

Hate Speech in the Albanian Audiovisual Media, Freedom of Expression and the Balance between Them



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What is hate speech?

Hate speech is any form of expression that incites, promotes, spreads, or justifies violence, hatred, or discrimination against an individual or a group of individuals, or that denigrates them, because of their real or attributed personal characteristics or status, based on: race, color, language, religion, nationality, national or ethnic origin, social affiliation, age, disability, gender, gender identity, sexual orientation, as well as any other form of discrimination according to the applicable legislation on protection against discrimination.

The Difference between Freedom of Expression and Hate Speech

Hate Speech

Targeting a specific group with malicious intent

Insulting individual identity: religious, ethnic, age-related, economic, health-related, etc.

Racism

Sexism

Homophobia



Freedom of Expression

Share thoughts and engage in discussions

Exchange ideas, learn, challenge

Debate

Dialogue

Education

Critique

Share experiences

Albania: Legal Framework and Provisions

- 1- Law No. 97/2013, “On Audiovisual Media in the Republic of Albania,” as amended, includes two articles that set out the Audiovisual Media Service Operators obligations, according to which: “Audiovisual media services providers, shall not broadcast programs with content that incite hate on basis of race, gender, religion, ethnic, nationality and any other form of discrimination”.
- 2- The regulation of online platforms is also included in AMA’s organic law, together with the regulation “On the general principles and specific requirements for video sharing platforms”, which includes the obligations that video sharing platform providers must fulfill in establishing and operating transparent, effective and user-friendly systems.
- 3- The Broadcasting Code, which includes the principles, rules, requirements and practices for audio and audiovisual broadcasting in the Republic of Albania, gives a particularly important place to provisions against hate speech.

The Broadcasting Code and Hate Speech

Section 7 of the Broadcasting Code contains both guiding and mandatory articles for audiovisual media service providers and journalists.

Some of the articles under the section on “Preventing and Fighting Hate Speech”:

- they shall oppose and reject announcements of guests or participants, who insult or denigrate invited people or participants
- they shall not make stereotypical and derogatory description of people, groups and communities and give voice to different social groups and communities.
- they shall not identify nationality, religion and ethnicity, unless it is necessary and the use of terms that could insult or offend a person belonging to a certain religion, citizenship or nationality.
- they shall prohibit the misuse of audio and audiovisual programs by persons who incite hatred, racist, xenophobic, homophobic/transphobic, radicalist and extremist violence and who promote extremist views or hate speech.
- they shall prevent and prohibit negative stereotyping and stigmatization of certain social groups.
- they shall not broadcast violent images or activities that call for extreme violence, radicalism, etc.

The right to information and alignment with EU Legislation

Important European acts have been confronted and adapted to Albanian legislation, not merely as a simple transposition, but also as an adoption of AMA's regulatory work in response to the challenges posed by technology in this field.

More specifically, the legal adaptations include:

- The concept of Video Sharing Platforms
- The concept of co-regulation and self-regulation
- Media Literacy
- Media ownership transparency

These amendments to AMA's organic law have also been accompanied by a series of significant by-laws

Ongoing legislative amendments

- 1- Digital Services Act (DSA):**
Strengthening of platforms responsibility
- 2- European Media Freedom Act (EMFA):**
Safeguarding media freedom and strengthening transparency

Video Sharing Platforms

The collaboration with TikTok

Between August 2024 and March 2025, a total of 346 videos were blocked for harmful content. The types of violations identified on this platform included:

- 153 videos exposing children to pornography, narcotics, alcohol, tobacco and violence
- 124 videos inciting violence or hatred
- 31 videos depicting criminal acts
- 20 videos showing acts of violence
- 3 videos containing hate speech based on sexual orientation
- 2 videos involving religious discrimination
- 13 audios exceeding moral and ethical standards

2,092 URLs were removed from the Platform for audiovisual piracy

The collaboration with Platform X

During the period August–September, 6 videos were reported for harmful content and law violations. The types of violations identified on this platform included:

- Content containing language exceeding moral and ethical standards (3)
- Content inciting violence and hatred (3)

Hate speech in the Albanian Audiovisual Media

The Council of Complaints has administered:

2023 – 5 complaints concerning the use of hate speech

2024 – 1 complaint concerning the use of hate speech

2025 – 0 complaints concerning the use of hate speech

For the cases found in violation, sanctions were taken in accordance with legal provisions

Content Monitoring and Analysis Directorate has identified:

2023 – 2 pieces of content containing hate speech

2024 – 16 pieces of content containing hate speech

2025 – 12 pieces of content containing hate speech

For the identified cases, sanctions were taken in accordance with legal provisions

Institutional engagement and with the civil society

■ Cooperation with the Central Election Commission

- Preventing hate speech during election campaigns
- Improving the media climate in Albania

■ Collaboration with civil society

- In-depth discussions on issues related to hate speech in the media
- Tools to fight hate speech

■ Focus areas:

- Media Literacy
- Enhancing journalists' professional standards
- Media's role in promoting an open and democratic society

Alliance against Hate Speech

Established in December 2019 with the following members:

- 1- AMA
- 2- The Ombudsman
- 3- Commissioner for Protection against Discrimination
- 4- Albanian Media Council

The Alliance's key objectives are:

- Fighting against hate speech through raising awareness, providing information and contributing to a national dialogue
- Promoting freedom of expression as an essential element of a democratic society
- Harmonizing civil and criminal legislation against discrimination
- Preventing the use of hate speech online and/or social media
- Training teachers and strengthening efforts within educational environments at all levels to address and prevent the negative phenomena of hate speech
- Raising awareness among employers and employees on preventing and addressing hate speech, hate crimes and harassment in the workplace

