



Centar za građansko obrazovanje
Centre for Civic Education



Equal chances for all media in Montenegro

Podgorica, 2016.

A hand holding a smartphone is the central visual element. The background is a light gray with various white icons floating around, including a speech bubble, a magnifying glass, a music note, a camera, and a smartphone. The overall aesthetic is clean and modern.

Equal chances for all media in Montenegro

Podgorica, December 2016

EQUAL CHANCES FOR ALL MEDIA IN MONTENEGRO

2015 Annual Report

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Introduction

The project ***"Equal chances for all media"*** aims to contribute to the creation of clear oversight mechanisms for the public finances and for the allocation of state aid to the media, as required by the European Union regulations and the international standards and best practice.

The general objective of project is to raise awareness among the interested public about responsible management of the public budget, and analyse the relationship between the state institutions and the media in Montenegro as reflected in the financial allocations of public funds to the media on various grounds. The study focuses on the public sector as defined by the Law on the Budget of Montenegro, which encompasses public institutions, municipalities (local self-government units), independent regulatory bodies, agencies and enterprises in which the state or the municipalities hold a controlling stake, the judiciary (courts and the prosecution), Ombudsman, and others.

Centre for Civic Education (CCE) first flagged this issue five years ago, and has been monitoring it ever since. The result of our efforts so far have been four national and one international report¹, which serve as the go-to reference on media financing in the country for various international actors.

For the purpose of continuous monitoring of this problematic area, this year we again conducted another comprehensive study to collect information on the size and distribution of financial resources allocated by public sector bodies to the media in 2015 on grounds on service provision contracts, specialised services or other. The recipients included the media, PR agencies, production houses and public opinion polls. The analysis provides up-to-date and comprehensive review of the allocation of public funds to the media in 2015, at the national as well as the local level. We also compiled an illustrative overview of three-year trends in the allocation of public money for the financing of media in Montenegro.

In addition to these figures, the publication also contains analysis of the normative and institutional framework for media regulation, as well as information on the implementation of the Law on free access to media. Finally, the publication offers conclusions and

¹ <http://cgo-cce.org/en/izdavastvo/demokratija-izdavastvo/#.WcDXzdMjFOs>

recommendations for improvement of the current state of media financing, including CCE's proposals for amendments of the relevant legal framework, in order to bring this process in line with *aquis communautaire* in the area of freedom of expression and independence of the media, competition, state aid, and public procurement.

The findings of the previous four reports – *"How much and to whom do the citizens of Montenegro pay for advertising"* (2011), *How much and to whom do the citizens of Montenegro pay for advertising"* (2012), *"Equal chances for all media in Montenegro"* (2013), *"Equal chances for all media in Montenegro"* (2014), as well as the international report *"Eroding Freedoms: Media and Soft Censorship in Montenegro"* (2015), have identified numerous shady areas in the public financing of the media in Montenegro, and highlighted the necessity for better regulation in this area. The also revealed the continuing attempts by public bodies to exert influence over media through selective and opaque financing, which undermines market competition and creates indirect pressure on editorial policy. The lack of transparency in financing as well as the lack of precise and binding criteria for the allocation of funds, alongside the incomplete legal framework, has a further adverse effect on the already deteriorating state of the Montenegrin media.

Relative to **the total value of the advertising market in Montenegro, which is estimated at EUR 9 – 9.5 million²**, the amounts allocated to the media sector by the public funds can be quite large. This means that the state remains a major, if not the most important actor in this field, with the power to greatly influence the balance in the media market and the position of individual media in it, and consequently their sustainability.

On average, according to the information collected by the CCE from public sector bodies (response rate 66%–67%), **around EUR 2.5 million of public moneys are spent every year on the media**. The figure excludes spending by another 30% of the public bodies that refused to submit the information. This means that EUR 2.5 million is just the **minimal realistic figure**, and the real spending can be reasonably assumed to be significantly, if not the twice, higher. This minimum also excludes spending on the national public broadcaster RTCG.

Year	Amount
2014	2.125.791,78 ³
2013	2.196.739,00 ⁴
2012	852.059.00 ⁵
2011	2.642.070,83 ⁶


2 <https://www.irex.org/sites/default/files/2015-msi-montenegro.pdf>

3 <http://media.cgo-cce.org/2016/09/cgo-cce-equal-chances-for-all-media-in-mne.pdf>

4 <http://media.cgo-cce.org/2015/12/cgo-cce-how-much-and-to-whom-do-the-citizens-in-mne-pay-for-adv-2012.pdf> the amount is related solely to the Government and Parliament of Montenegro, not to the local administration

5 <http://media.cgo-cce.org/2015/12/cgo-cce-how-much-to-which-media-and-related-agencies-did-municipalities-in-mne-pay-for-their-services.pdf>, <http://media.cgo-cce.org/2015/12/cgo-cce-how-much-and-to-whom-do-the-citizens-in-mne-pay-for-adv-2012.pdf>

6 http://ec.europa.eu/neighbourhoodenlargement/sites/near/files/pdf/key_documents/2016/20161109_report_montenegro.pdf



From the very start the CCE's findings drew the attention of the relevant international actors. The relevant Montenegrin institutions meanwhile stubbornly ignored the problem of inadequate legal regulation of the media financing from public funds, which consequently allowed the public sector to favour some media over others. The European Commission **2016 Report on Montenegro**⁷, in the part related to the freedom of expression, singles out this issue as one of the four priorities requiring urgent intervention. More precisely, the Report warns that **"Transparency and non-discrimination in state advertising in the media should be ensured"**.

This assessment was preceded by numerous milder statements in the previous reports of the European Commission, which the Montenegrin institutions chose to ignore. For instance, the 2015 report stated: *"There are concerns about the **transparency and non-discrimination of the media in state advertising**. Some major private media outlets are at risk of closure due to high tax debts. The precarious economic situation of journalists leaves the door open for editorial interference and possible self-censorship. The fact that many media outlets are not financially sustainable detracts from the quality of reporting and professionalism in the media"*⁸. This followed up on previously presented assessment from the Report for 2013: *"Concerns persist also regarding possible state aid and advertising funding allocated to print media in 2012, which were not in line with public procurement rules and could jeopardise competitiveness on the media market"*⁹. In 2016, the World Press Freedom Index of the international NGO Reporters without borders ranked Montenegro 106th out of 180 countries¹⁰. The report takes into account the extent of pluralism, media environment, independence, self-censorship, legislative framework, transparency and infrastructure. The Freedom House report "Nations in transit 2016"¹¹ gave Montenegro the average grade of 4.5 on media independence, on a scale of 1 to 7, whereby 7 is the worst mark, and noted that "Independent media continued to struggle with funding, while the government put financial support behind select outlets".

Without a clear mechanism for the allocation of public funds to the media, the distribution of these funds can lead to serious distortions of the media market, endangering some and boosting the operations of other media in a discriminatory manner, contrary to principles of the EU competition policy. The citizens, as tax payers, have the right to know how the public money is spent, whether the allocation of these funds undermines impartial reporting of the media on public authorities and decision-makers, and whether these funds support or undermine media pluralism.

This report reveals the continued existence of mechanisms that can be used to control or exert pressure on the media, and provides recommendations that could end such bad practices that deprive the citizens of Montenegro of free and independent media, and thereby of a way to be informed, impartially and accurately, about the activities of the government, political parties, and public institutions, as well as about other issues of public import.

7 http://ec.europa.eu/neighbourhoodenlargement/sites/near/files/pdf/key_documents/2016/20161109_report_montenegro.pdf

8 http://ec.europa.eu/enlargement/pdf/key_documents/2015/20151110_report_montenegro.pdf

9 http://ec.europa.eu/enlargement/pdf/key_documents/2013/package/mn_rapport_2013.pdf

10 <https://rsf.org/en/ranking>

11 <https://freedomhouse.org/report/nations-transit/2016/montenegro>



Methodological remarks

The research for the study *"Equal chances for all media in Montenegro"* was conducted between May and December 2016.

The CCE collected information via requests for free access to information, as specified by the *Law on free access to information*. The requested information concerned all spending by the public sector on advertising services in the media, under all contracts for the provision of services, specialised services, or other agreements with the media.

In addition, adopted and final budget accounts of the local self-governments for the year 2015 and official decisions of the Council of the Agency for Electronic media were used to collect information on the allocation of funds to local public broadcasters and commercial radio broadcasters.

In order to provide background and context to this research and describe the position of the media in the Montenegrin society, we also included overview of the legal and institutional framework, as well as the additional information contained in the documents of the official national regulatory bodies, reports of international and domestic NGOs, and media archives.

The report also contains information on the financing of the national public broadcaster RTCG, i.e. the part of its funding that comes from the national budget, as well as on the institutional and legal framework for the operation of local public broadcasters.

This approach to the analysis of the collected data allows deeper insight into state financing of the media - the public as well as the commercial - and maps the extent of influence of public authorities on the media market.



Media in Montenegro

General overview

The media scene in Montenegro is pluralistic, with a large number of media outlets competing in a small market of 647 073 citizens¹². According to the Agency for electronic media, in 2015 Montenegro had 21 TV channels, 55 radio stations, five daily papers and one weekly paper. There is also one news agency, MINA, which is private owned. Despite their increasing popularity, there is no comprehensive official list of news websites or electronic magazines.¹³ According to IREX, which cites media agency Direct as its source, the overall market for media advertising in Montenegro is estimated at **EUR 9-9.5 million**.¹⁴

Legislative and institutional framework is complete and largely aligned with the international recommendations. It guarantees the right to free expression, freedom and independence of the media. Despite the existence of a broadly adequate regulatory framework, media and journalists frequently encounter disregard for their rights in their everyday work. Previous research has shown steady deterioration of the freedom of the media in recent years, and widespread dissatisfaction among the journalists with the state of media freedom in the country.

After direct assaults, media outlets and their employees have been exposed to other forms of pressure. The most visible are the financial pressures, which are a form of soft censorship. The existence of elements of soft censorship of media in Montenegro is carefully documented in the report *"Eroding freedoms: media and soft censorship in Montenegro"*¹⁵, which the CCE prepared and presented in cooperation with World Association of Newspapers and News Publishers (WAN-IFRA), and Centre for International Media Assistance (CIMA). The report contains concrete evidence collected through extensive research about the ways in which the Montenegrin institutions seek to manipulate the media and influence their editorial policies through selective and opaque financing, through direct pressure, or by distorting the terms of competition on the media market.

¹² <http://www.monstat.org/cg/novosti.php?id=257>

¹³ www.ardcg.org.

¹⁴ <https://www.irex.org/sites/default/files/pdf/media-sustainability-index-europe-eurasia-2015-montenegro.pdf>

¹⁵ <http://media.cgo-cce.org/2015/11/cgo-cce-prikrivena-kontrola-medija-u-cg.pdf>



Legal and institutional framework

Montenegro has a series of legal and institutional guarantees of the freedom of expression and media rights. The Constitution, the Law on media and the Law on electronic media guarantee the freedom of expression, freedom to establish a media enterprise and editorial independence of the broadcasters from the state. In 2002, the Parliament of Montenegro adopted a set of media-related laws: the Law on media, the Law on public broadcast and the Law on public broadcasting services of Montenegro Radio Montenegro and TV Montenegro. These laws were prepared in cooperation with the Council of Europe and OSCE, and were aligned with the European standards. They laid ground for media pluralism, for the transformation of state-owned media, and for establishment of independent regulatory agencies in this area.

However, the CCE had already warned that the **Law on media** should be amended because the practice has outgrown its provisions, and that those amendments should additionally regulate and ensure transparent advertising in print and electronic media of all state institutions, local self-governments and other organisations which are partially or fully financed from the public budget. Additionally, we consider improvement of legislative solutions that were adopted 14 years ago, implementation of the provisions that would prevent government's interference in the functioning and reporting of the media, and measures to strengthen media's professional standards, to be essential for the recovery of the media environment in Montenegro. At present, this scene is deeply polarised and does not serve its basic purpose – that of providing impartial and objective information to the citizens on issues of social and political importance.

For this reason, following a number of failed attempts to draw the attention of the relevant authorities to the growing problem, the CCE prepared its own draft amendments to the set of media laws, as well as to the Law on public procurement and the Law on state aid. To do this, we collaborated with legal experts in the field, in the hope of contributing to the establishment of clear oversight mechanisms for public financing and allocation of state aid. Adoption of the said amendments would result in a legal framework that would guarantee equal chances to all media and restrict discretionary power of the heads of national and local authorities to direct considerable financial funds to media without clear criteria or procedures. In March and April 2016 the draft amendments were presented directly to all MP clubs in the Parliament of Montenegro. During those meetings our proposals received provisional support from the majority of representatives of the MP clubs¹⁶.

Moreover, the April 2016 Agreement on the creation of conditions for free and fair elections between the government and the opposition clearly stipulated that: *"political subjects – signatories of this Agreement – note that the legal framework must contain rules and criteria for advertising in the media that would be binding for all public bodies and other subjects with public powers"*. In the spirit of this Agreement, representatives of the opposition – Rifat Rastoder (SDP), Dritan Abazović (URA)

16???



and Zoran Miljanić (DEMOS) – sent a Draft Laws on Amendments to the Law on media¹⁷ to the Parliament of Montenegro, which also included the CCE's draft amendments, previously endorsed by their respective parties. The three MPs also proposed Draft Amendments to the Law on electronic media and Draft Amendments to the Law on RTCG, but the CCE was less involved in these matters.

Before the plenary discussion, Committee for Political System, Judiciary and Public Administration organised a debate on the Draft Law on amendments to the Law on media in July 2016, but the discussion had to be cancelled due to lack of a quorum, i.e. boycott by the ruling Democratic Party of Socialists (DPS). After the Draft finally made it to the plenary discussion, it was not adopted due to the lack of support from the ruling DPS. This was a direct violation of the Agreement on the creation of fair and free elections, as well as a lost opportunity to properly regulate this area and prevent further abuse of public funds in order to exert influence on the media and their editorial policies.

