

Ethical Issues in the Media

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ABSTRACT

The media have the right to information and expression guaranteed. The role they play is crucial in democracy. They inform the individuals of the society and highlight the key problems in the country. Their proper functioning directly affects the strengthening of the rule of law. In general, the media are dependent on political power, on economic power. The situation for freedom of expression and information has improved, but there are still problems when journalists write against the government, the situation for the protection of the safety of journalists should be increased, all over the world. The media in general generates hate speech, discrimination. Sexism in advertisements and media content is another issue that the competent authorities should take measures to prevent negative phenomena in the media. Protecting children from unworthy transmissions that harm children's development and lead to wrong patterns should be the focus of attention. Respect for the Code of Ethics, the Broadcasting Code, the Statute of the International Federation of Journalists, the Constitution and the laws of the country by the media and journalists must be increased in order to have quality journalism. Ban disinformation in the media and raise awareness among journalists about the importance of fact-checking, so as not to damage the reputation of individuals in society with disinformation. Increasing the safety of journalists around the world, because the cases of violence, intimidation, deaths of journalists in the line of duty have increased. When a journalist dies, we lose pieces of the truth. Online propaganda and disinformation have increasingly poisoned the digital sphere, while the rampant collection of personal data is destroying traditional notions of privacy. Respecting the acts of the European Union in the media field is a necessity of the time. The separation of political power from the media power, a factor that affects the increase of the democratization of the country."

Keywords: media, journalist, disinformation, discrimination, code of ethics.



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INTRODUCTION

Research Questions:

- ❖ What are the real problems in the media?
- ❖ Are the media politicized?
- ❖ Is editorial independence respected?

Objectives of the paper:

- ❖ To present the real situation of the media in Albania.
- ❖ Highlighting problems, sexist language, discrimination and hate speech, disinformation, commonly used by the Albanian media.
- ❖ The links between political and economic power and media power.

METHODOLOGY:

"During the research of this article I have used the qualitative, quantitative, interpretative method as one of the basic methods of legal sciences. The research was

based on articles from the country and foreign authors. Analysis of International Acts in the Media Field, Conventions, Directives, Resolutions, Regulations and National Acts Breakdown of Laws, Codes of Ethics, Broadcasting Codes, Codes of CSOs, Reports in the Media Field"

Media include both audiovisual media, social media, print media. Mass Media – Press (newspapers, magazines), TV, radio. Research and data have shown how the media reinforces stereotypes, especially on issues of gender, religion and culture. Despite the great role that the media has in society as the main actor from where individuals of society are informed, as the basic source of information in democratic societies, the media have conveyed some problems.

Do the media have editorial independence?

Author: Based on the laws that exist in the Republic of Albania, the media must be independent from political

power, from economic power. The law on audiovisual media in the Republic of Albania states that the media must be impartial. This has been one of the basic requirements emphasized by the European Union in their Directives, in the European Commission's Reports on Albania, one of the basic pillars of a country's democracy is editorial independence, media independence, media pluralism. The Recommendation issued by the Commission emphasizes editorial independence and transparency of ownership, but the recommendation was not taken into account by the states, because they have no legal obligation to those who address them.

While the portrayal of women and men in the media can convey unequal representation in different contexts, including political, economic, social, academic, religious, cultural, and sporting contexts – with men appearing primarily in active social roles and women being limited to more passive roles; while of all the stereotypes that affect the image of women and men, the main example is the sexualization of the female body, which can be seen most clearly in the tabloid press and in advertisements;

And while the media has a significant impact on cultural gender norms and on how social representations relate to both women and men are formed and evolved. Serious concerns are that audiovisual media, which do not have editorial independence, commonly use hate speech. Author: "Another problem is sexist language in the media, this is commonly used in advertisements, in media content, movies, in some cases they misuse media power. The media should serve the society with professionalism, without discrimination, without hate speech, as little sexist language as possible, without disinformation, in accordance with the Code of Ethics in the Media with the Code of Broadcasting, and the laws, Conventions, Code of the International Federation of Journalists". In the law on private public radio and television in the Republic of Albania, in Article 38\4 of Law 8410, the transmission of pornographic programs is not allowed, also in Article 43 it is emphasized that films prohibited for ages under 14 years old are not shown on the screen even partially from 06.00 to 02.00 the next day. Currently, this law has been repealed, but these provisions should have been present in the new law on audiovisual media, where there are no restrictions.

