties she experienced, as told by her. In *Shekulli* this story appeared on March 23, also with a photo of the woman in her hospital bed, with black eyes and different wounds in the face. It was also clear that the woman had consented to the photo, given the information provided in the interview. However, this is one of the many cases that appear which rightly report on the situation and raise awareness on these important issues, but are forgotten the very next day. The weakness of these reports, in a way, is related to the fact how rarely these separate reports are woven into a deep and factual analysis that would give a more complete picture of this severe problem for the society. Rather, due both to lack of resources or interest in the media, combined sometimes with lack of professionalism, these articles turn into a way of providing a one-day job for the journalists, who quickly move to the next case the other day. What is worse, this also comes sometimes at the expense of the victims, who expose part of their personal life to the public, without deriving any benefit in their own life, quite the opposite at times.

Reporting on suicides

Another particularly sensitive aspect of reporting on people, crime, and private life is that of reporting on suicides, which can perhaps be considered as the last straw in terms of how much people affected can take: those left behind suffer a terrible loss and also put up with their own questions on the misfortune, as well as those from the media, or public in general. Hence, reporting on these events, which also have been quite frequent recently in the country, is a major trial for the ethical level of journalists and the media.

Perhaps the most delicate case covered in this aspect has been that of a suicide of a 10-year-old boy on April 17, something that happened in mysterious circumstances. The event was widely covered in the media, in some media more than others. For example, *Shqip* was the only newspaper among those monitored that identified the victim as "E. Lala, 10," with no further information other than brief description of the sad event. On the contrary, the other media ran long articles, where the photo of the deceased in his school uniform appeared, his name, the place where he had hung himself, as well as

interviews with his father, along with his photo. This shows a widespread presence of the media in the family hit by misfortune, in perhaps the most terrible experience of their life.

As a general practice, Albanian media's coverage in these three months has almost always revealed the identity of those persons that have committed suicide, by full name and age, and if available, also address and photo of the person. If they could manage, the reporters also interviewed relatives, breaking into their grief and conveying it to a wider audience. In addition, the reports on these suicides also describe the manner of death, providing details on how the hanging was made possible, or where the gun was aimed at, or what kind of poison they used. In this manner, there is always the risk of providing precedents for those disturbed or desperate persons that might contemplate suicide, something that the media is clearly not worried to address at the moment.

An exception in this case was made by daily *Panorama*, which published the opinion of a psychologist as a sidebar to the article on the suicide of the 10-year-old mentioned above. Among other things she wrote: "I would particularly call on visual media to be more careful with news broadcasting on suicides, since last year we had a repetition of the suicide pattern (jumping out of the balcony) as broadcast in the media, the same way as we are having this year."²

In addition, such shocking events as the one mentioned above have also prompted the media to take a pause and look at the phenomenon more carefully, providing analysis, figures, and trying to give a more complete picture and address the roots of the problem. So, apart from reporting on the sad suicide of the 10-year-old, *Gazeta Shqiptare* on the same day ran other complementary articles on the issue. One of them was titled: "Suicides make twice as victims as the murders," quoting official figures and interviews with authorities on the matter. In the same manner, *Shekulli* also makes a review of the situation in the last months for Tirana, listing the cases of suicides and reasons for them. This trend is not limited only to suicides, though: in mid March several serious accidents happened in the streets in different spots in the country, causing numerous victims. Apart from the reporting, these cases were also followed with interviews with the police authorities on the situation, concerns about road safety, and figures. An example is the story broadcast in TV Klan on March 14, mentioning statistics, interviewing the head of the police in the country, and taking pictures of the problematic roads and lack of signs. Unfortunately, it seems that these more in-depth reports or pictures can only be possible when some tragedy happens and are not a regular routine of the reporters.