This all came back with a vengeance in this year's assessment of the European Commission, which elevated the issue of state financing of the media to priority level. We now expect more openness on the part of the relevant institutions, and the CCE will continue to advocate for the necessary legal changes and implementation of these changes in practice.


The **Law on electronic media** was adopted in 2010, and amended in 2011. It regulates the rights, obligations and responsibilities of legal and natural persons who produce and provide audio-visual media services (hereinafter: AVM service), and electronic publications via electronic communication networks. It also defines the competencies, status and source of financing of the Agency for electronic media, limits excessive media concentration, fosters media pluralism and regulates other issues of importance for the provision of AVM services, in line with international conventions and standards. Independent regulatory body for AVM is the Agency for electronic media. The Agency is comprised of a Council and a Director. Members of Council are appointed by the Parliament of Montenegro, upon nomination by the representatives of broadcasters, Montenegrin P.E.N and non-governmental organisations, while the director is appointed via public competition, which substantially reinforces the legal basis for the independence of the regulator. Nevertheless, there were some controversies over the appointment of some members to the Council of the Agency and as well as cases of the Parliament overruling the votes of the proponents from the NGO sector.¹⁸

The **Law on public broadcasting services of Montenegro** regulates the status of Radio and Television Montenegro (RTCG), which is founded by the state of Montenegro. The Law sets the rules and obligations of RTCG, and guarantees independence of the programme from the founder. Article 13 of Law stipulates that RTCG decides independently on its programme outline, as well as on the forms of production and broadcast, the content and broadcast of information on the current affairs and organisation of other activities.

The financing of RTCG is regulated by Article 15 of the Law on public broadcasting services

¹⁷ <http://www.skupstina.me/zakoni/web/dokumenta/zakoni-i-drugi-akti/1142/1197-7640-10-3-16-2.pdf>

¹⁸ http://www.monitor.co.me/index.php?option=com_content&view=article&id=5770:izbor-savjeta-agencije-za-elektronske-medije-vladajua-veina-kao-zakon-&catid=3996:broj-1268&Itemid=5280,
<http://www.vijesti.me/vijesti/koljenovic-prosao-mimo-volje-nvo-sektora-892777>



of Montenegro, which states that RTCG is funded from: the general revenue of the budget of Montenegro to the amount of around 1.2% of the current budget; the production and broadcast of advertising content; the production and sales of audiovisual services; programme endorsements; organisation of concerts and other events; the budget of Montenegro; other sources, as defined by Law. In practice, this model proved to be dysfunctional, due to the lack of economic sustainability of the public service. RTCG has been operating with losses and it is obvious that the current allocations from the state budget are insufficient for the regular functioning of this broadcaster. At the same time, there are frequent complaints about RTCG's failure to live up to the principle of independence and adequately represent the plurality of opinions in the Montenegrin society, as mandated by its mission.

Furthermore, **according to the Statute of RTCG**, this public enterprise is obliged to publish financial plans, reports and final annual accounts on its web site. The *Financial report*¹⁹ for 2015 showed the overall budget to be **EUR 14.730.083**, out of which **EUR 12.600.000** came from the state budget of Montenegro. In other words, funds from the state budget made up more than 85% of total revenue of RTCG.

RTCG's revenues from the public budget of Montenegro in 2015²⁰

In 2015, Radio and Television of Montenegro reported total revenue in the amount of EUR 14.730.083, which is a EUR 1.689.502 increase compared to the previous year. The total revenue from the public funds was EUR 12.850.000, out of which EUR 12.600.000 came from the general budget of Montenegro, EUR 150.000 from the Ministry of Culture and EUR 100.000 from the budget for digitalisation of public broadcaster. EUR 150.000 from the Ministry of Culture were transferred on grounds of an agreement between the RTCG and the Ministry in order to co-finance programmes of relevance for the development of science and education, culture, programmes in Albanian language, information for persons with special needs, as well as for the realisation of TV series "Christmas rebellion" and "Dogma studio", co-produced by RTCG.

Unlike in 2014, when the RTCG received EUR 2.400.000 in extraordinary revenue, in this case due to the Government taking on the debt of the public broadcaster, in 2015 there were no such debt cancellation transfers. However, RTCG earned marketing revenue in the amount of EUR 1.141.136 EUR.

Considering its position on the media market, it can be concluded that RTCG is in a better situation than the commercial media, especially with regard to the allocation of public funds for the purposes of marketing and state advertising. Our findings show that public sector bodies allocate considerable funds to the public broadcaster on these grounds, in addition to the regular annual budget allocations. This, in turn, is reflected in the editorial policy of RTCG, especially in its news programme.

Local public broadcasters in Montenegro

The Law on electronic media offers the possibility to local self-governments to establish

19 [http://www.rtcg.me/sw4i/download/files/article/Finansijski%20izvjestaj%20RTCG%20za%202015%20\(1\).pdf?id=689](http://www.rtcg.me/sw4i/download/files/article/Finansijski%20izvjestaj%20RTCG%20za%202015%20(1).pdf?id=689)

20 <http://www.rtcg.me/rtcg/poslovanje.html>

local public broadcasters, in order to provide information on issues of public interests on local level. Establishing a local broadcaster is not an obligation, but simply a possibility. Article 32 of the The Law on local self-government, point 18²¹, stipulates that local self-government unit "provides and regulates the conditions to keep the local population informed".

The State, or more precisely the Government of Montenegro established one national public broadcaster (RTCG), and 14 local self-governments choose to establish local public broadcasters²²: radios Andrijevica, Berane, Budva, Danilograd, Kotor, Pljevlja, Tivat, Bar, Bijelo Polje, Cetinje, Herceg Novi, Nikšić, Rožaje and Ulcinj, and televisions Nikšić, Budva and Pljevlja.

The total amount of money planned for the financing of local public broadcasters by 14 local self-governments, based on the budget decisions for 2015, was **EUR 3.144.760**, which is a significant increase on the previous year when the projected budget was **EUR 2.599.000**.

The difference from 2014 is mainly due to the increase in the funding for local public broadcasters in the municipalities of Nikšić and Royal Capital Cetinje. Even though the Agency for electronic media has no records on the newly founded television Cetinje, analysis of the structure of the provisional budget of Cetinje shows a change from 2014, both in the amount allocated to the public broadcaster, and in the name of public broadcaster, now listed as RTV Cetinje.

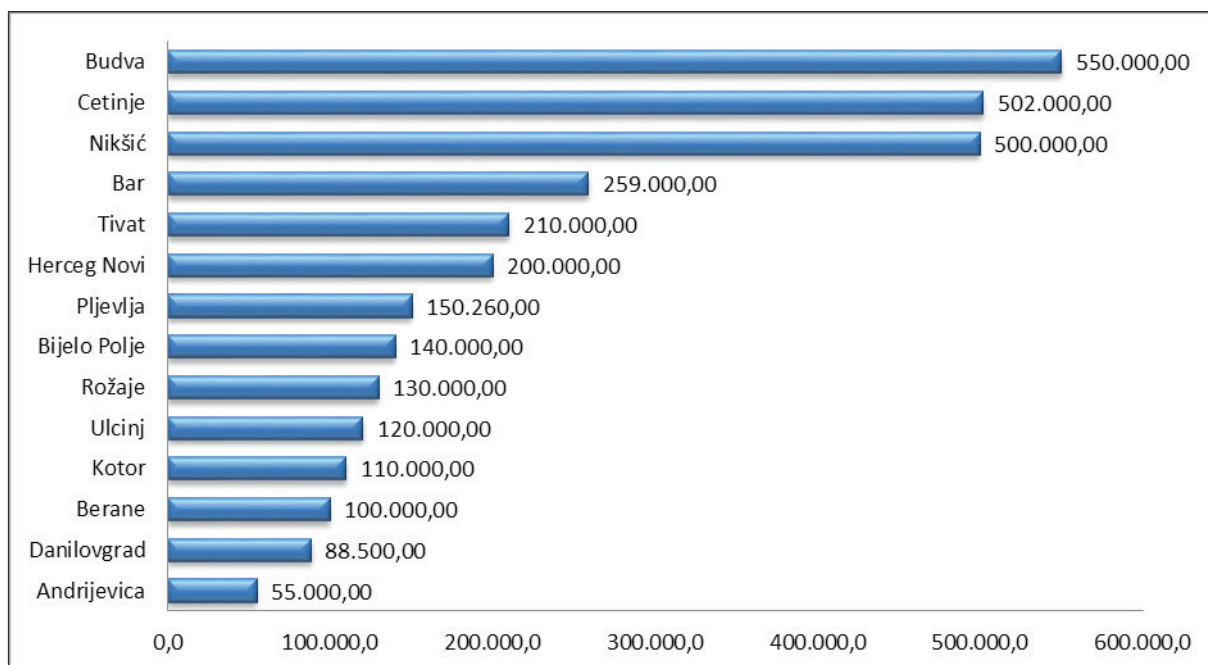


Figure 1: projected budgets for local public broadcasters in 2015

Final accounts of these municipalities shows that the projected funds allocated to for local public broadcasters had to the largest extent been spent, and some even exceeded the planned amounts.

21 <http://www.uom.co.me/?p=374>

22 http://www.ardcg.org/index.php?option=com_sobi2&catid=6&Itemid=84

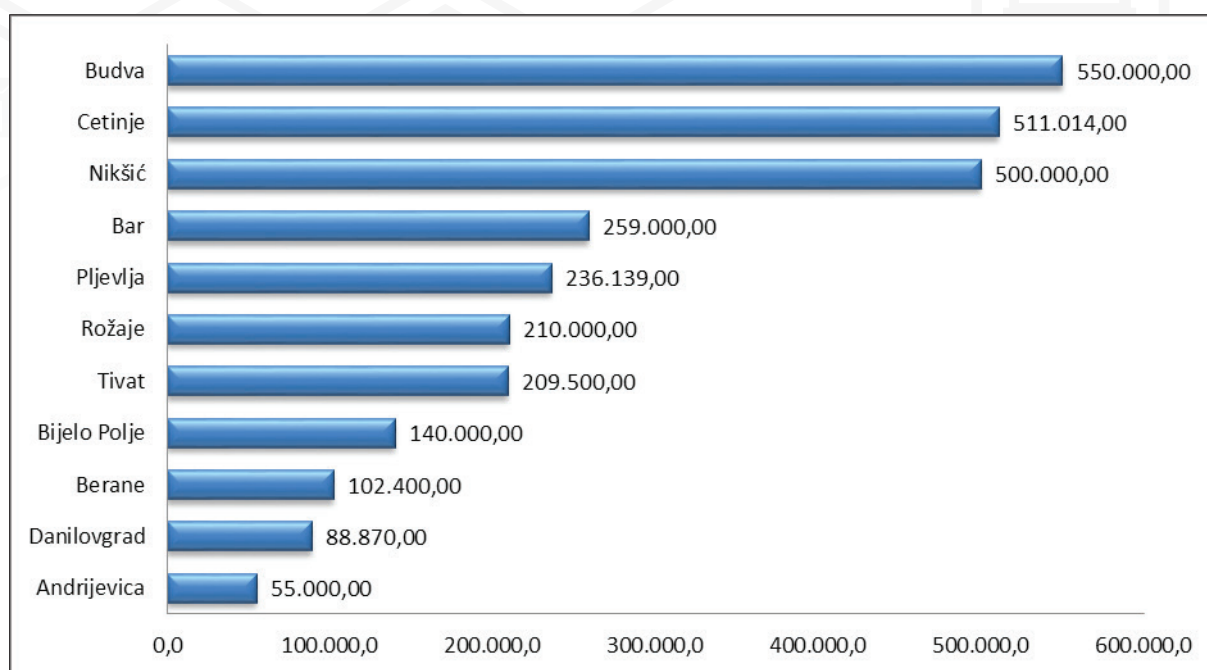


Figure 2: executed spending on local public services in 2015

The missing data from the final budgets of the municipalities of Herceg Novi and Ulcinj could not be obtained, as it was not published on the official websites of these municipalities. Given that significant amounts of public funding are allocated to the local public services, which are also able to raise revenues from commercial activities and compete with the commercial broadcasters in the open market, these resources should be carefully monitored. Like RTCG, local public services are privileged over other participants in the local media markets, not only because of direct access to the public funds, but also because they receive a disproportionate share of payments for advertising services from the public sector, which constitutes an additional form of revenue from the public coffers.

A search of the official webpages of local public broadcasters did not provide information on the annual financial reports, except in the case of RTV Pljevlja. Financial reports of local public broadcasters must be made publically available on the official webpages of local self-governments, as well as those of the local public broadcasters as beneficiaries of public funds.

Financing of local public services from the public funds, i.e. by taxpayers' money, ought to be in line with the strict rules of transparency, openness and tangible spending criteria. The extent of the influence of local officials on the editorial policies of these outlets remains an open question.



Public spending on the media sector in Montenegro in 2015

According to the plan of internal organisation of the public sector²³, which is in turn based on the Strategy for the reform of public administration for the period 2011 – 2016, the public sector includes:

Ministries
+ Administrative bodies
+ Public institutions at the national level
+ Other bodies
= CENTRAL GOVERNMENT
Agencies with public powers (regulators and independent bodies)
+ Units of local self-government (local self-government bodies and public institutions in municipal ownership)
= GENERAL GOVERNMENT
+ Public enterprises (local and national)
+ Parliament of Montenegro
+ Judiciary (courts, prosecutions and processing bodies)
+ SAI
+ Audit body
+ Ombudsman
+ President of Montenegro
= PUBLIC SECTOR

During the said period, the CCE collected information on 353²⁴ public sector bodies:

23 Plan of internal reorganisation of the public sector, Ministry of Interior of Montenegro, Podgorica, 2013.
24 Detailed list is contained in Annex 1



1. State bodies²⁵

- General Secretariat of the Government and 17 Ministries;
- 37 administration bodies (independent bodies and those within the ministries)
- 11 bureaus
- 18 agencies
- 7 funds

2. Municipalities (local self-government units)

- 23 municipalities and 2 urban municipalities - Tuzi and Golubovci.