Some of the ethical moral nomads are universal and the basic legal laws have served several systems, therefore they can be considered the foundation of today's civilization. Author: "On the part of the AMA, a positive step has been taken for the preservation of media content by the audiovisual media, in order to verify all the violations committed by the media". The Broadcasting Code was enriched with new principles and rules for the promotion of gender equality, the prevention of gender discrimination and the fight against sexism in audiovisual media; the prevention of hate speech, incitement to radicalism and violent extremism, the better protection of human rights and freedoms, regardless of status or social status, access to

audiovisual media and the protection of the rights of persons with disabilities. Article 1.5 states that broadcasts containing elements of pornography must be subject to a control system, such as conditional access. In the Law No. 8096, dated 21.03.1996, On Cinematography, amended by Law No. 9353, dated 03.03.2005, there are no provisions for the prohibition of horror films or films with erotic content, traditional celebrations and the background of linguistic sexism.

Linguistic sexism is usually defined as sex-based discrimination, which is deeply rooted in atypical society, culture, history, and psychology, and – as distinct from sexist behaviour – is reflected in language, determining the times when these should be transmitted to protect children.

The form of sexist hate speech fosters gender stereotypes for which women often take extremes of abuse due to the prevalence of patriarchal social structures in most society. In most cases in Africa, sexist hate speech will be used as a weapon based on gender-based violence meaning silently harassing women and preserving men's privileges. Such sexist ideological organizations are evident in all forms of media (Lei, 2006). In Africa, sexism in hate speech is used to silence women when they appear to challenge traditional male roles. It's no secret that journalism is facing weak times. Editorial offices operate with much smaller teams and budgets, and one result is 'kurnalism' Author: "Other problems in the media are disinformation, disinformation, malicious information, the last two are done with conscience by the media to denigrate individuals, public figures, organizations, states to lower their values".

The deliberate dissemination of statements as well as any other information, knowing that they are false and violate the honor and dignity of the person, constitutes a criminal offense and is punishable by a fine from 50,000 to 1,500,000 ALL

It is also a criminal offense to transmit child pornography and access it knowingly, it is a criminal offense and is punishable by imprisonment. Sanctioned in Article 117 of the CPS as follows:

"The production, distribution, advertising, importation, sale and publication of pornographic materials in environments where there are children, by any means or form, constitute a criminal offense and are punishable by imprisonment of up to two years. The production, importation, offering, making available, distribution, transmission, use or possession of child pornography, as well as knowingly creating access to it, by any means or form, is punishable by imprisonment from three to ten years.

So, the state has taken measures for punishments in such cases.

The European Commission's report in 2024, among other things, stated that the Independence of the Audio-Visual Regulatory Authority (AMA) is not guaranteed

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due to the risk of political and corporate influence in the AMA board appointment procedures. In April 2024, the Parliament established an ad hoc Parliamentary Commission to deal with disinformation and foreign interference, without the support of the opposition. Profile business groups further increased their economic penetration in the media market during the reporting period, and their strong ties to political interests are a serious concern. New rules to protect media pluralism and independence.

Author: "Journalists must respect the Global Charter of Ethics of Journalists, which has a set of principles that must be respected. These principles are in line with the 2018 Code of Ethics for Journalists in Albania".

The IFJ Global Charter of Ethics for Journalists was adopted at the 30th IFJ World Congress in Tunis on 12 June 2019. It complements the IFJ's Declaration of Principles on the Conduct of Journalists (1954), known as the "Bordeaux Declaration".

The Charter is based on the main texts of international law, in particular the Universal Declaration of Human Rights. It contains 16 articles plus a preamble and sets out the duties and rights of journalists in relation to ethics.

Editorial independence is also emphasized here, as a key factor for democracy. Common minimum standards of editorial independence should apply to all media.

The IFJ defines press freedom as:

"That freedom from restriction that is essential to enable journalists, editors, publishers, and broadcasters to advance the public interest by publishing, broadcasting, or circulating facts and opinions without which a democratic electorate cannot make responsible judgments."

Author: "One of the problems in the media is hate speech and humiliation of people who become a public object because of their profession. This is contrary to the Code of Ethics"

Incitement to crime and violence, spreading war, violence, anger or malice information intended to harm the feelings of all or part of the public is unethical and unacceptable in any media product .

Reporting must take into account the need to protect minors and vulnerable groups in society.

The transformation in the media in the former communist countries of Eastern Europe in the last 15 years has been dramatic, presenting entirely new challenges for individual journalists and their profession.

