



CENTAR ZA GRAĐANSKO OBRAZOVANJE
CENTRE FOR CIVIC EDUCATION

Podgorica, 11 January, 2007

PUBLIC SERVICE DESERVES A RESPONSIBLE, BENEFICIENT AND LEGAL TREATMENT

Centre for Civic Education (CCE) reminded today the members of the RTCG Council from the civil society, University of Montenegro and the Chamber of Commerce of Montenegro of their share of responsibility for pressing for a solution to the cases of Čalić and Mirković, reiterating the points of the Law on Public Broadcasting services of RTCG, and **once again urged the President of the Parliament of Montenegro, Ranko Krivokapić**, who identified himself as an interested party, to accept his share of responsibility in contributing to the solution of this issue.

In the letters addressed to the members of the RTCG Council – **Esad Kočan, Svetozar Bulatović, Šerbo Rastoder, Nikola Perković and Ljubomirka Asović**, CCE pointed out that the **Article 22 of the Law requires that the decision on the dismissal of a member of the Council can be brought only on the basis of the explained RTCG Council's proposal, after the procedure has been completed, establishing all relevant circumstances, where the Council member against whom the procedure has been brought had the chance to give statement with regard to all circumstances. In addition to this, the Law stipulates that the RTCG Council may decide by a two-thirds vote of the total number of its members to suspend one of the members until its decision on dismissal has been confirmed by the Parliament of Montenegro.**

Members of the Council can find a basis for their professional, responsible and moral engagement in the provisions of the Law stipulating that a member of the Council may be dismissed or suspended if **“it is established that he has given untrue data about himself or has failed to state data on circumstances important for the appointment”** and if **“during his term of office, any of the circumstances referred to in the Article 23 of this Law occurred”**.

Mr Čalić and Mr Mirković have entirely fulfilled the requirements of the para 2 and 3 of the Article 22 of this Law, granting the Council substantial powers and making it responsible for enforcement of the Law. Also, each and every member of the Council has a legal obligation to engage in this issue respecting the subjects which participated in their current and previous appointment procedures. CCE estimates as unacceptable that the Council members remain silent about such a great social problem which threatens to render meaningless all the present achievements of the media reform and of the transition taking place in the RTCG.



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CCE urged Prof. Dr Ljubiša Stanković, rector of the University, to ensure respect for the Law on behalf of the University of Montenegro, initiating a procedure with the Parliament for the dismissal of Žarko Mirković, believing that it would be easy to find among the professors and successful students of the University another person who could represent the University of Montenegro in the RTCG Council with full moral and democratic capacity.

The Law on PBS RTCG clearly stipulates that “Members of the RTCG Council cannot be persons elected, appointed and nominated in the Government of the Republic of Montenegro (ministers, their deputies, assistants, as well as heads of special organisational units under direct control of the Government or other officials). Žarko Mirković has been appointed to the function of acting director of the public institution Musical Centre on 13 April 2006, upon recommendation from the Ministry of Culture and Media.

Mirković publicly stated that he had consulted the University, whereupon they came to a conclusion that his duty at the government institution Musical Centre of Montenegro is only temporary, which is why he does not consider his appointment to be a grave breach of the Law. The Law being very precise in these matters, we cannot accept such justification, as we believe that it represents a ruthless ridicule of the public service, democratic public and the rule of law.

Should the University authorities choose to remain silent, CCE will address the circles and associations of professors and students, as well as international university associations, urging them to react to this severe breach of the principles of autonomy and freedom of University, which are an important segment of the civil society and an engine for the further improvement of the democratisation process in Montenegro.

Finally, CCE appealed to the President of the Chamber of Commerce of Montenegro, **Vladimir Vukmirović**, clarifying the position of Branislav Čalić in the RTCG Council, and invited him to initiate procedure for the dismissal of Mr Čalić and appointment of another member to complete his term of office, in accordance with the Article 22, para 3 and 4 of the Law on PBS RTCG. Čalić is, to remind, representative of the Government in the Board of Directors within Post of Montenegro, which represents violation of the Article 23, Law on PBS RTCG.

CCE called upon Vukmirović to protect the repute and status of the Chamber of Commerce, especially in the context of pluralism of association and organisation of businesses and employers, contributing to the enforcement and respect for the Law.