4. Public institutions and commercial societies in which the state or the municipalities have the controlling stake.

- 225 public institutions and commercial societies in which the state or the municipalities have the controlling stake.

5. Parliament of Montenegro

6. Central Bank of Montenegro

7. Judiciary (courts and prosecutions)

8. Ombudsman


9. President of Montenegro

Although it is officially a body within the Ministry of Finance, the Commission for Allocation of the Part of Revenue from Games of Chance was treated as a separate subject of research. The reason we decided to analyse the Commission independently is that the Law on Electronic Media mandates allocation of a part of funds from this source for media financing in order to encourage media pluralism. As the money for this purpose comes from the Budget of Montenegro, inclusion of the Commission's funds that are partly distributed to the media on project basis was necessary in order to get a more complete picture of the public funding to the sector.

The research also mapped **120** subjects, individuals and legal entities, that received money from public sources in 2015 in payment of services such as advertising, promotion, or other specialised services in this area. Those subjects were divided into the following categories:

1. Printed media
2. Television
3. Radio
4. Websites

²⁵ <http://www.gov.me/organizacija>

- 
-
5. News agencies and services
 6. Marketing agencies and production houses
 7. Agencies for public opinion research
 8. Regional media

According to the information collected by the CCE, the total amount of funds spent in 2015 by the public bodies on which the CCE holds complete documentation, on media (print, electronic and radio), websites, news agencies and services, marketing agencies and production houses, and agencies for public opinion research was **EUR 1.718.496,42**.

This amount does not reflect the total public spending, as it is based on **72% of public sector bodies that submitted the requested information**. As the other 28% of the bodies did not submit the information, among them some that are considered to be important "investors" in media, we can reasonably assume that the real amount would be considerably, if not twice, higher. This is supported by the fact that *Capital city Podgorica*, as one of the bodies that regularly opts to deny access to information, has 38 bodies in its composition (4 professional services, 4 specialised services, 7 secretariats, 1 administration, 1 direction and 20 public services). For five years in a row the CCE has not been able to obtain information from the Capital Podgorica. Nevertheless, there have been reports in the media that Capital Podgorica disposes of a considerable budget for the media and media services. Namely, during the session of the local parliament, the procurement officer Zoran Erceg²⁶ said that Capital City had spent **EUR 57.183,00** in 2015 to publish announcement, decisions and draft acts in the daily "Pobjeda". The said amount concerns the total spent by all public institution and administrative bodies of the Capital City, but excludes possible additional spending by commercial entities that are founded and owned by the Capital City. Despite all efforts, our research team was also unable to obtain information from the Ministry of Agriculture and Rural Development, or from the municipality of Herceg Novi, as well as from the traditional "big spenders", such as «Plantaže», «Montenegro Airlines», etc.

General findings according to the service provider

A total of **EUR 1.718.496,42** was spent in the following manner: **EUR 217.711,71 (12.7%)** for print media, **EUR 365.653,2 (22,3%)** for TV stations, **EUR 91.124,15 (5,3%)** for radio stations, **EUR 89.810,3 (5.2%)** for websites, **EUR 176.377,5 (10,3%)** for news agencies and services, and **EUR 683.001.47 (39.7%)** for marketing agencies and production houses. Another **EUR 58. 827,4 (3,4%)** was spent on outlets that belong to the category of international and regional media, and **EUR 35.990.70 (2,1%)** on agencies for public opinion research.

26 <http://www.vijesti.me/vijesti/glavni-grad-na-oglasavanje-u-pobjedi-potrosio-57183-eura-873981>

Note: Due to the small share they represent in the total amount of spending on media, international and regional media and public opinion agencies are excluded from the graphic representation of annual allocations.

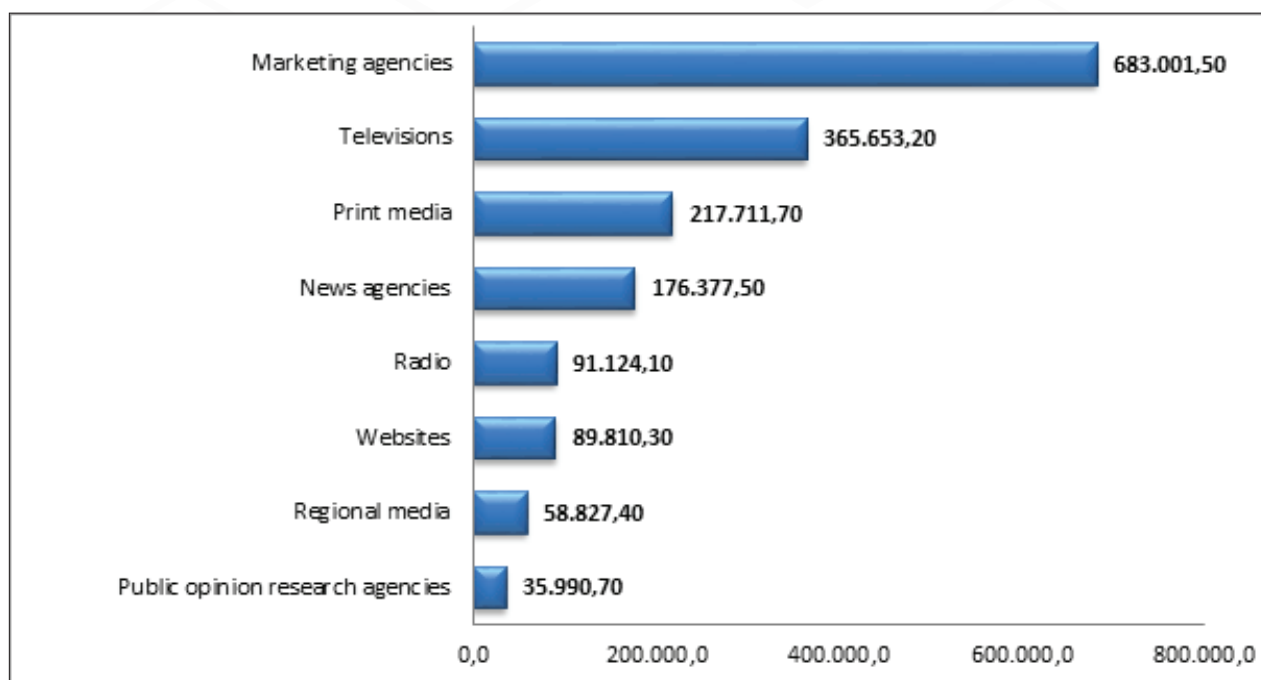


Figure 3: Overview of total spending per outlet type, EUR

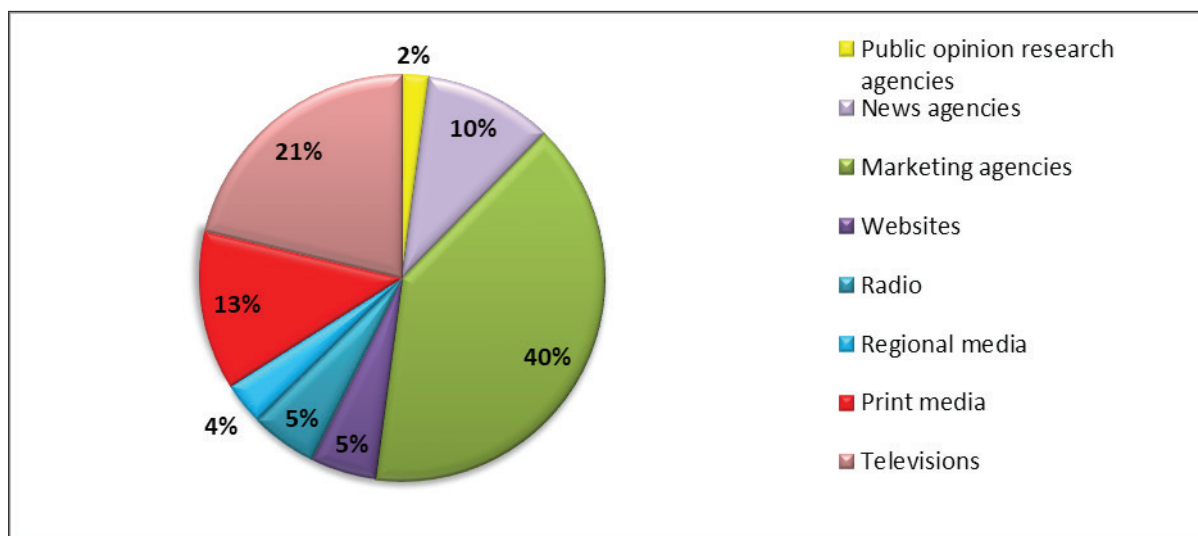


Figure 4: Overview of total spending per outlet type, %

Overall, out of the total of 118 subjects that have, in various forms and on various grounds, been engaged to provide media services to public sector bodies, we identified those that received the highest amount of funds from all public source.

The following figure includes all subjects that received more than EUR 10.000.00 in 2015.

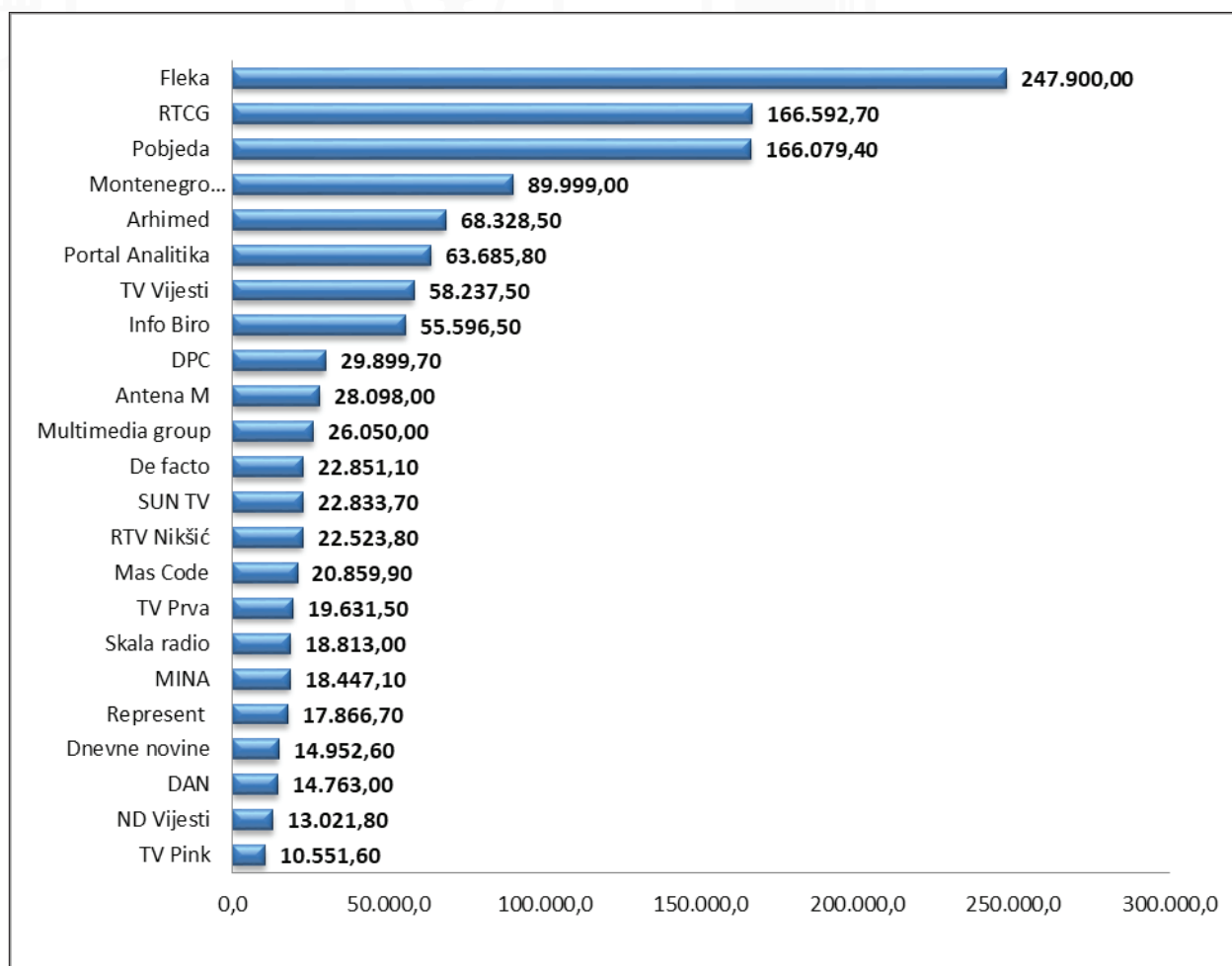


Figure 5: overview of the largest individual recipients, in EUR

Individual findings per category of service provider

Print media

The total amount spent on print media in 2015 was **EUR 213.763,72**. The distribution by outlet was as follows²⁷:

²⁷ The analysis only includes outlets that received more than EUR 1.000 in this year