These extreme cases also are peculiar in another manner: they surely touch the hearts of the reporters and hence the public, as shown in the definitely more sentimental coverage of these cases as compared to other ones. So, referring again to the same case of suicide, the following are descriptions of the grief in the house of the boy, taken from two newspapers:

"By three o'clock he was dead. A broken brick on the roof where he had put his foot, the narrow path leading to the yard, where people passed along all the time,

² "The 10-year-old's suicide, a copycat" *Panorama*, April 18, p.9.

the elder sister dressed in black by this time that covered her mouth with her hand, letting her tears roll down her cheeks, all these things repeated that he was dead. Eni Lalo, only 10, has tied a rope around his neck and ended his life, without realizing that suicide means you no longer wake up.”³

“It took ten years to teach him to speak, to enjoy, to love, to amuse himself, to make friends..., but nobody in these ten years taught him that it was not him that had decided to come to life, the same way that it was not up to him to decide to leave this life!”⁴

“Graphic” coverage in Albanian media

As mentioned above, sentimental notes are present in the media coverage, but they are the exception, rather than the rule. What is a rule, instead, is the “vivid” coverage of crime reporting and reporting in general when it comes to headlines and images. Bombastic headlines scream from the pages of the newspaper every day and open the TV news editions every evening; although the actual content that follows is rather factual and it is not always described colourfully, the headlines certainly attract attention, and occasionally might also cause tension. Just to mention a few: “How I cut the throat of my beautiful wife,”⁵ “Police tracks down the murdering maniac,”⁶ “By the Cannon Law I should kill my wife, but I will forgive her,”⁷ “She kills and buries the husband in front of her daughter,”⁸ “The alarm, 50% of medicine in the market are forged,”⁹ “The accident, the truck tears apart in the street the 60-year-old woman”¹⁰, etc.

In addition, although the media recently have shown greater care with the use of images, there are still cases of concern in this area, especially when it comes to crime reporting or accidents. It is not uncommon for scenes from accidents or crimes appear in the media, some more detailed than others. So, on March 15 TV Klan reported of a person murdered next to his home, also boasting images from the scene of the murder, which had happened just before the news edition. Although it was dark, it was clear to see a man lying in the ground, and the blood that covered his face, although there was no zooming of the image. Similarly, after the grave accidents that happened on the same day, there were fleeting images of a body being taken out of a river, a body on the road, scattered shoes, a sheet covered in blood, streams of blood in the streets, and so on. However, for the sake of fairness, it should also be said that the speaker warned the public before broadcasting the images of their violent nature, and the images were put together in an analysis of the situation after the frequent accidents on the roads all over Albania in just two days.

³ Vladimir Karaj, “The 10-year-old hangs himself in Tirana’s suburbs,” *Shekulli*, April 18, p.9.

⁴ Gerti Xhaja, “Hangs himself after his mother slapped him,” *Gazeta Shqiptare*, April 18, p.14.

⁵ Zenepe Luka, *Gazeta Shqiptare*, May 29, 2007, p.21.

⁶ Gerti Xhaja, *Gazeta Shqiptare*, April 23, 2007, p.11.

⁷ Aldo Kozarja, *Panorama*, April 19, 2007, p.10.

⁸ Gerti Xhaja, *Gazeta Shqiptare*, April 17, 2007, p.15.

⁹ Lorina Mixha, *Shqip*, March 22, 2007, p.24.

¹⁰ *Panorama*, May 5, 2007, p.13.

On the other hand, the reader cannot be warned and is not warned of the graphic nature of images in the newspapers. These photos rarely show the victims; however there are cases when unburied skeletons or similar images appear. In addition, most of the time the newspapers almost indiscriminately use illustrative photos. These photos in a way do not affect the people covered, as they have faces nobody knows, and faces are also at times blurred; however, they are rather graphic images, conveying different acts, such as rape, murder, assault, etc. Apart from these illustrating photos the newspapers also use drawings, which are not indifferent, either: in the case of a person that was alleged to assault young women with a knife, the newspapers always accompanied the text with a drawing of a big dagger that dripped blood. Other cases like this are also rather present in the papers, pointing to the need of these newspapers to attract attention to the text, perhaps even treading on the line of good taste at times. Although there are cases when these graphic choices attract attention, this can sometimes be disturbing and can come at the expense of the text content, which might be quite accurate, with no ghastly details, or other excesses.

“Mobilizing” journalism

As mentioned above, in general the reports are limited to giving the facts in these media: they rarely contain notes of sentiment for misfortunes or take sides with the victim or the perpetrator. However, taking sides is only human, and there are cases when the reporters cannot help but convey this to the public. In this aspect, a note can be made here when it comes to sentimental coverage. This is a kind of reporting that comes up in the grave cases, and especially emerges in those cases that are not yet hopeless. In these specific cases the media play a kind of mobilizing role, calling on the state or relevant authorities or organizations to assist the persons in need.

