

Albanian journalist between professional standards and external pressures

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Abstract

Freedom of information is guaranteed by the Constitution, not only in Albania, but even beyond. Even though it constantly remains a controversial issue. Media, mainly their employees in general, for various reasons do not go to the end of their requests. The pressure on the journalist is increasing every day from politics, media owners, advertisers etc. This paper will examine three major dimensions related to the freedom and status of journalists in the Albanian media, with the accompanying duality between the exercise of professional standards and external pressures.

Firstly, the paper will shed light on the importance of the status of journalists. The main problems faced by Albanian journalists is an unregulated media market. Secondly, the paper will assess the main sources affecting the freedom of practicing journalism. Thirdly, depending on the above conditions, the study will analyze the economic dependence (condition) of Albanian journalists and its consequences.

At the end of the study, based on cause- effect analysis, it is aimed to find the main problems dealing with the community of Albanian journalists.

Keywords: *journalists status, regulated profession, censorship, self-censorship, economic crisis*

What is the current status of journalists in Albania?

To determine the current status of journalists in Albania it is sufficient to see that in any of the legal documents that govern labor relations in the Republic of Albania the concept of journalist, is not mentioned. Although there are many journalists' organizations in Albania, they appear fragmented and not at all them are active in community representation. Up to 2007, legal initiatives by journalists for

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improving legislation, their social and economic status were almost absent.

Recruitment of journalists at work continues to be performed by administrator preferences or media owner that in most is an extra-professional person who has no relation with journalism or experience in this sector. It has only political or economic benefits to use media as a weapon or as a shield for the government. As a result, none of the editors exercise the right of establishing staff or recruiting journalists to make a team according to the principles of qualification, experience and education. Furthermore, according to the chairman of Union of Albanian Journalists, Aleksandër Çipa, human resources offices in over 70 percent of the media do not require the personal records of the journalist during the act of recruitment. Almost in all media there are missing details about job description of their employees etc.

In media, dismissals of journalists are frequent without taking into consideration the rights or presumption of guilt by the journalist. Only after 2006, the Court of Tirana began trials in cases of dismissal from work of journalists by media managers. Before this period, cases were so few to be counted.

After 2011, the country's media scene takes intensive development, especially in the field of audiovisual media. At this stage, according to statistics of the UAJ there are employed approximately 5,000 employees. About 2,000 of them are journalists and among them about 1,350 professional journalists. In this period six local courts conducted over 137 open trials by journalists against media managers. According to data reported by UAJ through a survey conducted to 500 journalists, it turned out that one of the most important reasons that forced journalists to the courts is unwarranted dismissal from work. Then it continues with irregularities in payments on the work done, exploitation by the employer or conflicts arising connected with political issues and the use of copyright.¹

Through the same study it was noted that 65% of journalists declare that there is a marked difference between the number of years they have worked as journalists at a media entity and the number of

¹UGSH, Friedrich Ebert Stiftung, and OSCE. *Praktikat informale të punësimit në median shqiptare*. Tirana: OSCE, 2012. P.26-27

working years during which they have been provided with a work contract. "In contrast, 35% of journalists surveyed claimed that during the years in which they have practiced journalism they have been provided with employment contract".²

The problem of employment in terms of contract was stressed during the 90s. "If we refer to the real rate in the first stage of post communist, 1992-1997, the level of employees without social rights was at about 95%. [...] In the second stage, 1997-2003 index figures 90%. In the third phase from 2003 to 2006, the index fell to 75%. During 2006-2009 this number fell to 45-60% , while the proportion of untreated journalists in the districts is much greater"³. Referring to print of 2000s, it results in only 10% of journalists who exercise their profession in the capital were insured, the rest did not have insurance. In addition, 95% of the journalists who serve in the regions outside Tirana continue not to have any benefit from any kind of social protection.

Most journalists who operate and work in the Albanian media have received the membership card at World Federation of Journalists, a card which is distributed by the two organizations that in different periods have had the status of full membership with full rights in the federation. First one is the "League of Albanian Journalists" chaired by Ylli Rakipi and the other is "Association of Professional Journalists" with chairman Armand Shkullaku. Both of these associations do not have this status because they donot give annual financial contributions as quotations. As a result, none of the journalists can have the possibility of the recurrence of this card.