On the one hand, the crude forms of state censorship and monopoly of the press and the transmission of speech have been reversed, while on the other, the more subtle forms of pressure and influence from politics.

Author: "Freedom of expression and information are constitutional rights provided in the Constitution of the Republic of Albania in its articles 22 and 23, but not only, in national acts but also in a series of international acts, the European Convention on Human Rights and Freedoms, these two rights have been established in a single article Article 10 . The Fundamental Charter of Rights of the European Union has provided for it in its Article 11 . The American Convention on Human Rights, the International Covenant on Civil and Political Rights and other acts."

The Council of Europe stresses the importance of freedom of expression in democratic countries and the accountability of the media. The role of the media and journalists in researching, verifying, and disseminating information is crucial . States have a responsibility to provide adequate guarantees, both through law and practice, for the enjoyment and effective protection of freedom of expression, including the creation of an enabling environment for free and accountable media to thrive and play their essential role in democracy. The follow-up to the act issued by the European Union for the Anti-

SLAPP directive entered into force in 2024, by the Council of Europe through a recommendation, further strengthens the protection of journalists from strategic lawsuits. Recommendation CM/Rec(2024)2 on opposing the use of strategic lawsuits against public participation (SLAPPs). Corporate codes of ethics and media ombudspersons and mechanisms for complaints or other feedback from their readers, listeners or viewers regarding compliance with such corporate codes should be established by media bodies, . The Complaints Council in the AMA has a major role in complying with the OSHMA Code and other codes. Other important acts in the field of media are:

- ❖ Resolution (74) 26 on the right of reply – the position of the individual in relation to the press and Recommendations Rec(2004)16 on the right of reply in the new media environment and No. R (97) 21 on the media and the promotion of a culture of tolerance.

Journalists and media outlets are also increasingly threatened by organized crime, terrorism and armed conflicts, thus threatening their very work. The Declaration of Principles on Freedom of the Press and Information in Africa states in Article 16 that "States shall encourage media self-regulation that is impartial, timely, cost-effective, and promotes high standards in the media"; Establishing the Ombudsperson in the international arena, the Office of the Public Editor is an independent, impartial institution with the authority and responsibility to receive, investigate or informally address complaints regarding the content published in all publications belonging to the Independent Media and, when appropriate, to make findings and recommendations and publish reports.

Recalling Resolution 1577 (2007) "Towards the decriminalization of defamation", the Assembly reminds member states that statements or allegations in

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the media, even if they turn out to be incorrect, should not be penalized, provided that they were made without knowledge of their inaccuracy, without a conscious intention to cause harm, and that their veracity was checked with due care. Member states must move forward with the decriminalization of defamation.

Media Regulatory Agencies, all countries have established independent regulatory agencies for the media, which oversee the monitoring of traditional radio and TV media broadcasts, as well as audio and audiovisual media services.

In Albania, in 2022, the Media Agency for Information was established. Also, the Agency informs the Council of Ministers on news, public debates, issues of public interest presented in domestic and foreign media, as well as organizes the work to prepare government positions and polls on issues of public interest.

The European Media Freedom Act establishes a new set of rules to protect media pluralism and independence in the EU. They will ensure that media – public and private – can operate more easily across borders in the EU's internal market, without unnecessary pressures and taking into account the digital transformation of the media space.

Other acts issued by the European Union are the Brussels Convention for the Protection and Safety of Journalists, as well as a series of United Nations Resolutions on the safety of journalists, which must be respected.

International Convention on the Safety and Independence of Journalists and Other Media Professionals. The International Declaration on the Protection of Journalists IPI encourages journalists and media outlets to adopt the document that seeks to promote safety

The report notes a number of media problems in the country, including a lack of security for journalists and the influence of media company owners who violate editorial freedom." The physical safety of journalists is not always guaranteed, working conditions remain poor while the media authority is not independent of political influence

Media diversity faces threats from ongoing and increasing concentration trends, exacerbated by digital transformations that intensify competition for audience attention and advertising revenue. Efforts against disinformation and hate speech are fragmented, with many countries lacking comprehensive long-term strategies. The case addressed the problem of excessive harm aimed at the press and introducing a deterrent effect on freedom of speech in transnational cases. It is the first opportunity of the Court of Justice of the European Union (ECJ) to address the extremely growing problem of SLAPPs. SLAPPs are lawsuits that are filed by powerful plaintiffs, such as politicians, business people, and corporations, against those who speak out in the public interest, usually journalists,

media, academics, and activists. The plaintiff's intention is to silence the speaker and introduce a chilling effect, making the case less important

