



CENTAR ZA GRAĐANSKO OBRAZOVANJE  
CENTRE FOR CIVIC EDUCATION

Podgorica, 17 January, 2007

## **Council of the Public Broadcasting Service Radio and Television Montenegro To all members**

Dear members of RTCG Council,

Centre for Civic Education (CCE), within its programme “*Democracy and the Media*”, has been continuously following the work of the RTCG Council and implementation of the Law for Public Broadcasting Services RTCG already for a long period. CCE has clearly pointed at the structural mistakes in the media laws, and has practically demonstrated their detrimental effect, as well as outright breaches of the Law by certain members of the Council, and the unwillingness of individuals and political elites to contribute to the establishment of the rule of law in Montenegro. The goal of CCE is to give a full contribution to the transformation of RTCG into a genuine public service, which at the moment it is not, in spite of the existing legal framework.

We are writing to you, as to a body which, in the name of the Republic of Montenegro, is the carrier of founding rights in the public service “Radio Television Montenegro”, with the task of producing and broadcasting radio and television programme in the interest of the citizens of Montenegro.

As RTCG is accountable for its work to the Montenegrin public, we are also writing to you as to an institution which has adopted the Statute of the Public Service and which, in accordance to the Article 75 of the same Statute, controls the legality of work in RTCG. Accordingly, our aim is to draw you attention to concrete instances of breaches of this Law. Similarly, according to the Article 107 of the Statute, authoritative interpretation of the Statute is set by the Council:

Article 80 of the RTCG Statute states:

“Editor of the programme cannot be appointed a person who, in accordance to the article 23 of the Law on Public Broadcasting Services, cannot be a member of the Council”.

Article 23 of the Law on PBS RTM, states the following:

The RTCG Council Members shall not be:

- Members of Parliament and city council members;
- Employees of RTCG;



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- **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);**
- **Officials of political parties (chairmen of parties, members of presidency, their deputies, members of executive and main boards, as well as other party officials);**
- Persons, who as stake holders, shareholders, members of managing bodies, members of supervisory bodies, employees, etc. have the interest in legal entities that produce radio and television programmes, so that the membership of such person in the RTCG Council could result in the conflict of interest;
- Persons that are sentenced by final and binding decision, for criminal offence against official duty, criminal offence of corruption, fraud, theft or any other criminal offence which makes them unworthy of performing public duty regardless of the sentence imposed or if those persons are sentenced, by final and binding decision, for other criminal offence to prison term longer than 6 (six) months in jail, during the period when the sentence consequences are still lasting;
- **Persons who are spouses of the persons mentioned in this Article or are related to them in the straight line, regardless of the level of kinship.**

This article is to be directly applied to the editors of the programme too, whereby Ms Radojka Rutović is in the position of violating the Statute of RTCG, as her own brother, Željko Rutović is a high official in the political party “Democratic Party of Socialists of Montenegro”, and assistant to the Minister of Media, Culture, and Sports in the Government of Montenegro.

We expect that you will take immediate and adequate measures towards verifying our presented concerns, interpreting the Statute, and conducting further procedure.

On behalf of the Centre for Civic Education  
Daliborka Uljarević,  
Executive Director