Conditions hampering journalists status

The level of freedom of expression in Albania

The profession of a journalist in Albania is influenced by a number of factors that limit or extend the limit of freedom of expression and

²Ibid. F.21

³UGSH. *Monografi*. Tirana: WESO, 2010:11

media professionalism development. Abdi Baleta asks since June 2003 "Who would reduce the offensive that is suffocating freedom of the press?".⁴ Unfortunately 12 years have passed, and even today, it remains without an answer. "Media freedom keeps societies and economies vivid, energetic and healthy. When the free flow of news and information is interrupted, individuals suffer. Societies suffer. Economies suffer".⁵

The international organization "Freedom House" in its annual report on freedom of the media, in May 2015, listed Albania among partly free countries. Albania failed to pass some regional countries such as Serbia, Montenegro and Croatia. Elen Aghekyan, an expert in organization, points out that media in Albania is far from being really independent. "Large businesses control the media market, which is very small",⁶ she declared.

Table 1, Freedom House report on media freedom in Albania

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Independent Media	4.00	3.75	4.00	3.75	3.75	3.75	3.75	4.00	4.00	4.00	4.00	4.00	4.00

In the report "Press Freedom Index in World 2015" compiled by international organization "Reporters without Borders", with headquarters in Paris, resulted that Albania has made progress in terms of media freedom. In this report, Albania is ranked 82nd out of 180 different countries, marking an increase compared to a year ago when it was 85th.

⁴Baleta, Abdi. "Kush do ta frenojë ofensivën që po i zë frymën lirisë së shtypit?" *Rimëkëmbja*, 2003.

⁵Arvizu, Alexander. "Pse liria e medias i bën shoqëritë më të shëndetshme." *Gazeta Shekulli*, 2012: 9.

⁶Shqip. «Freedom House: Liria e medias në Shqipëri e pjesshme.» *Gazeta Shqip*, 2015: 5.

Table 2, Press Freedom Index in Albania by "Reporters without Borders"

Viti	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Renditja	34 / 158	50 / 158	62 / 161	80 / 161	87 / 164	79 / 168	88 / 170	80 / 173	—	102 / 178	102 / 178	85 / 180	82 / 180

Most recently in the 2014 annual Progress Report on Albania, the European Commission (EC) continued to be critical about the freedom of expression in the country. EC considers that "journalists should be protected from arbitrary dismissal, in order to prevent self-censorship."⁷ According to the EC, media continues to be used as a tool to promote private economic and political interests.

Critical to freedom of expression in Albania has been the IREX too. In the 2012 report on "Media Sustainability Index", IREX claimed that in Albania, "a growing number of media have been subject to political dependence, mainly belonging to the ruling party. Now independent media and journalists are seen as rare species near extinction", emphasizes IREX.

Features of albanian journalism

To analyze the status of the journalist we must first ask the question "Who are the journalists? *From what university/professional education do they come?*". However, it must be admitted that journalism is a profession that accepts professionals coming from other areas: economists, lawyers, scholars of international relations, political science graduates, linguistics specialists etc.

Studies show that "in total 53% of journalists have a degree in journalism and communication, whereas 47% of them are not graduated in communication sciences. Regarding the second cycle of studies, it shows that 65% of journalists have not completed a master's

⁷KE.Progres Raport 2014 për Shqipërinë.Vjetor, Brussels: Evropean Commission,2014:54

degree while 35% hold the profiled studies. Meanwhile, it turns out that about 80% of them have participated in internships or professional courses on journalism”⁸. In the reality of Albanian media operation, asked about this issue, six representatives from the offices of human resources refused to respond of the real number of journalists and also about their fields of studies. This is due to various reasons, such as lack of application of legal procedures for new hires. It is also because a number of journalists who work on their desks do not enjoy the contractual relationship with the employer.

On the other hand, for consecutive years the press is being criticized for its attitude on news, the surplus with commercial news and collapse towards the financial pressures. Other appeals come for inaccuracy, lack of ethics and high doses of nationalism. American researcher Jerry Shan Shiong Huang considers as the main reason of this failure the way of selection and lack of continuous training for journalists. "With a journalist or editor who can only be a graduate of a journalism school with no further development, whose responsibility is only accountability to his boss, not the public it is impossible to reach the standard of perfection”⁹ In the Albanian case, it has often occurred that the recruitments are made primarily by the owners desire, who often come from other professions and use media as a mean to support their interests and supporting other business with it.

This way of recruitment and selection has led to a significant reduction in the number of professional journalists who intend to make a career in this profession, and influenced their transfer to similar professions such as press spokesman for the office, office of public relations, marketing etc.