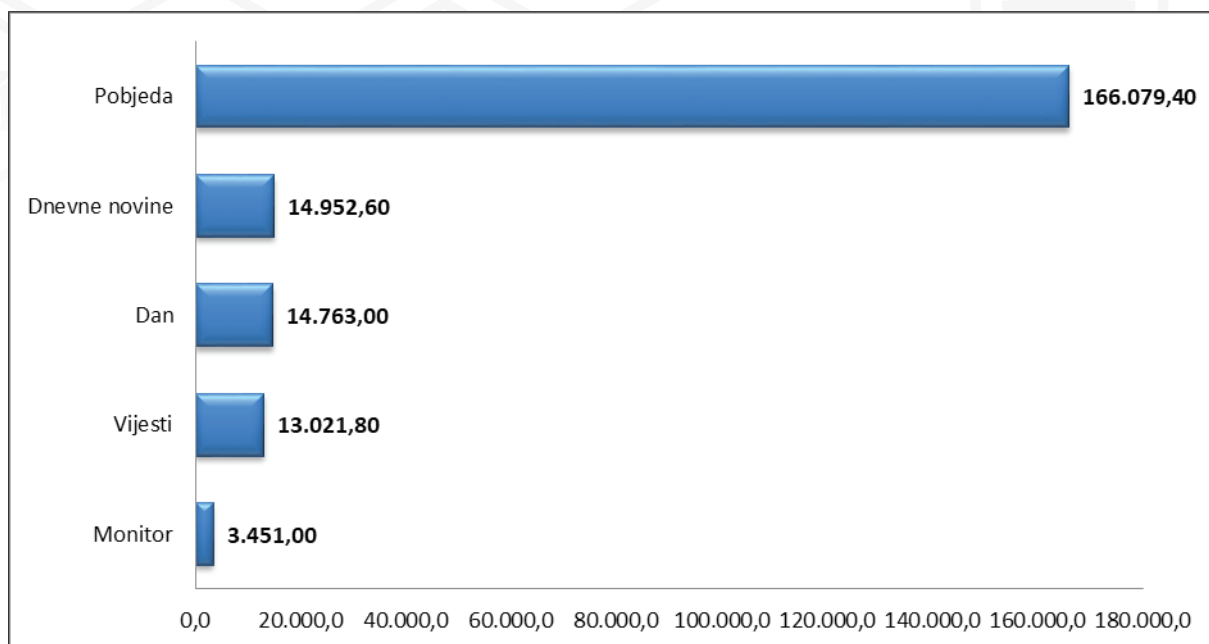


Figure 6: Overview of payments to print media, in EUR

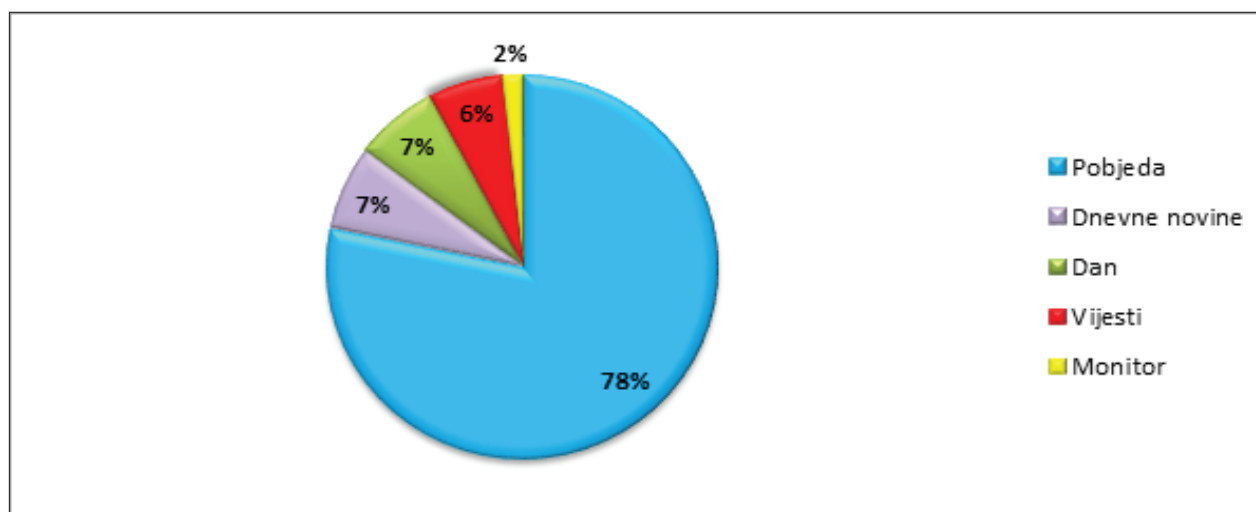


Figure 7: Overview of payments to print media, %

Televisions

The total amount spent on TV channels in 2015 was **EUR 373.099,07**. The distribution per outlet was as follows²⁸:

²⁸ The analysis only included outlets that received more than EUR 10.000 in this year.

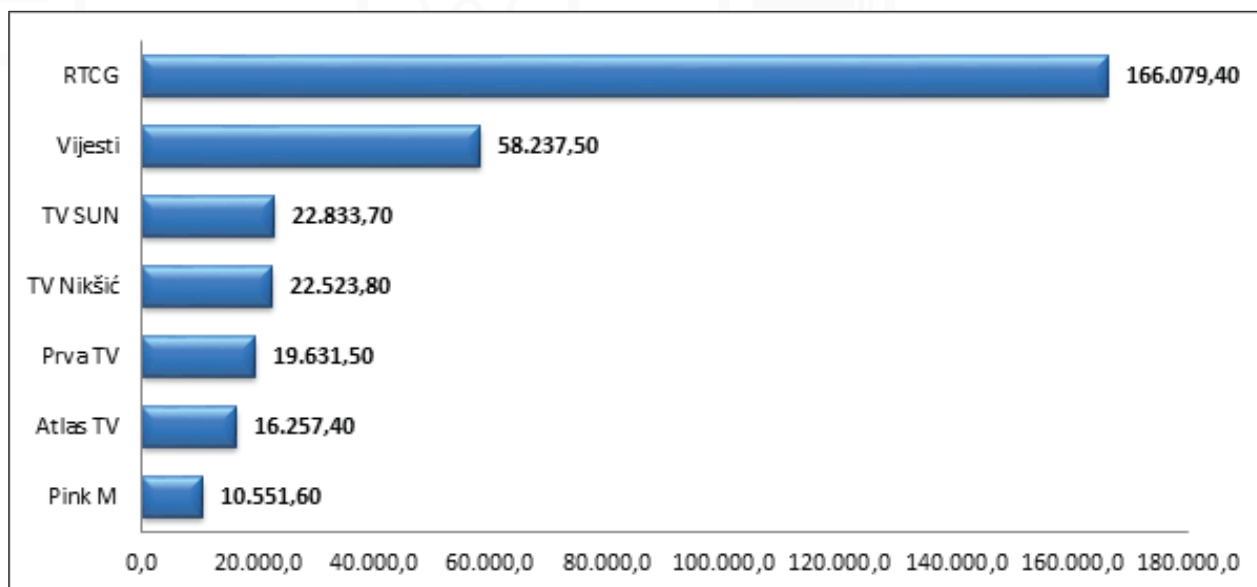


Figure 8: Overview of payments to TVs, in EUR

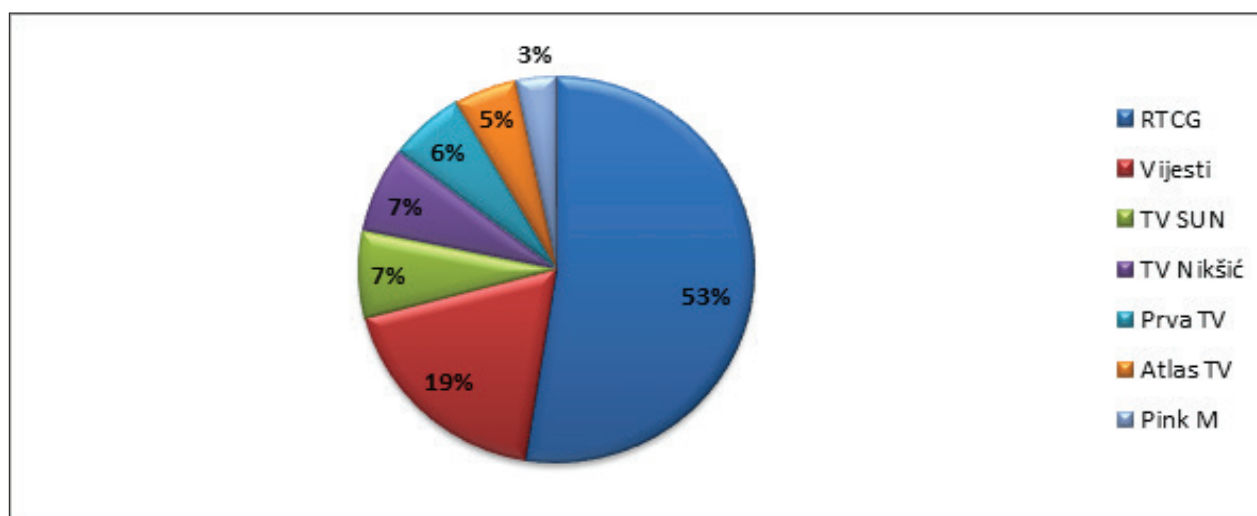


Figure 9: Overview of payments to TVs, %

Radio stations

The total amount spent on radio stations was **EUR 89.088,15**. The distribution per outlet was as follows ²⁹:

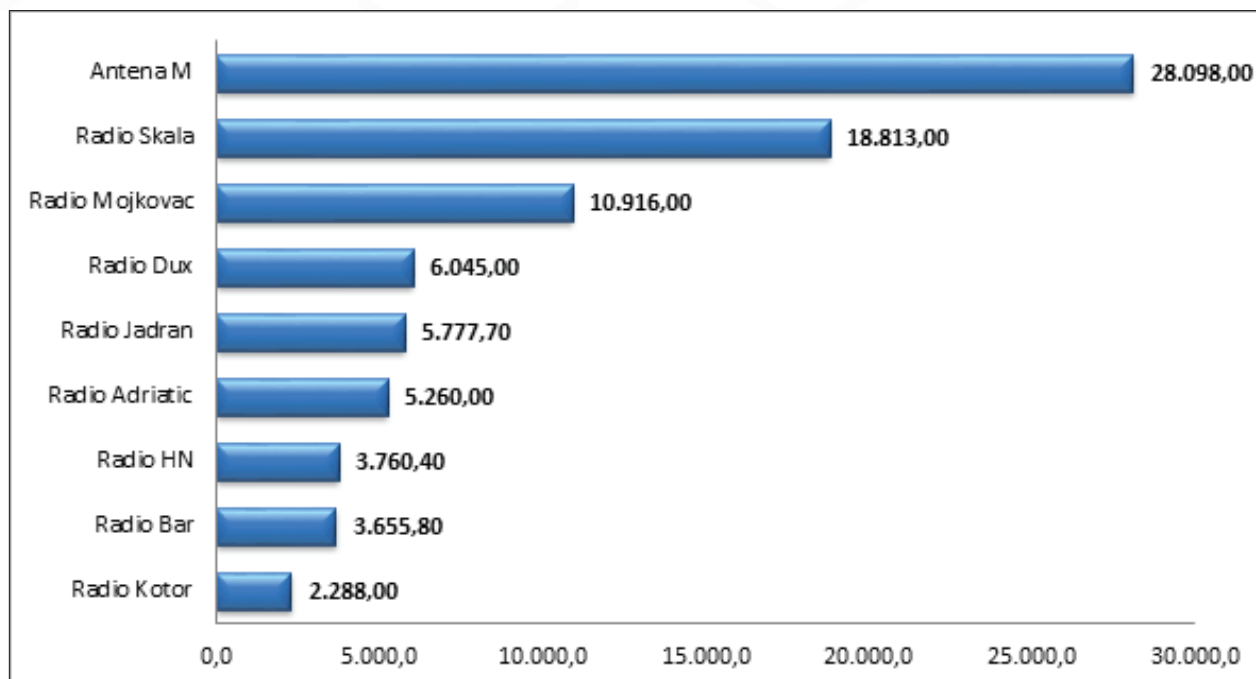


Figure 10: Overview of payments to radio stations, in EUR

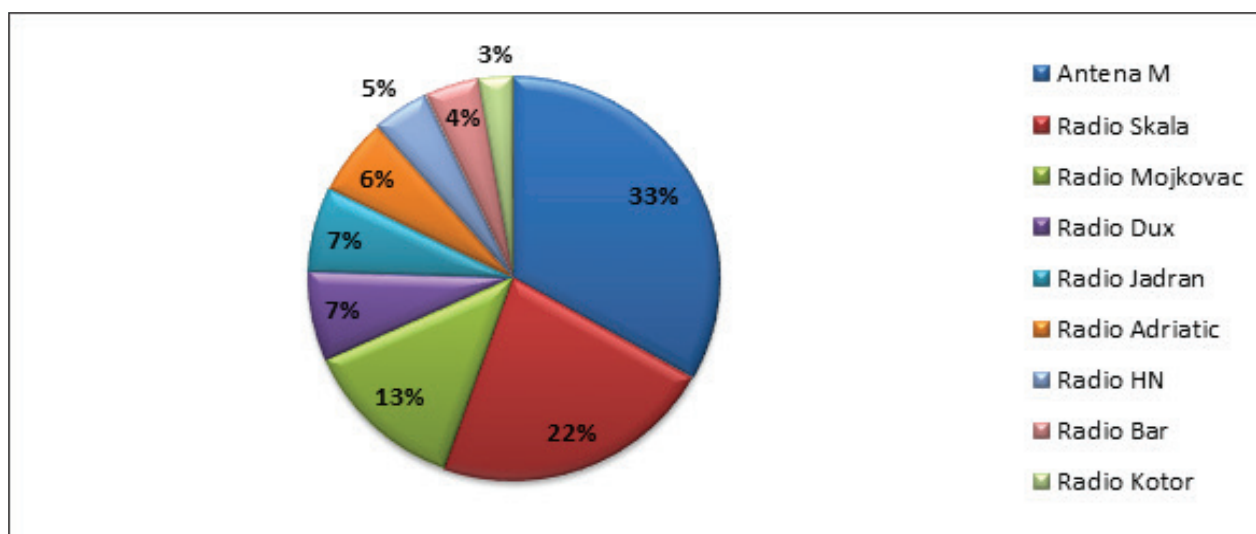


Figure 11: Overview of payments to radio stations, %

²⁹ The analysis only included outlets that received more than EUR 1.000 in this year.

