

## [AL] Revision of Election of Members of Regulatory Authority Proposed

**IRIS 2014-3:1/6**

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On 11 December 2013 the Deputy Chairman of the Parliamentary Commission on Education and Public Information submitted to the Parliament a proposal for the amendment of the Act no.97/2013 of 4 March 2013 "On audiovisual media in the Republic of Albania" (AML, see IRIS 2013-8/9). The amendment focuses on the change of Article 134 AML, which states that "the chair and members of the National Council of Radio and Television, appointed in accordance with the law no. 8410 dated 30 September 1998 (see IRIS 1999-2/16) on 'Public and Private Radio and Television in the Republic of Albania,' as amended, shall continue to hold their positions after this law enters into force, until the termination of their mandate set out in their original appointment. The term in office shall be calculated from the first day of their appointment. Vacancies in the Audiovisual Media Authority (AMA) shall be completed in accordance with the provisions of Articles 8 and 9 of this law."

The proposed amendment consists of two articles aiming to start procedures for the election of members and the chair of AMA and thus changing the provisions of Articles 8, 9, and 10 AML. The proposed amendment sparked a political debate with the parliamentary opposition claiming that this amendment aims to threaten continuity and independence of the regulator. The opposition demanded expert opinion from OSCE Representative on Freedom of the Media. The discussion on the amendment therefore has been postponed.

The proposed amendment came as no surprise, as, at the time of the revision of the AML in March 2013, the current ruling majority expressed their disagreement on the election of the regulatory authority members and the Steering Council of the public service broadcaster alike. The memorandum that accompanies the proposed amendment reflects this position, by stating that the current setup of the regulatory authority, preserving mandates of former members and the chair, elected under previous law, while the new law imposes other criteria, cannot be implemented. In addition, the memorandum points out that AMA is currently unable to make decisions, claiming that only three of its members have regular mandates and that the current chair is acting without gaining a second term as a member, just prolonging her mandate as a chair.

***Projektligj “Per disa ndryshime ne ligjin nr. 97/2013 Per Mediat Audiovizive ne Republiken e Shqiperise”.(A. Peza)***

[http://www.parlament.al/web/PROJEKTLIGJ\\_P\\_R\\_DISA\\_NDRYSHIME\\_N\\_LIGJIN\\_NR\\_97\\_2013\\_P\\_R\\_MEDIAT\\_AUDIOVIZIVE\\_N\\_REPUBLIK\\_N\\_E\\_S\\_16070\\_1.php](http://www.parlament.al/web/PROJEKTLIGJ_P_R_DISA_NDRYSHIME_N_LIGJIN_NR_97_2013_P_R_MEDIAT_AUDIOVIZIVE_N_REPUBLIK_N_E_S_16070_1.php)

*Proposal for the amendment of the law on audiovisual media, 11 December 2013*

