

Chairperson of the Parliament, Mr Gramoz Ruçi
Chairperson of the Parliamentary Committee on Education and Public Information, Mr Ramazan Gjuzi
Deputy Chairperson of the Parliamentary Committee on Education and Public Information, Ms Mirela Kumbaro
Leader of the Socialist Party Parliamentary Group, Mr Taulant Balla
Leader of the Democrat Parliamentary Group, Mr Myslym Murizi
Leader of the Independent Parliamentary Group, Mr Nimet Musaj
Leader of the Democracy and Justice Parliamentary Group, Mr Edmond Stojku

CC: Delegation of the EU to Albania; Office of the Council of Europe Commissioner for Human Rights; Office of the OSCE Representative on Freedom of the Media

Sent electronically

Leipzig, 16 September 2020

Open letter re: the amendment of online media laws in Albania

Dear Chairperson of the Parliament, Mr Gramoz Ruçi,
Dear Honourable Members of Parliament,

We are writing to express our grave concern about the apparent plans of the Parliament of Albania to ignore the issues raised in Venice Commission Opinion No. 980/2020 of 19 June 2020, further threatening press freedom and the right to freedom of expression and to information in Albania.

The undersigned organisations, including partners in the Media Freedom Rapid Response, are alarmed by reports that the Parliament plans to reconsider the Amendments to Law No. 97/2013 'on Audio Visual Media in the Republic of Albania' on the basis of article 86 of the Rules of Procedure of the Assembly, which prescribes that the Parliament considers only the issues introduced by the President of the Republic. Consequently, the Assembly would ignore the problems raised in the aforementioned Opinion of the Venice Commission and by domestic and international civil society organisations.

In this regard, we reiterate our serious concern that the amendments in their current form fall short of international law and standards. As noted also by the Venice Commission, the legislative proposals suffer from vagueness and have a number of fundamental flaws, including:

- An overly broad scope of application that may include individual bloggers and social media users;

- Requiring de-anonymisation of all Albanian online media resources, which is especially problematic in light of the overly broad scope of application;
- Entrusting weighty administrative powers to the Albanian Media Authority and the Complaints Committee, without first ensuring that these institutions are sufficiently independent; and,
- A lack of adequate procedural safeguards in the complaints procedure.

As such, the proposed amendments risk causing a chilling effect on the right to freedom of expression online and restricting Albanian citizens' right to access to information.

We share the opinion of the [Venice Commission](#) and [15 Albanian civil society organisations](#) that the problem of malicious or irresponsible media behaviour on the internet would be more appropriately tackled through the establishment of an independent self-regulatory body, which involves all stakeholders in the media community and is empowered to ensure an effective and well-respected system of media accountability.

Accordingly, we urge you to rethink the current legislative procedure and instead put in place a transparent process that leads to appropriate legislation that addresses all the Venice Commission's recommendations, and to include civil society and representatives of the media throughout this process. We fear that pushing ahead with these amendments in blatant disregard of the important issues raised by the Venice Commission will further damage hopes of progress on press freedom and undermine Albania's pursuit of EU accession.

Sincerely,

Signed

European Centre for Press and Media Freedom (ECPMF)
 ARTICLE 19
 European Federation of Journalists (EFJ)
 Free Press Unlimited (FPU)
 International Press Institute (IPI)
 Osservatorio Balcani Caucaso Transeuropa (OBCT)
 South East Europe Media Organisation (SEEMO)

This letter is coordinated by the European Centre for Press and Media Freedom as part of the Media Freedom Rapid Response (MFRR), an Europe-wide mechanism, which tracks, monitors and responds to violations of press and media freedom in EU Member States and Candidate Countries. This project provides legal and practical support, public advocacy and information to protect journalists and media workers. The MFRR is organised by an consortium led by the European Centre for Press and Media Freedom (ECPMF) with ARTICLE 19, the European Federation of Journalists (EFJ), Free Press Unlimited (FPU), the Institute for Applied Informatics at the University of Leipzig (InfAI), International Press Institute (IPI) and CCI/Osservatorio Balcani e Caucaso Transeuropa (OBCT). The project is co-funded by the European Commission.
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