Websites

The total amount spent on websites was **EUR 88.250,30**. The distribution per outlet was as follows:³⁰:

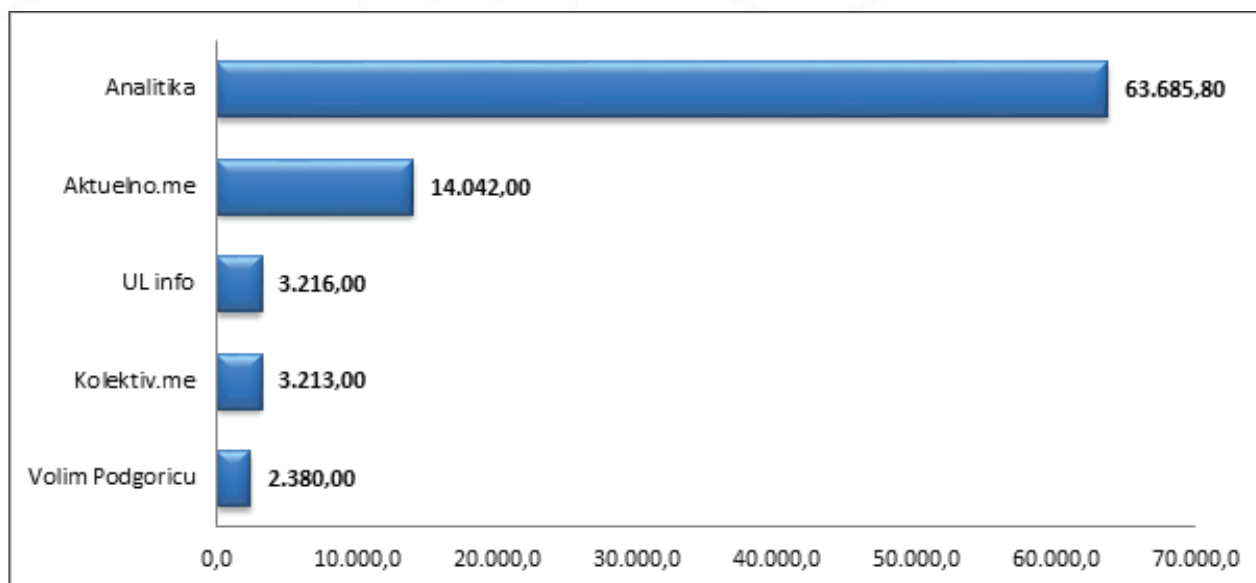


Figure 12: Overview of payments to websites, in EUR

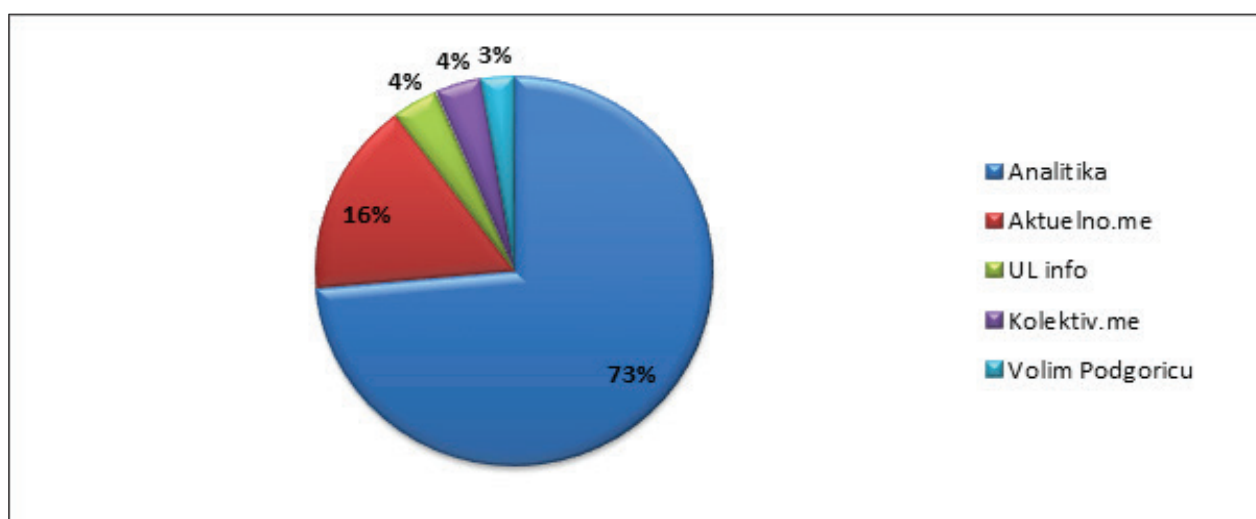


Figure 13: Overview of payments to websites, %

³⁰ The analysis only includes those websites and news agencies that received more than EUR 1.000 in this year.

News agencies and services

The total amount spent on news agencies and services was **EUR 157.606,5**. The distribution of funding per outlet was as follows:

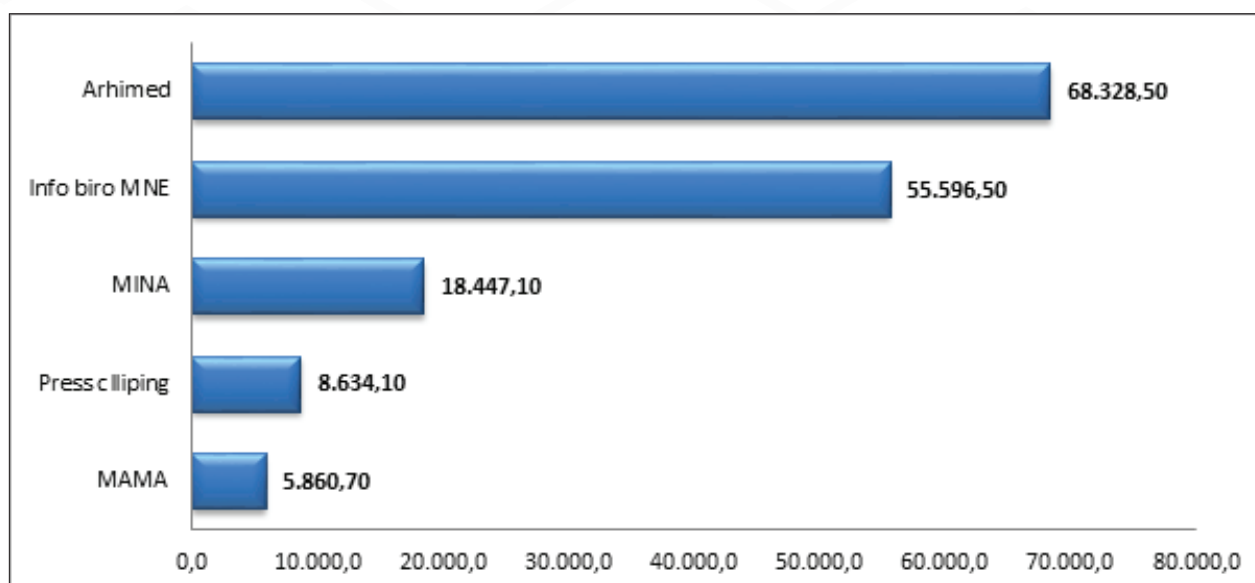


Figure 14: Overview of payments to news agencies and services, in EUR

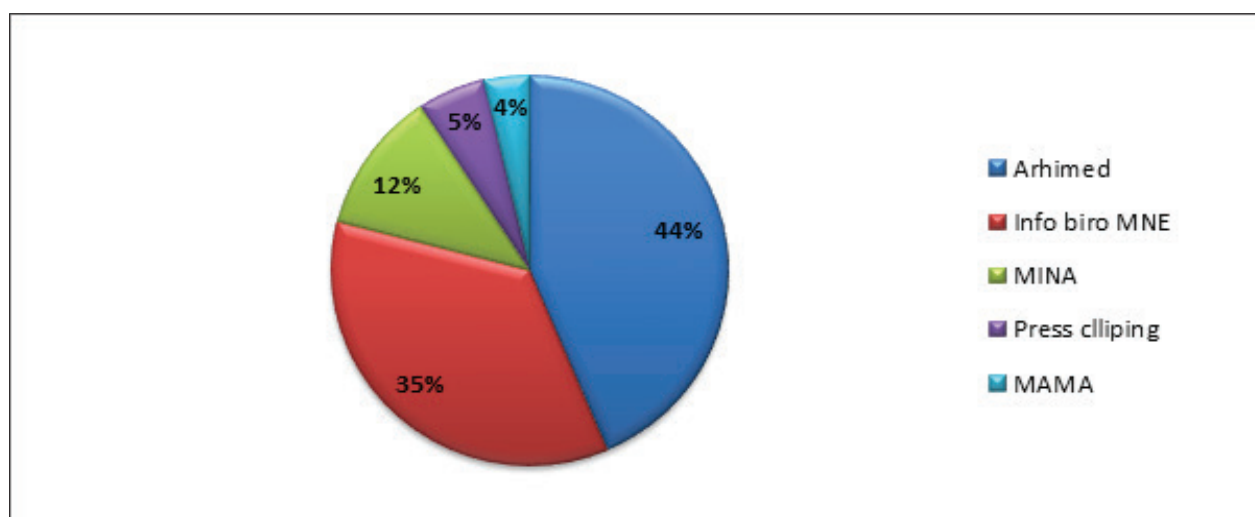


Figure 15: Overview of payments to news agencies and services, %

Marketing agencies and production houses

The total amount spent on marketing agencies and production houses in 2015 was **EUR 685.918,36**. The distribution per outlet was as follows³¹:

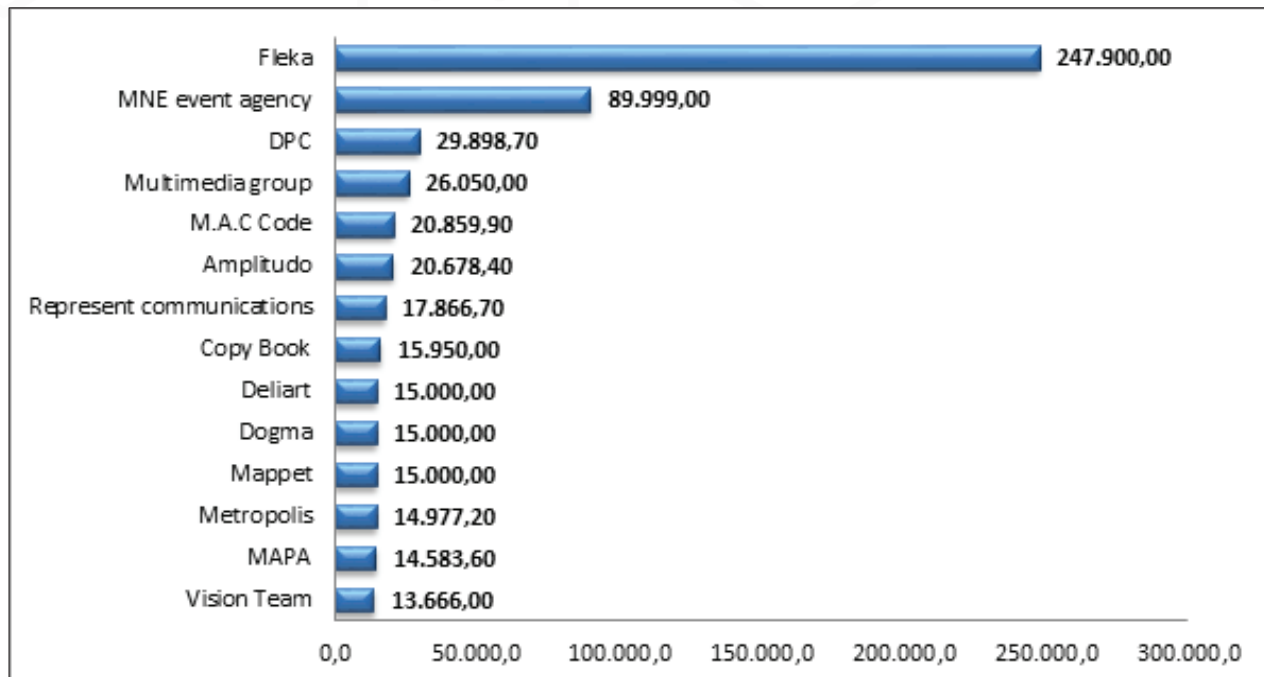


Figure 16: Overview of payments to marketing agencies and production houses, in EUR

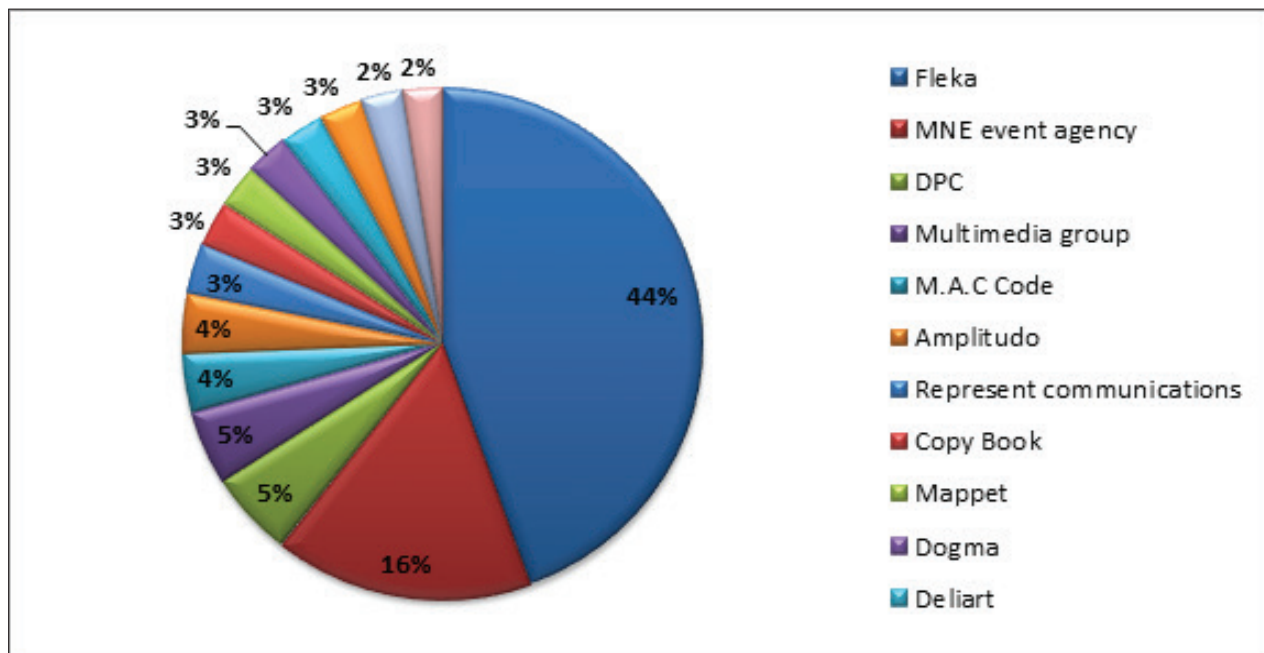


Figure 17: Overview of payments to marketing agencies and production houses, in %

³¹ The analysis only includes those marketing agencies and production houses that received more than EUR 10.000 in 2015

Individual findings per category of public sector bodies

The following overview ranks public sector bodies by the amount of spending on media, not according to their position and importance in the system.

