

[AL] Conflict of Interests among Private Television Stations Aggravated

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*Hamdi Jupe
Albanian Media Monitoring Center*

The National Council of Radio and Television has fined five local private television stations up to EUR 13,000. Koha TV, Telenorba Shqiptare, Vision Plus, Shijak TV and Top Channel are the latest to have penalties imposed on them by the State Authority for Licensing and Monitoring in Albania.

The official reason for these penalties is the "violation of the rules for fair competition" and "arbitrary expansion of the licensing area". In other words: these private television channels, which have been granted a license for local television transmission, that is covering only a limited area with their television signal, have expanded their area of coverage beyond the area provided for in the license.

Under the Law No. 8410, dated 30 September 1998, "On private public radio and television in the Republic of Albania", private radio and television channels are divided in two categories: "national", covering the whole area of Albania, and "local", covering a limited area according to the license granted by the State Licensing Authority. So far, the Parliament of the Republic of Albania has passed a law granting a license to only two national private television channels, whereas there is no limit to the number of local television channels.

The legislators justify the restriction to two national private television channels on the grounds that the private television channels do not have the actual capacity to cover the whole area of the Republic of Albania. According to Law No. 8410 dated 30 September 1998, national private television, from the moment of being granted a license, should cover over 70% of the territory with its signal. Actually, no licensed national television channel, either private or public, meets this requirement. The limited financial and technical capacities of the television stations render it impossible.

On the other hand, the allocation of licenses to so many national private television stations harms the interests of local television stations in various regions in Albania. The national television channels with their headquarters in Tirana harm the technical quality of the local channel transmissions in the suburbs, due to frequency interference, as well as in the advertisement market. "The Forum of Free Media", an independent association of Albanian journalists dedicated to the protection of the rights of the private electronic media, objects to the legal requirement, and is seeking total freedom of the electronic media in regard to

transmission coverage. According to the association, there is no convincing argument in favour of limiting the number of national licenses, and free competition will decide which television will be national and which local. Although not in accordance with the law that allows only two national private television channels, many private television channels, on having been granted a license for local transmission, are in practice expanding their area covered by their signal in violation of the law. This has obliged the National Council of Radio and Television to undertake the latest sanctions against the abovementioned television stations.

Law no. 8410 dated 30 September 1998, "On private radio and television in the Republic of Albania"

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