In this context, Top Channel broadcast on April 11 a story on a family that has three sons that are paralysed by some genetic disease, broadcast on April 11. In this case the reporter, in spite of the paternalistic attitude vis-à-vis the “unfortunate boys”, brings the case of suffering people by nature and by poverty and assists them in their pleas for help. Similarly, TV Klan broadcast a story about a four-year-old who needed help, broadcasting images of the boy and pleas for assistance.¹¹

Another case is that of a little child suffering of leukaemia, published in *Shqip* on May 9. The article describes the poverty of the family and the necessity of being cured abroad, asking assistance from the state and Ministry of Health. The article closes on another sentimentally appealing note: “A 13-year-old boy needs and has to live!”¹² There are certainly frequent examples of this nature, showing that it is not unheard of the media to lend space to desperate cases that use the media as a speaker in an attempt to find solutions to their problems.

However, on a more positive note, there are also examples of “public service” nature that media provides on its own initiative, without waiting for desperate cases to knock on its

¹¹ TV Klan, May 9, 2007.

¹² Besim Dybeli, “A 13-year-old suffering of leukaemia needs help,” *Shqip*, May 9, 2007, p.23.

door. These cases are especially present in the social issues' section, usually focusing on education and health. For example, on March 29, *Shekulli* did a report on the Institute of Blind Persons, taking positive examples of teachers and students there, but also addressing their need for instruments and textbooks.¹³ Similarly, there are regular announcements and coverage of news relating to medicine or hospitals, which very well could fall into the category of public service that the newspapers fulfil with their own initiative. Whether this is done for genuine public interest or whether to sell more copies is debatable; however, these need not exclude each other.

When it comes to public good, the show that claims to be a champion in this area, *Fiks Fare*," was also monitored in the framework of this project. Gaining prominence thanks to its investigative reports and some rather successful cases, "Fiks fare" boasts a tremendous popularity in this field. However, case-by-case, its methods also pose some serious ethical questions. While bringing successful methods of using law on access to information to official documents to document their investigations, "Fiks fare" also frequently makes use of hidden cameras to get the information they need. These questionable practices point to the need to balance the need for information to the right for privacy, guided by the public interest.

The most controversial case in this aspect during these three months has been that of a university professor who asked to have sex with her student in order for her to pass the class. The student had asked for assistance from the program to uncover this practice and expose it, and the program had decided in favour of the student, justifying it as a public interest case. The hosts of the show apologized to the family of the professor before broadcasting the story, but they said they were doing this in the name of other students that suffered the same pressure.¹⁴ The footage that followed was obtained thanks to hidden cameras and showed the student discussing the matter with the professor in the office and then moving to an empty house, where the professor clearly tried to have sex with the student and was only interrupted by the bell. In all cases the face of the professor was clearly shown, and the next day after the broadcast the school board decided to fire him.

These cases and outcomes have not been uncommon in these years of broadcasting of "Fiks Fare," rendering the show a pioneer in investigative journalism, with a particular power in assisting cases of people that asked for help. However, simultaneously, the need for keeping an eye on this increasing power to make a change also emerges. Along with the great potential also comes the potential to abuse with this power. Ethical dilemmas should always be decided guided by public interest, and in the case of this program, the most powerful and influential in this aspect so far, no one other than "Fiks fare" can check that ultimately it is the public interest "Fiks fare" is after.

Reporting on media's own interests

¹³ Eglantina Bardhi, "Instituti i te Verberve: Apel per instrumente dhe tekste mesimore," *Shekulli*, March 29, 2007, p.11.

¹⁴ "Fiks Fare," *Top Channel*, May 3, 2007.

Although in general there are no blatant ethical problems in the media selected to be monitored, one of the lingering problems when it comes to ethics is related to the reporting of events or issues related to the media owners' economic interests. However, given the non-public nature of these interests, it is difficult to easily spot them. This task became easier to notice in this period, given the peculiarity of the developments. The monitoring period coincided with a very tense and loaded atmosphere in the Albanian media, due to two developments: the introduction of a proposal on the digital bill in the Parliament by the government and the friction of the government with one of the main media companies in terms of financial controls. The company in question is Top Media, owning both Top Channel and Shqip, which are part of this monitoring. These developments significantly affected the coverage of this month's news, and hence posed some ethical questions.