Ministries

As already noted, ministries are among the largest consumers of media services, with a total of **EUR 517.699,51** in 2015, **or 30.1%** of all public sector spending in this area. Ministry of Sustainable Development and Tourism was again the largest single spender, with EUR 382.178,50 spent on media services, while the Ministry of Health, Ministry of Economy and Ministry of Foreign Affairs and European Integration had no expenses in this category in 2015, according to the information received. Ministry of Agriculture and Rural Development was the only ministry that failed to disclose the requested information, even after the CCE won the appeal before the Agency.

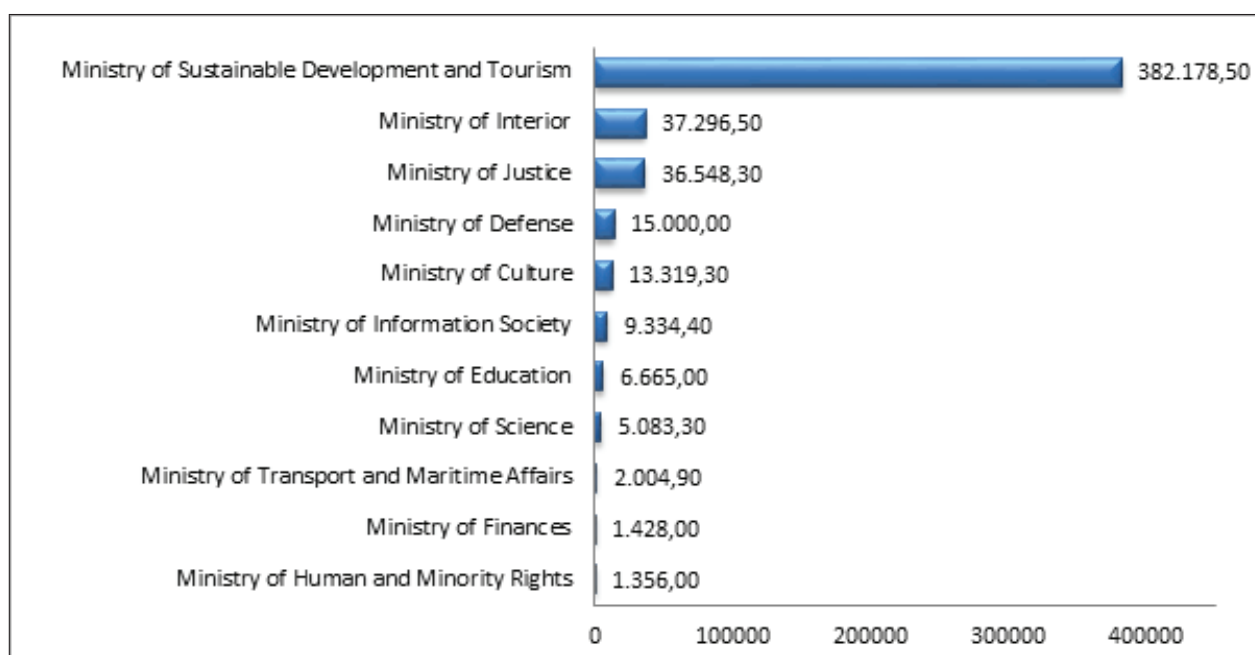


Figure 18: Overview of spending by individual ministries, in EUR

Out of the total money spent on the media, the ministries covered by this study spent **EUR 19.342,62 or (3,7%)** on printed media, **EUR 15.651,5 (3%)** on TVs, **EUR 8.300,00 (1,6 %)** on radio stations, **EUR 6.800,00 (1,3 %)** on websites, **EUR 61.800,20 (11,9%)** on news agencies and services, and **EUR 393.521,69 (76,01%)** on marketing agencies and production houses.

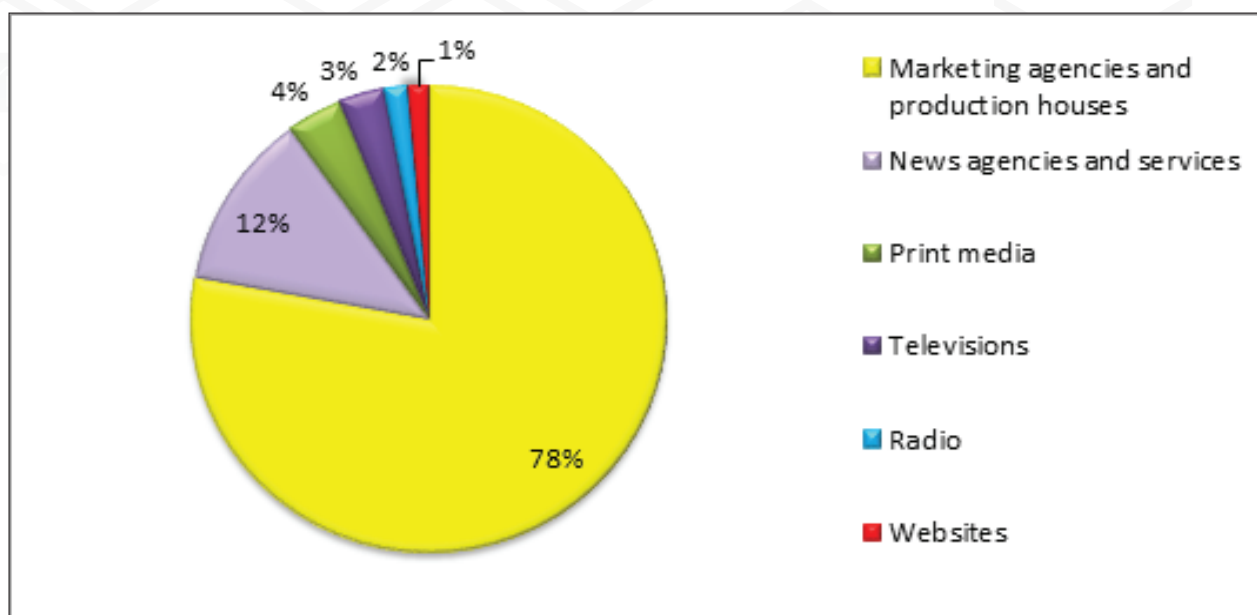


Figure 19: Overview of payments by type of outlet, %

The above figures reveal a clear trend, already noted by the CCE in its previous reports, towards centralisation of funding and reallocation of funds from individual media to marketing agencies and production houses, which makes it impossible to precisely track the allocation of funds to individual outlets.

Out of the overall amount spent by the ministries on media, the printed media received **EUR 19.342,62**.

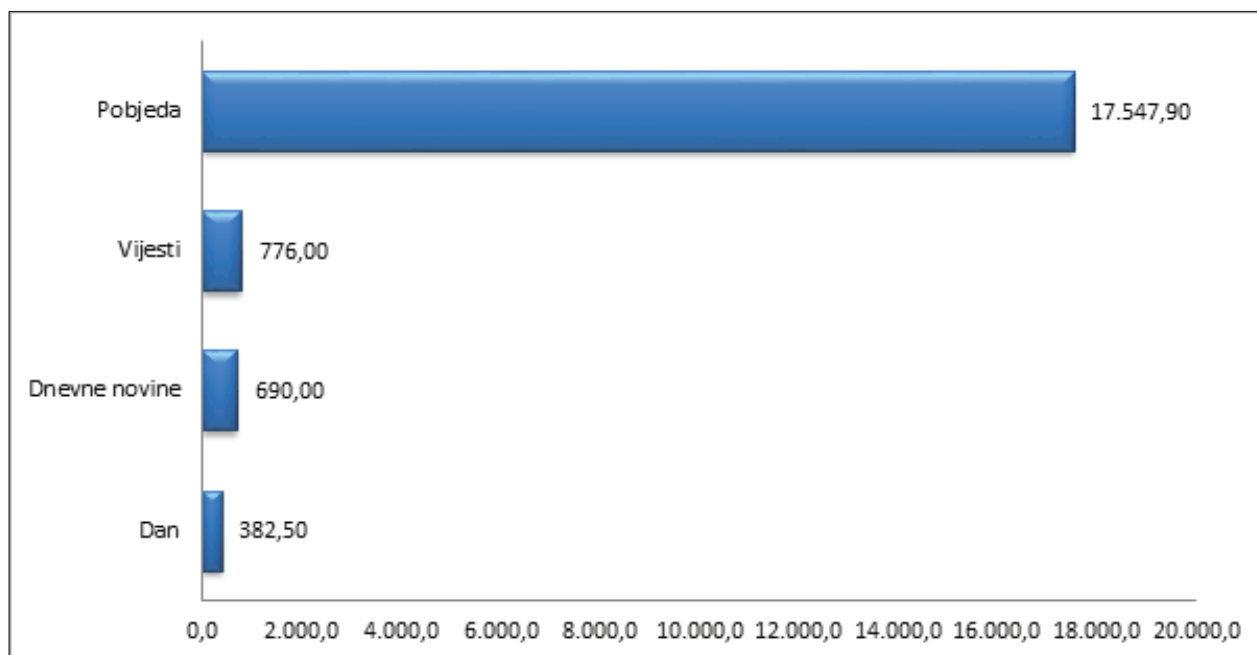


Figure 20: Overview of payments to printed media by the ministries, in EUR

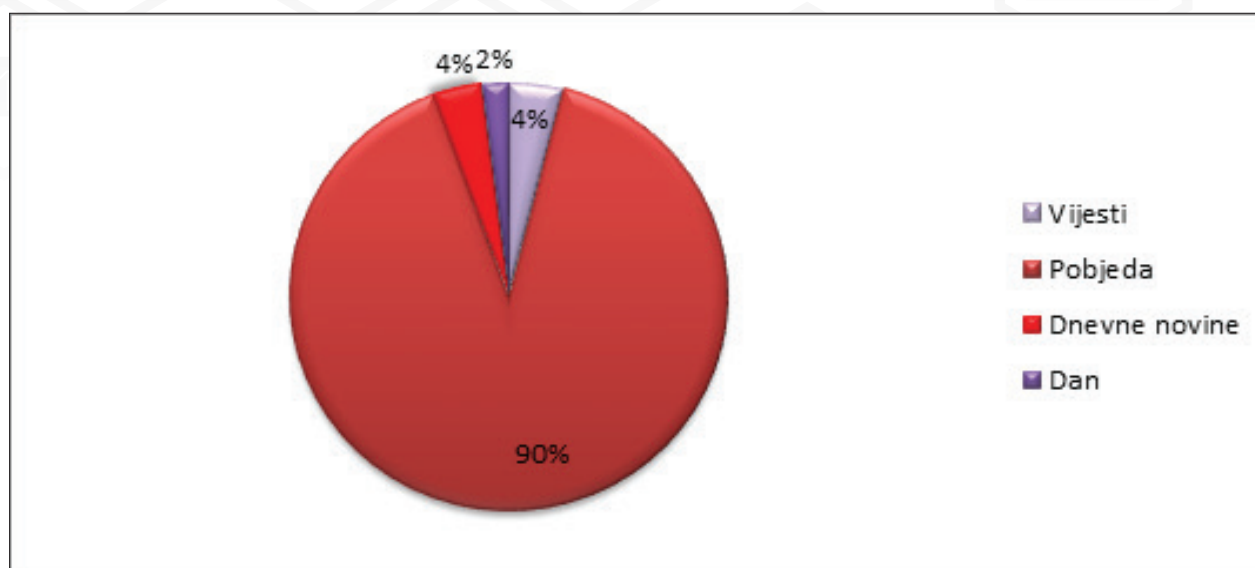


Figure 21: Overview of payments to printed media by the ministries, %

This amount, nearly all of which was paid to daily "Pobjeda", came from several ministries: Ministry of Interior, Ministry of Science, Ministry of Culture, Ministry of Information Society and Telecommunications, Ministry of Transport and Maritime Affairs, Ministry of Sustainable Development and Tourism and Ministry of Labour and Social Welfare. Dailies "Dan" and "Vijesti" received the entirety of their payments from the Ministry of Culture, while "Dnevne novine" received money from the Ministry of Labour and Social Welfare, as well as from the Ministry of Culture.

National televisions received a total of **EUR 15.651,5** from the ministries.