Moving from active journalism, Nimet Isufi, a former journalist on several daily newspapers says: The main reasons are directly related to the social status of journalists, low fees, continued delays in

⁸Skana,Pranvera.*Statusi socio-profesional i gazetarit shqiptar*. Tirana:PhD thesis,University of Tirana, 2014:121

⁹Huang, Jerry Shan Shiong. *Mass Communication Research*. n.d. http://mcr.nccu.edu.tw/issueArticle.asp?P_No=48&CA_ID=698 (accessed Prill 20, 2015)F.13

salaries, no professional treatment, lack of good working conditions etc".¹⁰ Alban Tartari¹¹, a former journalist on Albanian Public Television (TVSH) states that 'the main cause of moving from active journalism to public relations sector was financial treatment.' The same reasons of moving from active journalism are stated by former journalist of Standard newspaper, Top Channel TV and Vizion Plus TV, Erlis Çela, who says that "media owners tend to replace career journalists, whose financial expectations may be high, with young journalists, often newly graduates."¹²

In the Albanian case, according to a survey organized by Albanian Media Institute (AMI), it resulted that interference in the news is very high, because of the above mentioned features, also affecting the image of the journalist and the profession. To the question, "if there has been intervention to change the script/story?" , 89 of the 123 journalists surveyed, about 72% percent of them, have answered positively.¹³

Reporters interviewed about this case, stated that beside other factors such as politics, advertisers, etc., media owners seek to have a greater intervention in the work of the journalist.

Former editor in chief at TV Klan, Arben Vata says that "media owners use journalists for their economic goals, but as always detrimenting the mission of the media".¹⁴ More radically answered the journalist of Tema journal, Lindita Cela, currently on Ora News TV, who believes that "in Albania there exists no media, in its primary sense. As a result, there are no journalists, or at least they have ceased to function."¹⁵

¹⁰Isufi, Nimet, interview by Ramadan Çipuri. *Vetëcensurimi i gazetarëve në redaksi* (September 05, 2013)

¹¹Tartari, Alban, interview by Ramadan Çipuri. *Vetëcensurimi i gazetarëve në redaksi* (September 06, 2013).

¹²Çela, Erlis, interview by Ramadan Çipuri. *Vetëcensurimi në redaksi i gazetarëve* (September 02, 2013).

¹³ISHM. *Vetëcensura dhe censura e butë në median shqiptare*. Vjetor, Tiranë: Instituti Shqiptar i Medias, 2013.:13

¹⁴Vata, Arben, interview by Ramadan Çipuri. *Vetëcensura në redaksi e gazetarit* (September 08, 2013).

¹⁵Çela, Lindita, interview by Ramadan Çipuri. *Vetëcensura në redaksi e gazetarëve* (July 05, 2013).

In addition to direct prohibition and open to certain news, "the great majority of journalists claim to have had direct suggestions or orders to publish certain news, respectively 106 out of 123 respondents, 86% of them."¹⁶

When asked about this issue, journalists working in different, domestic and foreign media, gave different opinions. According to a DW reporter in Tirana Arben Muka¹⁷, Anadolu Ajans Aida Vishko¹⁸, correspondent of the Turkish Public Channel TRT Fatjon Prroni¹⁹, this has not happened.

Denis Minga, a former editor in chief at News 24 TV says that "it has happened several times due to the policy and proprietary interests"²⁰. Well knows journalist and moderator of several televisions, Armir Shkurti says "Yes, it has happened at my beginnings (1992) and has it been happening throughout the career."²¹ Journalist of News 24 TV, Anisa Ymeri states that "it has happened more than once and this phenomenon keeps repeating."²² The editor of Vision Plus TV, Roland Zili, also claims: "Of course, this happened. That journalist that denies such facts, is simply lying."²³ In this context, when speaking about the media situation today, Remzi Lani describe it in two words: repoliticization and clientelism. "Repoliticization and

¹⁶ISHM. *Vetëcensura dhe censura e butë në median shqiptare*. Vjetor, Tiranë: Instituti Shqiptar i Medias, 2013:13

¹⁷Muka, Arben, interview by Ramadan Çipuri. *Vetëcensurimi i gazetarëve në redaksi* (September 11, 2013).

¹⁸Vishko, Aida, interview by Ramadan Çipuri. *Vetëcensurimi i gazetarëve në redaksi* (September 09, 2013).

¹⁹Prroni, Fatjon, interview by Ramadan Çipuri. *Vetëcensurimi i gazetarëve në redaksi* (September 12, 2013).

²⁰Minga, Denis, interview by Ramadan Çipuri. *Vetëcensurimi i gazetarëve në redaksi* (August 23, 2013)

²¹Shkurti, Armir, interview by Ramadan Çipuri. *Vetëcensurimi i gazetarëve në redaksi* (August 24, 2013)

²²Ymeri, Anisa, interview by Ramadan Çipuri. *Vetëcensura e gazetarëve në redaksi* (September 02, 2013).