Cases of deaths of journalists and unjustly arrested

The global IPI network calls for the release of veteran Georgian journalist and IPI member Mzia Amaglobeli, who has been ordered to remain in custody after being arrested on January 12. An outspoken critic of the regime, Amaglobeli faces charges of assaulting a police officer — serving up to seven years in prison — after a row with Batumi police chief Irakli Dgebuadze in Georgia

In Sri Lanka, ensure that law enforcement agencies put an end to the harassment and intimidation of journalists, especially ethnic Tamils, who have long faced intense surveillance and other unnecessary restrictions on their reporting. Law enforcement agencies should facilitate the withdrawal of criminal cases filed against journalists in retaliation for their work. Moreover, the authorities should not take legal action against journalists for "intimidation of public servants". Media pluralism and freedom welcomes initiatives such as the European Media Freedom Act (EMFA)³⁹ and calls for its swift implementation; calls on the Member States to improve transparency in the allocation of state advertising; calls on the Commission to provide Member States with the necessary assistance for the transposition of EMFA; Calls on Member States to fully implement Anti-SLAPP (strategic lawsuits against public participation) Directive⁴⁰ and Commission Recommendation (EU) 2022/758 of 27 April 2022 on the protection of journalists and human rights defenders involved in public participation from manifestly unfounded or abusive court proceedings.

Here's what happened in Georgia December 20, 2024 "I was screaming, 'I'm a journalist!'" ... he confessed, as well as that he was wearing a press helmet and press vest. However, the police confiscated the equipment, pushing it to the floor and beating it all over the head

Since Hamas' horrific attack on southern Israel on October 7, 2023 and the subsequent invasion, more than 33,000 Palestinians have been killed. This includes at least 166 journalists and media workers, a mortality rate of over ten percent – dramatically higher than any other professional group.

For months, the International Federation of Journalists (IFJ) has had evidence that the Israeli military has deliberately targeted journalists, and some of these cases are currently the subject of a complaint file with the International Criminal Court (ICC). "Every time a journalist is killed, injured, arrested or forced into exile, we lose pieces of the truth

Measures taken by the European Union for free media EU support for free media

- ❖ There are also a number of ways in which the EU is supporting media freedom and pluralism, including:

- ❖ To have press and media advice that strengthens the position of press and media councils in a converged media environment (Budget: €0.9 million)
- ❖ Implementation of a Media Ownership Monitoring System to provide a country-based database containing information on media ownership (Budget: €0.5 million)
- ❖ Awarding grants to support local and regional media innovation and foster pluralism (Budget: €2 million)
- ❖ Having a rapid response mechanism in place to provide practical assistance for the protection of journalists under threat (Budget: €3.1 million)
- ❖ Implementation of a monitoring of media pluralism to identify potential risks to media pluralism (Budget: €1.1 million)
- ❖ Supporting regrants to media sectors of particular importance for democracy (such as local and investigative journalism, public interest and community media) as part of the Creative Europe Journalism Partnerships (Budget: €5 million)
- ❖ Establishment of a media freedom centre to support existing and established independent Russian and Belarusian media outlets working in the EU (Budget: €2.9 million)
- ❖ Organisation of a European Festival of Media Journalism and Informative Literature (Budget: €0.8 million)
- ❖ Proposal for a Regulation and Recommendation regarding the European Media Freedom Act. The proposed regulation includes safeguards against political interference in editorial decisions and against oversight. Recommendation on internal protection for editorial independence and transparency of ownership in the media sector in all official EU languages. The

Commission has published its second State of the Digital Decade report, providing a comprehensive overview of the progress made in trying to achieve the digital targets and targets set for 2030 by the Digital Decade Policy Programme (DDPP)

- ❖ European Media and the Audiovisual Action Plan
- ❖ Recovery: to help audiovisual and media companies weather the current storm and provide liquidity and financial support by:
 - ❖ providing an interactive tool to provide European audiovisual and news media companies with guidance on different sources of EU support;
 - ❖ encouraging investments to boost European audiovisual production and distribution by strengthening capital investment in this field;
 - ❖ the launch of a 'NEWS' initiative, which will gather action and support for the news media industry.
- ❖ Transformation: to address structural issues by helping the industry cope with the twin green