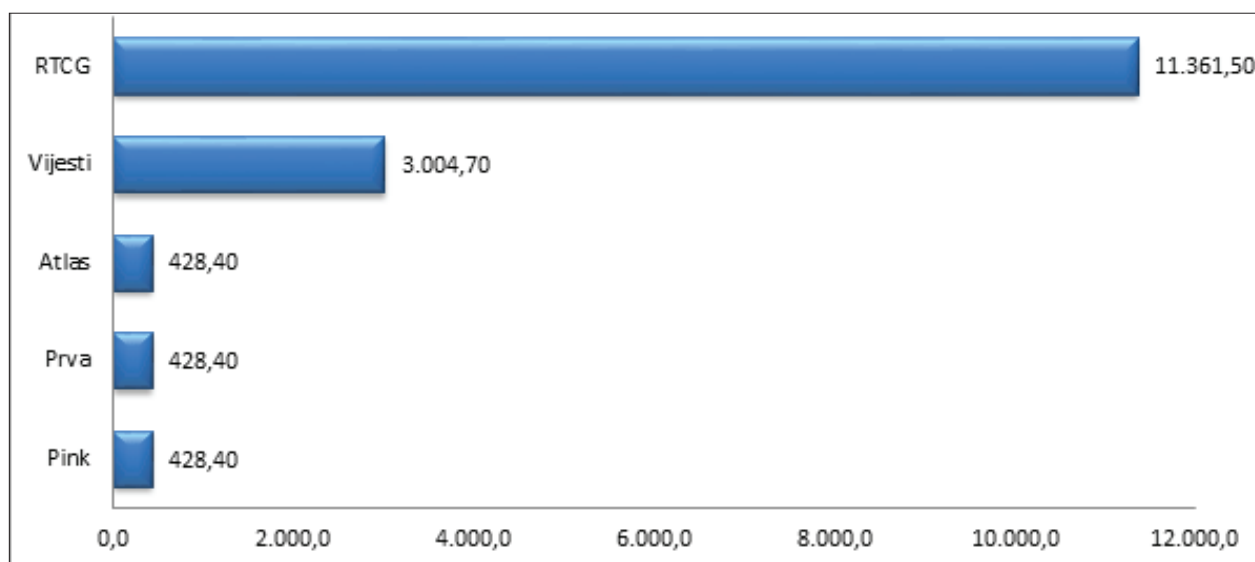


Figure 22: Overview of payments to TVs by the ministries, in EUR

RTCG was the main beneficiary of these payments. Most of the money came from the Ministry of Sustainable Development and Tourism and Ministry of Education and Sport, and to a much lesser extent from the Ministry of Interior and Ministry of Justice. Other televisions received payments only from the Ministry of Justice, and

the Ministry of Interior also allocated some funds to TV "Vijesti".

The total amount of funds spent on radio stations was **EUR 8.300,00**.

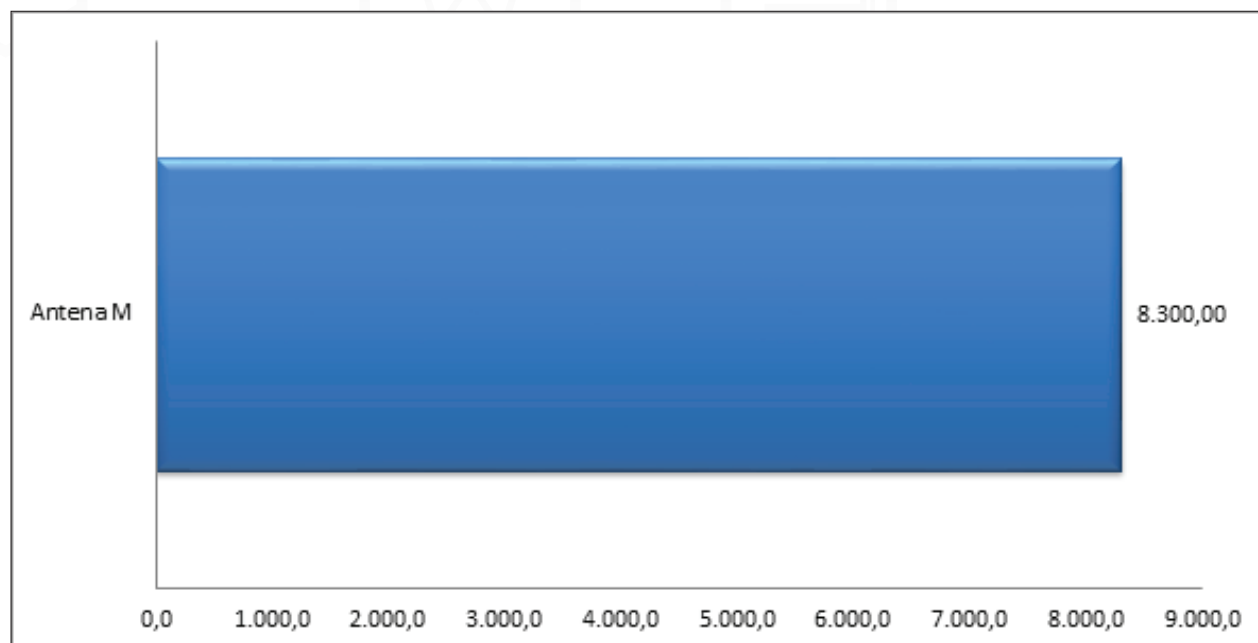


Figure 23: Overview of payments to radio stations by the ministries, in EUR

The total amount of public spending on radio stations by the ministries went to radio Antena M. The money came from two ministries: Ministry of Justice and Ministry of Sustainable Development and Tourism. The amounts and sources of payments are practically identical to those in 2014.

Websites received a total amount of **EUR 6.800,00**.

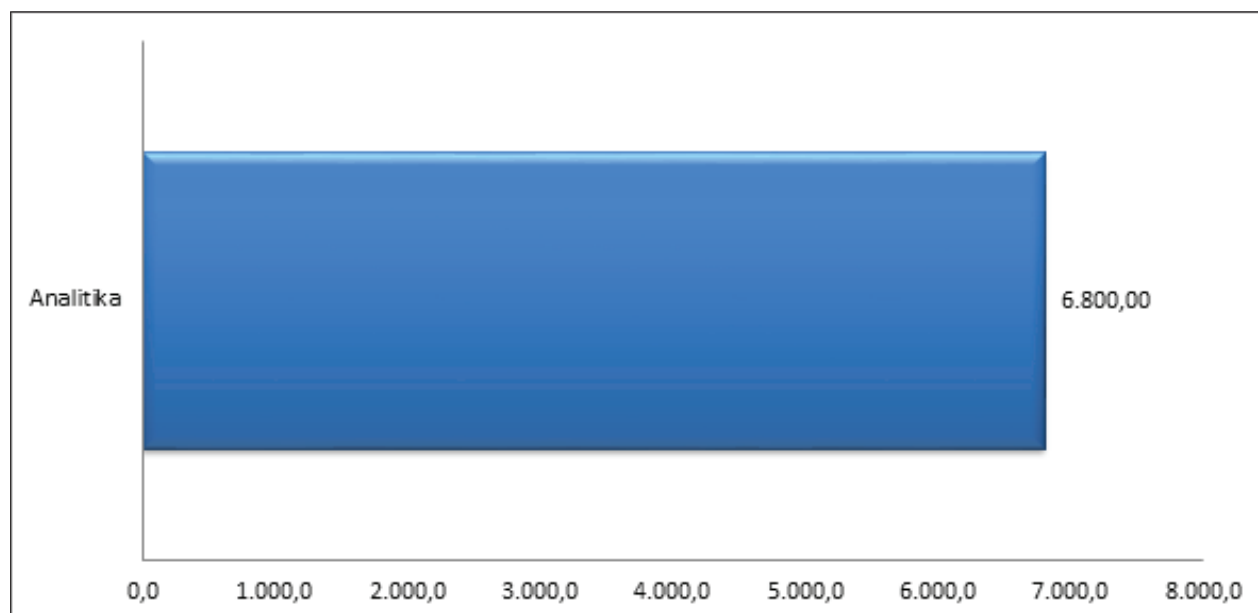


Figure 24: Overview of payments to websites by the ministries, in EUR

The entire amount of payments to websites went to a single outlet, portal Analitika, all of it paid by the Ministry of Justice and Ministry of Science.

Meanwhile, ministries allocated **EUR 61.800.20** to news agencies and services in 2015.³²

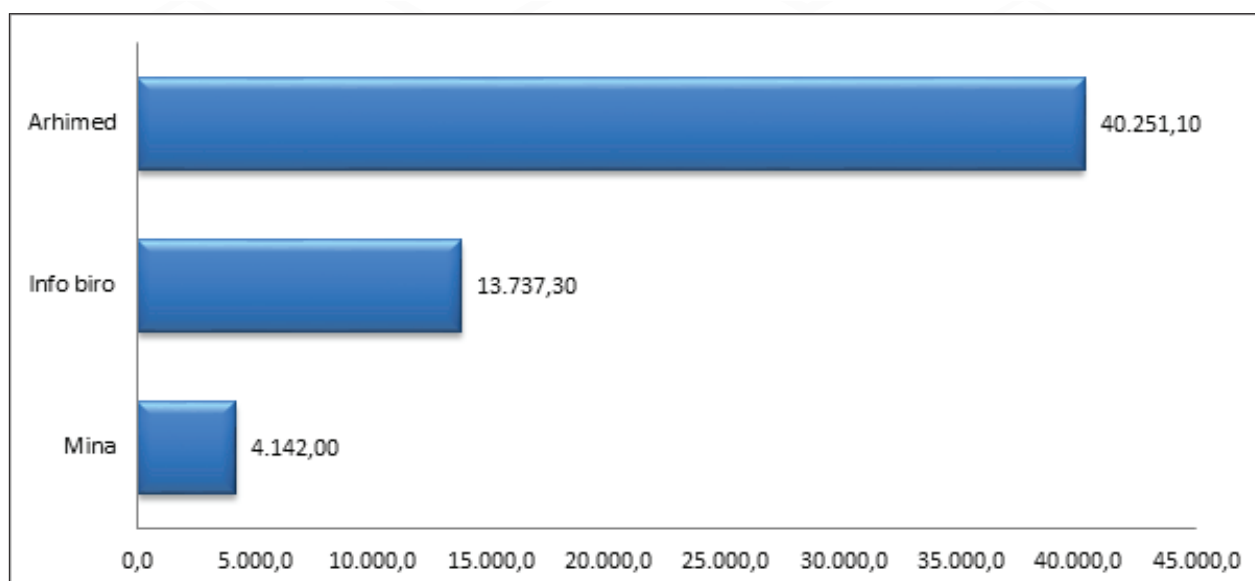


Figure 25: Overview of payments to news agencies and services by the ministries, in EUR

In 2015, the ministries spent **EUR 393.521,69** on marketing agencies and production houses.

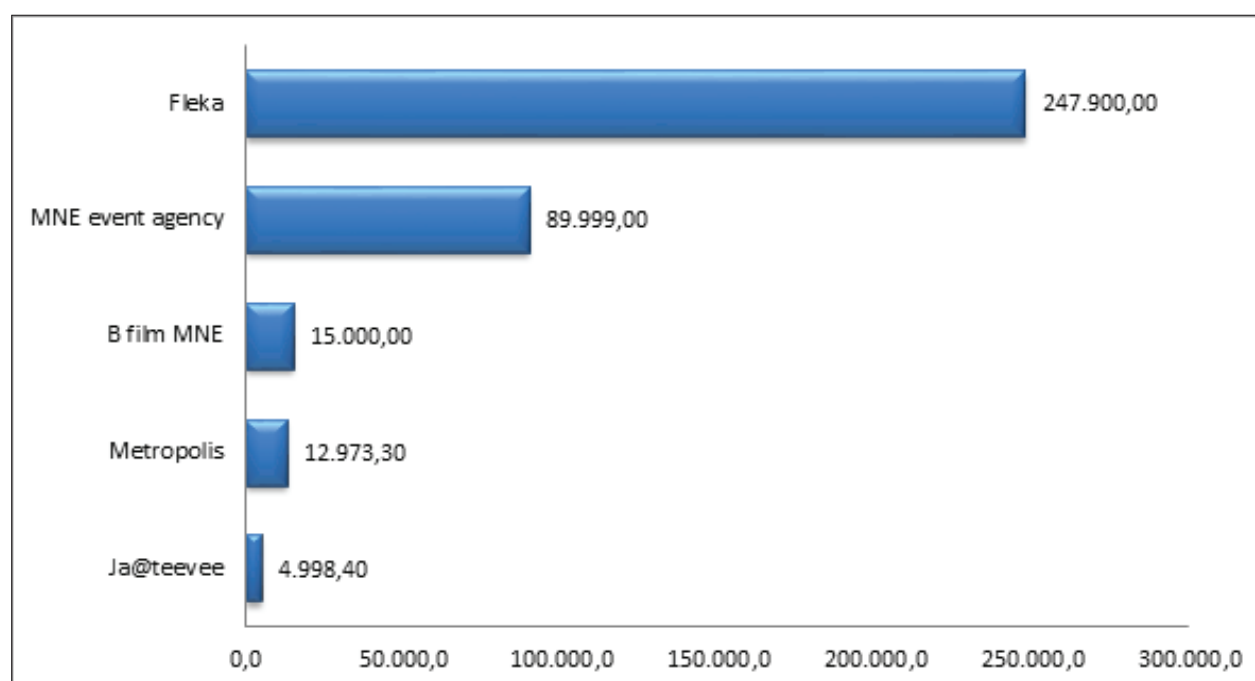


Figure 26: Overview of payments to marketing agencies and production houses by the ministries, in EUR

³² The figure only includes outlets that received more than EUR 10.000

Given the importance of the Government and the ministries as executive authorities and makers of public policies, and in this particular research also the largest consumers in the system, it is necessary to present the detailed cost structure of each of these bodies.

As in previous years, in 2015 **Ministry of Sustainable Development and Tourism** had the highest amount of expenses for media services, in total amount of EUR 382.178,49.