²³Zili, Roland, interview by Ramadan Çipuri. *Vetëcensurimi i gazetarëve në redaksi* (Gusht 19, 2013).

clientelism of media are currently among the most serious problems that it is facing".²⁴

Legal space supporting the press

The level of freedom of speech and spaces to which media can operate constitute an important element of the nature of journalist's status. At a first glance it seems that Albania has a free and independent press. But, if we analyze the legal spaces, it is noted that freedom of media in Albania is limited and subject to certain factors.

In Albania, until 1993 there has been no law about the press. It was a characteristic of monistic systems where the laws were formal even when they existed. Today, in legal terms, there are some laws that attempt to regulate freedom of expression and media organization in general.

Firstly, freedom of expression is guaranteed in the Constitution of the Republic of Albania, Article 22 which states: "Freedom of expression is guaranteed. Freedom of the press, radio and television is guaranteed. Prior censorship of means of communication is prohibited. The law may require the granting of authorization for the operation of radio or television."

Secondly, the print media in Albania is regulated by the "Law on the Press" no. 8239, adopted in 1997 as an amendment of the "Law on the Press" with no. 7756 passed in 1993. With the amendments of 1997, the new law contains only a general rule, stating, "The press is free. Freedom of press is protected by law."

Another legislative space such as electronic media in Albania since a long time is regulated by Law No. 8410 "On radio and public and private television", which was replaced after six amendments were made to the law No. 97 in 2013, "On audiovisual media in the Republic of Albania". In its annual report, the OSCE criticised this law

²⁴Lani, Remzi. *Gazetaria profesionale dhe vetë-rregullimi : Media e Ballkanit, Lost in Transition?* Tiranë: Organizata e Kombeve të Bashkuara pë Arsimin, Shkencën dhe Kulturën, 2011:41

by adding that through it, public broadcasters risk becoming political tools of the governing majority.²⁵

Decriminalization of defamation and insult was another long political debate during the late 2000s onward. In 2012, due to some changes to the criminal code the imprisonment for insult and libel cases was revoked.

But, on the other hand, the measures appear to have been inadequate to meet the expectations of the European Commission (EC), which in the 2013 Progress Report about Albania said that "further steps are needed for full decriminalization of defamation. Interference in the media by political and economic interests should be limited."²⁶

Media workers, as well as any other citizen, have the right of access public documents through the law about the "right of information", which regulates the right to access the information produced or held by public authorities. It also aims to promote integrity, transparency and accountability". So until the above law was adopted, the right to information was regulated by Law No. 8503, dated 30.6.1999 "For the right of information on official documents". Given that changes in law were numerous, not only technical, but also in content, the Council of Ministers brought a new law.

The Electoral Code is another media regulator in covering the pre and post election campaigns. During the election campaign, Public Radio and Television provides free registered minutes for political parties, which is divided according to certain rules. For private media, the law provides that the coverage of the electoral campaign is done only during normal and special news editions.

In Albania since 1996 exists the journalist code. But despite its existence, it is not known and it is not applied. Its lack of implementation comes not only from not knowing, but also from the lack of enforcement mechanisms needed for the implementation of this Code.

²⁵OSCE. *Raport përpara Këshillit të Përhershëm nga Kryetari i Prezencës së OSBE-së në Shqipëri*. Annual, Tirana: OSCE, 2013:9

²⁶KE. *Progres Raporti 2013 për Shqipërinë*. Strategjia e Zgjerimit dhe Sfidat Kryesore për periudhën 2013-2014, Brussels: European Commission, 2013.

Another problem for the Albanian media remains the lack of regulatory and self-regulatory mechanisms, known in the media world as the Order of the journalist, which would help among others, to put on the contractual and legal basis for the journalistic activity and media activity as a whole.

Albanian government's attempts for a law that would regulate the position of journalists in 2003, faced the opposition from the international community. Article no. 19 criticized the idea that the law forbids publishers to employ journalists who are not registered in the order and requires the establishment of a Register of Journalists, where all professional journalists must register.²⁷

Associations of journalists

According to a document released by the Central Election Commission ensured in Tirana District Court, a list of non-profit organizations operating in the media sector, shows that in Albania there are 64 journalist associations, a very large number for a small community of professionals in this field. Despite the existence of so many different groups, Albanian journalists have not managed to organize among themselves and seek the rights for a regulated profession. The problem is that none of these associations have been able to institutionalize the real protection of journalists and other media workers. "It comes from the fact that most of the leaders of the associations of journalists are owners or co-owners of the media".²⁸