- and digital transitions in the context of fierce global competition. This will be achieved by:
 - ❖ the creation of a European 'media data space', to support media companies in sharing data and developing innovative solutions;
 - ❖ fostering a virtual European industrial coalition and augmented reality (VR/AR) – to help EU media benefit from the advancement of this inclusive media;
- ❖ The Commission provides guidance regarding:
 - ❖ Calculation of the share of European works in the catalogues of demand providers and
 - ❖ the definition of "low audience" and "low turnover" for the purposes of exceptions for obligations related to the promotion of European works.
- ❖ The Commission has consulted with the Contact Committee on some possible approaches
- ❖ Governments around the world are tightening control over citizens' data and using claims of "fake news" to suppress dissent, eroding trust in the internet as well as in the foundations of democracy, according to Freedom on the Net 2018: The Rise of Digital Authoritarianism. The latest edition of the annual country-to-country online freedom assessment, published today by Freedom House. Online propaganda and disinformation have increasingly poisoned the digital sphere,

CONCLUSIONS

- ❖ Online propaganda and disinformation have increasingly poisoned the digital sphere, while the rampant collection of personal data is destroying traditional notions of privacy.
- ❖ Governments around the world are tightening control over citizens' data and using claims of "fake news" to suppress dissent, eroding trust in the internet as well as in the foundations of democracy.
- ❖ European Media and the Audiovisual Action Plan Recovery To help audiovisual and media companies weather the current storm and provide liquidity and financial support.
- ❖ Issuance by the EU of a Recommendation on internal protection on editorial independence and transparency of ownership in the media sector in all official EU languages.
- ❖ We have an increase in acts of violence, harassment, intimidation in different countries of the world against journalists. Increasing cases of deaths of journalists in the world in the line of duty.
- ❖ The creation of an institution for the protection of threatened journalists would serve the media power.
- ❖ The media power has the great role of informing, controlling the powers in the state and serves as a catalyst for bringing out problems within the state.
- ❖ Banning discriminatory and sexist language in the media in advertisements, media content, would discipline the media.

- ❖ The control by the Complaints Council of problems for violations of the Code of Ethics, the Code of Broadcasting, OSHMAS and the Law on Audiovisual Media, would increase their responsibility.
- ❖ The AMA has an important role in media power. The president of AMAS has had some influence on the media, he has received respect for the preservation of media content in accordance with the strategies of the European Union.
- ❖ The form of sexist hate speech fosters gender stereotypes for which women often take extremes of abuse due to the spread of the result of patriarchal society.
- ❖ The Council of Europe stresses the importance of freedom of expression in democratic countries and media accountability. The role of the media and journalists in researching, verifying, and disseminating information is crucial.
- ❖ Another problem is the sexist language in the media, this is commonly used in advertisements, as in media content, movies, in some cases they misuse media power. The media should serve society professionally, without discrimination, without hate speech, as little sexist language as possible, without disinformation in accordance with the Code of Ethics in the Media in accordance with the Code of Broadcasting, and the laws, conventions, Code of the International Federation of Journalists
- ❖ BE. Awarding grants to support local and regional media innovation and foster pluralism (Budget: €2 million)
- ❖ Strengthening the work of the Complaints Council in the AMA on issues of ethics, and protection of children, respect for codes, a necessity for the prevention of hate speech, sexism in the media.
- ❖ The deliberate dissemination of statements as well as any other information, knowing that they are false and violate the honor and dignity of the person, constitutes a criminal offense.
- ❖ Journalists should not interfere in the private lives of individuals, they should be careful in interfering with the personal and sensitive data of citizens.
- ❖ Journalists must defend the honor of individuals who become the subject of discussion and are attacked because of their profession.
- ❖ The Court of Justice of the European Union (ECJ) addresses the immensely growing problem of SLAPPs. SLAPPs are lawsuits filed by powerful plaintiffs, such as politicians, businesspeople, and corporations, against those who speak out in the public interest, usually journalists, media, academics, and activists. The plaintiff's intention is to silence the speaker.
- ❖ In April 2024, Parliament established an ad hoc Parliamentary Commission to deal with

- disinformation and foreign interference, without the support of the opposition.
- ❖ The separation of the media from political and economic power, editorial independence are the basic foundations for independent media that serve democracy, the public interest and the rule of law.
- ❖ Media pluralism is an issue that has been discussed by the European Parliament, the more media, the more informed society will be. Media that serve the public interest and not the private one.
- ❖ The role of the media in elections is crucial for democracy: they must promote the candidacies of political parties in a balanced and independent way.
- ❖ Monitoring elections, election campaigns and respecting the schedules set by the Electoral Code in media promotion is another factor for the protection of democracy.

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