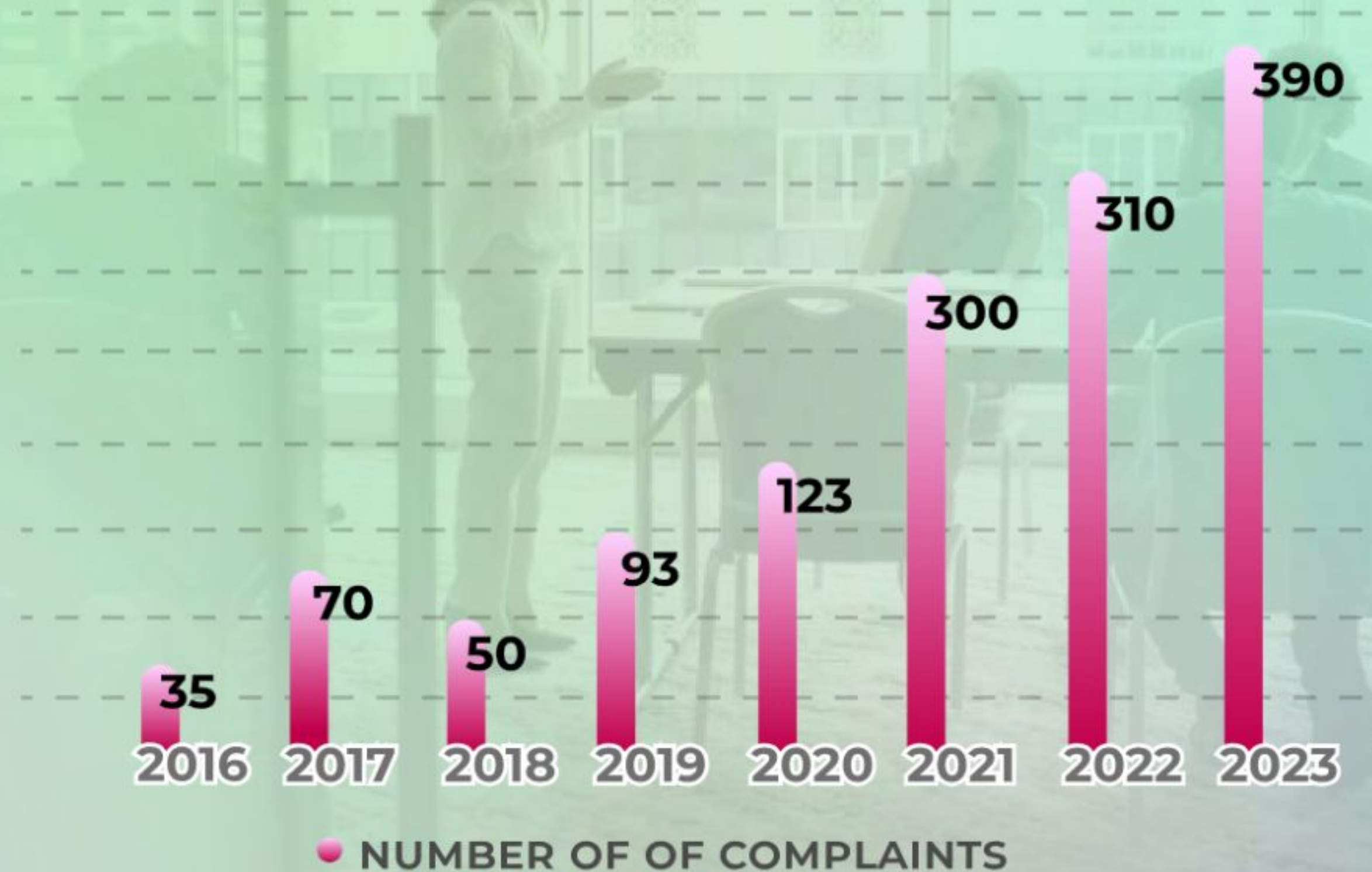
Education, education, education

Media literacy is part of AMA's activities within the framework of its commitment to audience development, aiming to:

- adapt to technological advancements
- encourage responsible and active media consumption
- support and foster critical thinking

Awareness-raising media campaigns and promotion of complaints

Promoting the complaints mechanism as a tool to meet public expectations regarding audiovisual content



Awareness-raising media campaigns and promotion of complaints

Information, awareness and sensitization campaigns

- Audiovisual Media Literacy Campaign (23 videos), focused on raising public awareness about the responsible use of audiovisual and online media. Collaboration with RTÜK
- Awareness campaign for preschool children (age 5). 25 roundtables with parents, educators and children in kindergartens across Tirana
- Awareness campaign for High School students in the city of Durrës
- Weekly awareness campaign “SPEAK ALBANIAN”, promoting proper language standards in the media
- Periodic publications on technological literacy, protection against disinformation, fake news, cyber risks, etc.

Addressing Hate Speech in AMA's publications

- **“Sexism and Hate Speech in Albanian Audiovisual Media”**
 - Topic: Avoiding hate speech in audiovisual media
- **“The Role and Impact of Audiovisual Media in Protecting Mental Health”**
 - Topic: Understanding the role and impact of audiovisual media in safeguarding mental health in Albania
- **“Hate Speech against Women online”**
 - Topic: Translations from foreign literature into Albanian

Thank You!