Meanwhile, in the face of such influential associations, only some of them have been active during the past two decades. They are; the "League of Albanian journalists", established in 1993; "The Association of Professional Journalists of Albania"; "Free Media Forum"; "Association for visual media"; "Albanian Journalists Union"; "The Association of Journalists for Justice", chaired by Kristina Fidhi which was founded in 2012. "The Albanian Media Institute" (AMI), is also

²⁷OSCE. January 2004. <http://www.osce.org/sq/fom/34014?download=true> (accessed Maj 03, 2015).:2-4

²⁸Londo, Ilda. *Legislation on Media ownership*. Tirana: Instituti Shqiptar i Medias, 2004.

active, which was founded in 1995 with the support of funds provided by DANIDA and the *Danish School of Journalism*.

The financial conditions of Albanian journalists

Financial terms of Albanian journalists continue to be deplorable. According to statistics published by the UAJ, the balance of informality in the media of 2015 is alarming: In 19 newspapers, 62 TV stations, 63 radio and 200 web pages (85% of the media in the country) journalists are not paid on time, or not paid at all.

Contacted about this matter, journalists are not reluctant to express dissatisfaction, but when asked to cite a source, they are reserved. This is due to the fragility of the media sector. As rarely seen before, publicly came the reaction of the ABC News journalist, Alma Çupi, which denounced the delay of two months in getting her salary.²⁹ But even in this case, it is an interesting fact that only about two hours after she wrote the status that spread quickly on some online sites, she deleted it.

According to the head of UAJ's Aleksander Cipa, from 23 daily socio-political newspapers of the country, only 4 of them are providing fair wages on time. They are: Panorama, Gazeta Shqiptare, Shqiptarja.com, Shqip. From 72 televisions, listed under Audiovisual Media Authority (AMA), only 10 of them pay financial obligations on time. Those are: RTVSH, Top Channel, News 24, A1 Report, Klan, and some local TV stations. Out of 71 radios, 63 of them have salary delays which in most arbitrary cases start from a month up to five months. The same condition is seen in the newest media, the online one. Out of the 250 webs and online newspapers, opened during 2014, it resulted that over 320 journalists are employed. Some 50 of them have a modest payment system, while 200 of them have an informal terrible reality.³⁰

However, statements about the real situation of Albanian media seem to not have been accompanied by concrete measures because it continues to remain as before in its stagnation, "A journalism in

²⁹Tema. «Gazetarja e ABC News denoncon televizionin e vet: kemi dy muaj pa marrë rrogat.» *Gazeta tema*, 04 Maj 2015:10

³⁰*Statement of the Union of Journalists of Albania*. (May 3, 2015).

stagnation" as defined by DW, on May 3, 2016. As reporters salaries continue to be low, there is a difference between the amounts awarded to analysts invited to the studio or those who write in newspapers and websites and to what reporters benefit. In July 2011, the Albanian newspapers published the names of journalists who were highly paid. Their salaries depending on the commitment started from 150 thousand lek up 3 million leks³¹. In this list there were well known names of the Albanian journalism: Blendi Fezviu, Arjan Çani, Andi Bushati, Artur Zheji, Sokol Balla, Ilva Tare etc.

The fact of imbalances among opinion-makers and journalists is also confirmed by an editor of an online portal, who declined to be identified as he says that there is a disparity between what we give to journalists and what we give to analysts. The latter are well known names and a simple analyse is paid at least 10 thousand ALL. Meanwhile, he says that journalists who work at least 8 hours a day, cannot get higher wages than 30 thousand lek per month.

Conclusions

Details of this picture which generally does not change the essence of its content of social injustice on journalists remain a problematic and an important reason. It may be considered that "censorship arises from within media" because of the informal circumstances of employing the journalists. In the absence of a media law, in the absence of other legal documents that regulate the relations of the journalist's work, in the absence of a real media market, it should be noted that this kind of censorship brings a "self-censorship status" which is a real threat to the freedom of expression itself.

All attempts to change this self-censorship status have failed in the absence of a unitary solidarity from the community of journalists and as a result of a "willingness" of political power to keep the current state stagnant, as an attempt to keep everything under control. In this closed circuit interests - owners, power, politics, finance and other

³¹Mane, Bledi. *Gazeta Tema*. 16 Korrik 2011.

<http://www.gazetatema.net/ëeb/2011/07/16/15-gazetaret-me-me-influence-te-shqiperise-dhe-pagat-e-tyre/> (last visited Maj 04, 2015).

benefits, sometimes even occult, organizations have never managed to come together to achieve any concrete result in changing the legislation and particularly the implementation of the two contracts of employment, the collective and individual one.

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