In April and May Top Channel found itself in war with the government, the Prime Minister specifically, and the National Council of Radio and Television. This climate certainly set the tone for the coverage of almost all news concerning these actors. In its peaks of crisis this coverage also had a few examples of outright prejudice or exclamation of dissatisfaction, not always labelled as an editorial. For example, one of the numerous controversies was the decision to remove one of the antennas of Top Channel in Shkodra by the regulatory authority, since it was not licensed for broadcasting in that area. The reporting of the news showed clear anger at the decision, stating that: "Ledio Bianku [chair of the regulatory authority] just added another spot to his white name.¹⁵ Once a well-known lawyer with a Western air, now he is showing his true face, that of a political servant."¹⁶

However, in spite of the bias that seeped through in view of the endangered activity of this media after certain government actions, with several exceptions in the peaks of crisis, it still managed to get through to the public both views most of the time. For example, in a story on March 7, reporting on the US State Department Report that depicted Albania as still suffering from widespread corruption, although it clearly criticized the government and put the stress on media freedom, it also provided views from both the ruling majority and the opposition. Similarly, the same practice was followed after a speech on media and mafia made by the Prime Minister, one that particularly affected Top Channel.¹⁷

However, in general, in spite of different angles, both TV stations have managed to preserve the basic reporting rules, with a few present exceptions. One aspect that remains dark and difficult to discern by nature in both cases is that of hidden advertisement. While both TV stations have the practice of announcing important shows or programs of the same TV station in their prime time news edition, sometimes also as first news, it is more difficult to spot the practices of hidden advertisement. However, one such case was more visible in TV Klan, in a report on activities taking place on March 14, (Summer's Day, national holiday) in Tirana. The report closed with a sentence that stated that "the

¹⁵ It's a pun for "Bianku," the surname of the chairman, referring to "bianco," white in Italian.

¹⁶ Top Channel, May 9, 2007.

¹⁷ Top Channel, March 29, 2007.

most extraordinary show is that of Red Bull airplanes in the sky,” while showing the images of airplanes in the sky and then passing to the big Red Bull umbrellas stationed in the main square of Tirana, a sequence that was uncalled for and took several seconds of the news edition.

Another visible experience of hidden advertisement or very able PR, which both TV stations shared, was that of the opening of the new terminal of the Tirana airport. While the event was certainly newsworthy, the stories exceeded the reporting boundaries: apart from the speeches and activities, both TV stations broadcast long sequences for prime time news of what seemed to be the promotional video of the airport management itself, since the voice over of the video in English was also audible in the story. Hence, there is not a pattern, or at least not a clearly visible one in terms of hidden advertisement. However, given its low visibility, it points to a greater need for monitoring this trend and the way it can affect content in the future.

Conclusions

Overall it can be concluded that compared to some years ago Albanian media has made significant progress in improving ethical standards. In general the main criteria of professionalism, such as accuracy, balance, and impartiality are respected. However, in spite of the progress and the disappearance of several blatant errors, the violations are far from gone.

These violations are more visible in the most delicate situations, involving violation of privacy, intrusion into grief, interviewing and representation of minors, graphic representation and use of images, etc. In addition, in spite of the emerging investigative reporting and some quite remarkable successes in this area, there is not a system of checks in place for controlling this trend from going to the other extreme, that of media arrogance and violation of privacy in the name of good journalism.

These potential violations in investigative reporting and in journalism in general become more of a threat to private life and journalism standards in view of the impending decriminalization of defamation. Although this is undoubtedly a significant step ahead towards media freedom and professionalism, this freedom needs to be balanced with a self-regulatory system that has yet to succeed, overcoming lack of awareness in the area and partial unwillingness to accept the authority of self-regulation.

Recommendations

The Government should take specific steps to enforce the Labour Code in media organisations and regularly monitor its implementation.

Journalists’ associations, with the assistance of other civil society actors, should demand enforcement of the Labour Code in media companies, and eventually collective bargaining.

Civil society organisations should support individual journalists whose rights are violated by media owners, State authorities or other parties.

The Government and civil society should regularly monitor and investigate allegations of violations of media freedom and independence.

Civil society organizations and journalists' associations should raise awareness on the newly revised code of ethics and facilitate the process for the establishment of an effective body that would supervise its implementation.

Journalists' associations should significantly strengthen the capacities for public debate and awareness of media organisations and associations, particularly through improved cooperation and by promoting journalists' rights vis-à-vis media owners and the Government.

Media owners should engage in the debate on self-regulation and facilitate a genuine commitment to self-regulation as a situation that benefits all.

