

[AL] Parliament discusses proposed amendment on removal of ownership regulation for audiovisual media

IRIS 2015-10:1/6

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The Parliamentary Media Commission is reviewing an amendment to Law no. 97/2013 "On Audiovisual Media" (Projektligj "Për disa shtesa dhe ndryshime në ligjin nr.97/2013 "Për mediat audiovizive në republikën e shqipërisë"), which was submitted to the parliament by a Member of Parliament for the ruling majority in April 2015. The proposed amendment repeals Article 62 of Law no. 97/2013 "On the audiovisual media in the Republic of Albania". The article in question regulates the ownership provisions for audiovisual media.

The Member of Parliament who submitted this amendment based it on the claims that the current ownership regulation has created barriers that should be eliminated, as they pose "a real obstacle to the development of broadcasting." According to the report accompanying the proposed amendment, the barriers of ownership are unnecessary. The report also claims that under the current situation, fair and effective competition is seriously violated, the quality of audio and audiovisual services might decrease, and one of the fundamental principles on which the Audiovisual Media Authority (AMA) should exert its activity, namely that of guaranteeing equal access to and a non-discriminatory audio and audiovisual media market, may be violated. The amendment also claims that Article 62 of Law no. 97/2013 is unnecessary, as it overlaps with competencies that the Authority on Competition should have, instead of the AMA. The report also claims that the amendment provides favourable conditions for the fulfilment of the obligations and objectives laid down in the National Strategy for the transition from analogue to digital broadcasts (2012) alleging that such an action will help with a more efficient use of the spectrum.

Given the sensitive nature of the amendment, the Parliamentary Media Commission asked international bodies for feedback on the amendment before making a decision, namely the Organisation for Security and Co-operation in Europe (OSCE), the Council of Europe, and the European Commission. In the meeting on 21 September 2015, the Commission gathered to discuss the opinions received on the proposed amendment. The chair of the Commission briefed the participants on the materials received, emphasizing that all three responses strongly opposed such an amendment, assessing it as a development that might have negative consequences to media pluralism in the country. He also mentioned that opinions on the amendment were also submitted by the regulator

AMA and the telecommunications service provider Tring TV. AMA's opinion was the only one that supported approving the amendment.

The ruling majority Members of Parliament suggested that since AMA has the technical expertise and is the regulator, its representatives should also be heard on this matter at the Commission. The hearing session with the members of the AMA was planned to take place on 30 September 2015. However, due to the absence of all Members of the ruling majority of Parliament, the hearing session did not take place and was postponed to a later date. Consequently the opposition issued a statement for the media, stating that it was not acceptable that the ruling majority Members of Parliament had proposed such a hearing and then fail to attend it. In addition, the statement pointed out that currently the process of digital licensing is delayed and deadlocked, and the amendment regarding Article 62 of Law no. 97/2013 on the ownership for audiovisual media is a major obstacle in this process.

Projektligj “Për disa shtesa dhe ndryshime në ligjin nr.97/2013 “Për mediat audiovizive në republikën e shqipërisë”

http://www.parlament.al/web/PROJEKTLIGJ_P_R_DISA_SHTESA_DHE_NDRYSHIME_N_LIGJIN_NR_97_2013_P_R_MEDIAT_AUDIOVIZIVE_N_REP_19946_1.php

The draft Law and the explanatory memo submitted by a Member of Parliament

Komisioni për Edukimin dhe Mjetet e Informimit Publik u diskutoi mbi përgjigjet e dhëna nga organizmat ndërkombëtarë në lidhje me kërkesën për projektligjin “Për disa ndryshime dhe shtesa në ligjin nr. 97/2013 “Për mediat audiovizive në RSH”

http://www.parlament.al/web/Komisioni_per_Edukimin_dhe_Mjetet_e_Informimit_Publik_u_diskutoi_mbi_pergjigjet_e_dhena nga organ 20820_1.php?kc=0,0,0,0,0

The report on the Commission's meeting of 21 September 2015

Të majtët braktisin “Median.” AMA do raportonte për nenin 62

<http://shqiptarja.com/media/2710/t--majt-t-braktisin-median-ama-do-raportonte-p-r-nenin-62-318576.html>

The report on the failed hearing and the opposition's statement