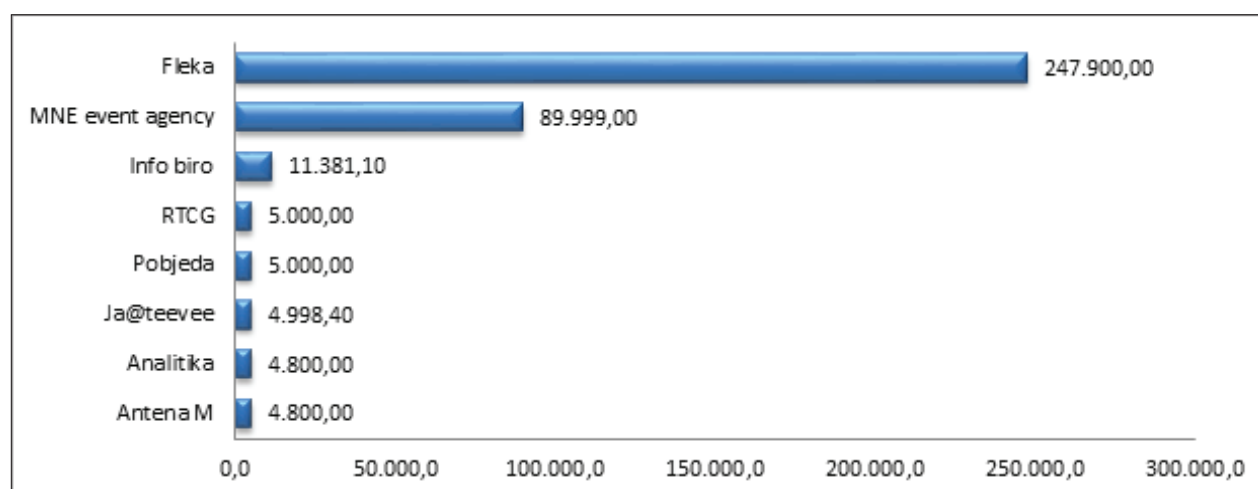


Figure 27: Payments to media by the Ministry of Sustainable Development and Tourism, EUR

The total spending of the **Ministry of Interior** in this area was EUR 37.296,50.

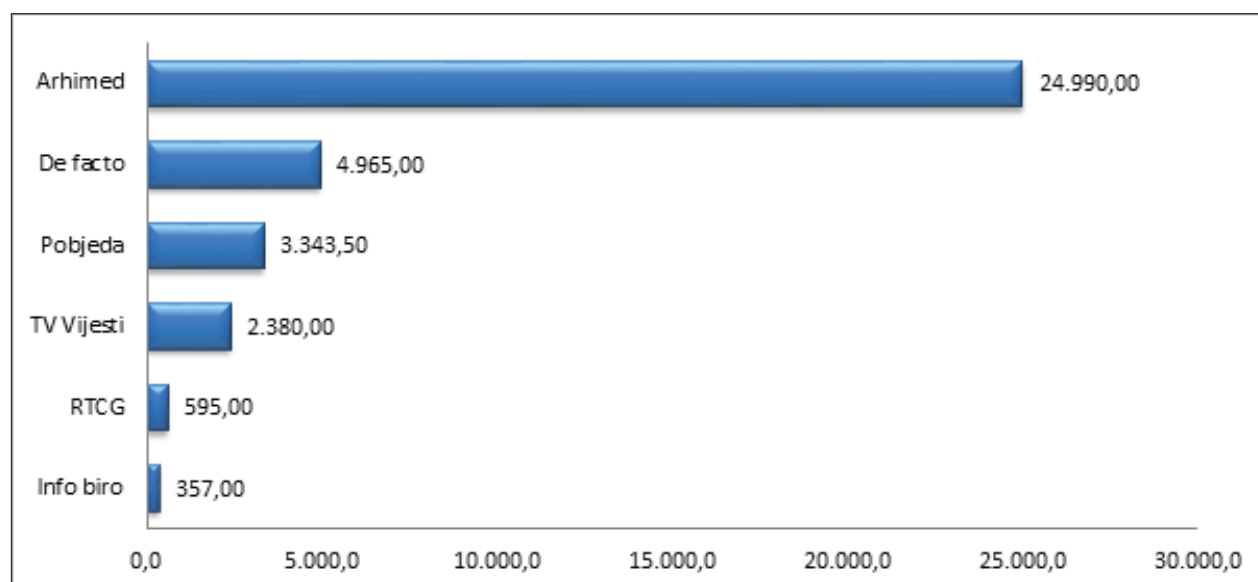


Figure 28: Payments to media by Ministry of Interior, EUR

Total spending by the **Ministry of Justice** on media in 2015 was of EUR 36.584,30.

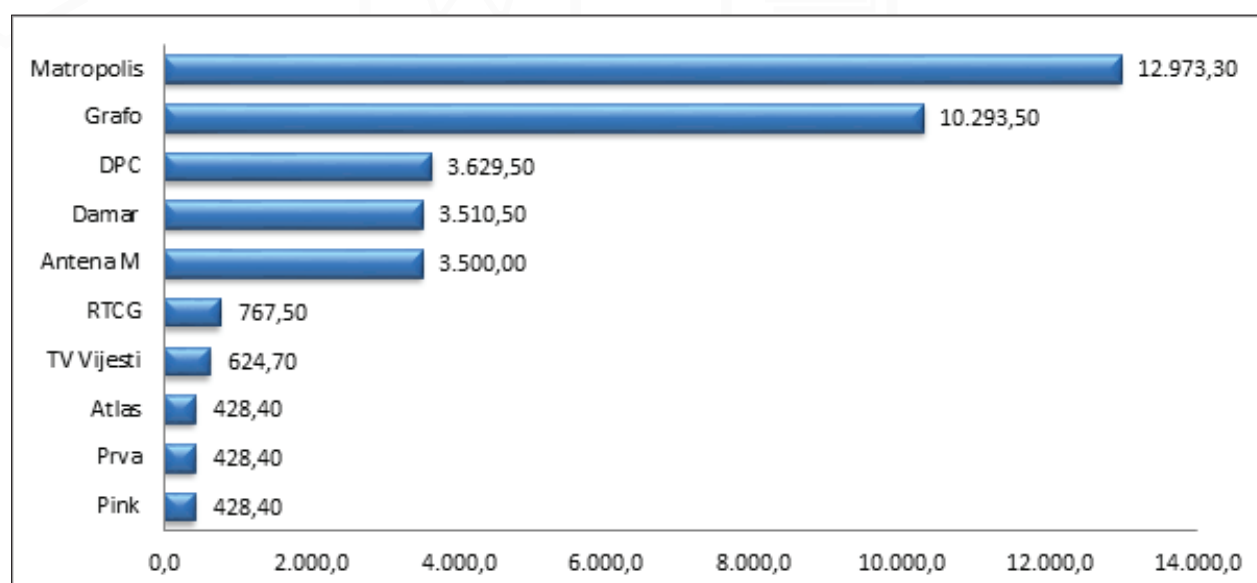


Figure 29: Payments by Ministry of Justice, EUR

Total expense of **Ministry of Culture** was in the amount of 13.319,27 EUR.

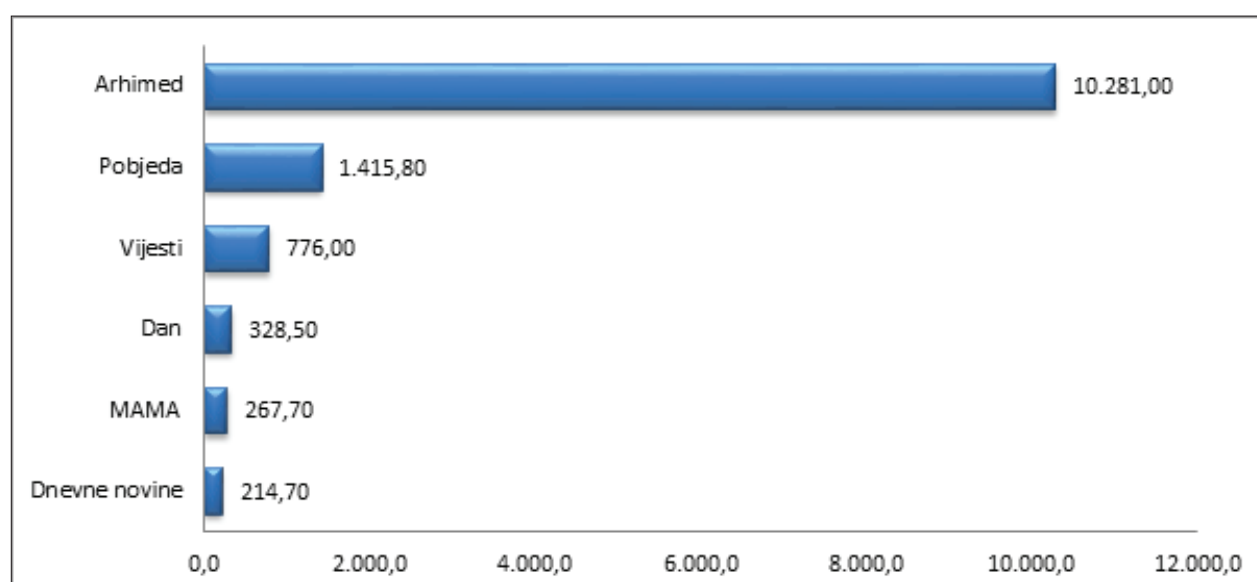


Figure 30: cost structure of Ministry of Culture in EUR amounts

Total spending on media by the **Ministry of Information Society and Telecommunications (MIST)** EUR 9.334,35.

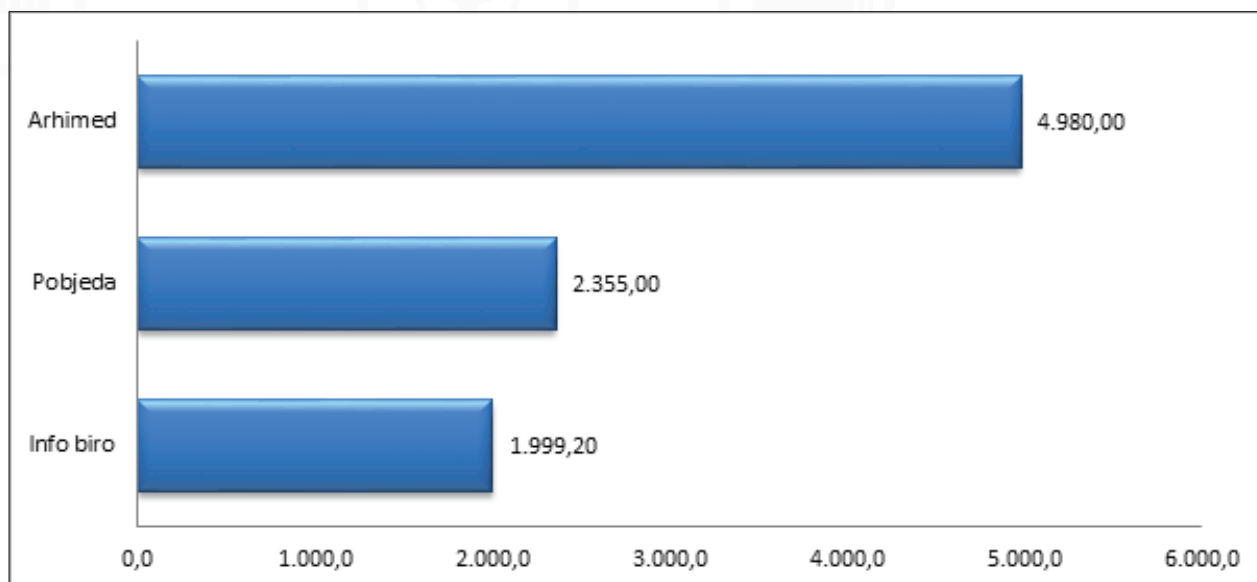


Figure 31: Payments by MIST, EUR

The total amount allocated to the media, news agencies and services, marketing agencies and production houses by the **Ministry of Education** was EUR 6.665.00.

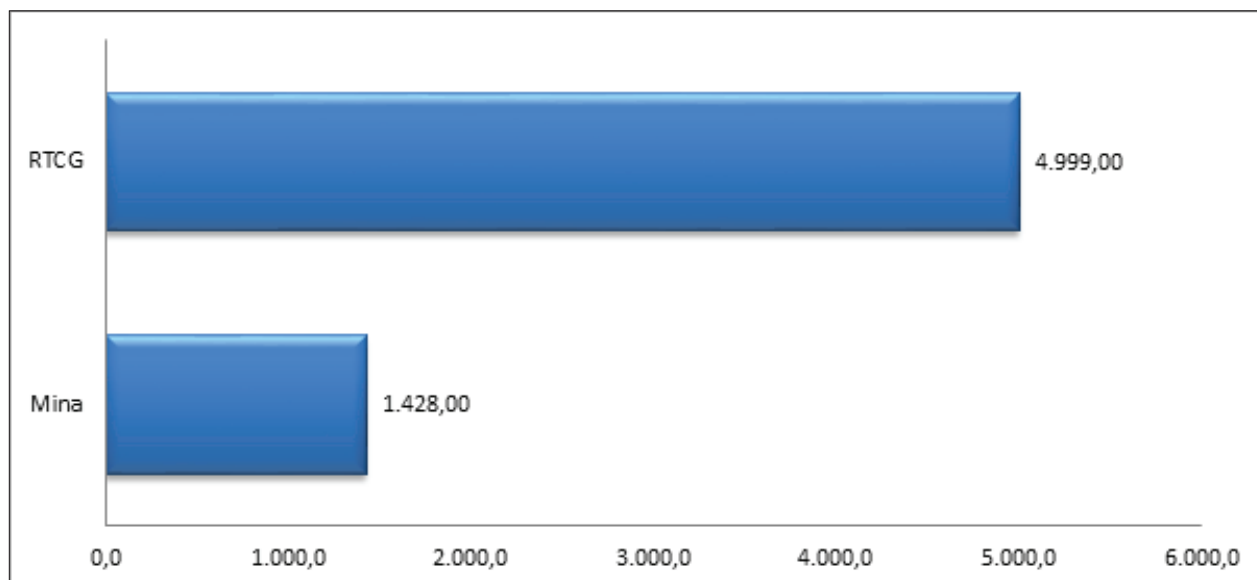


Figure 32: Payments by Ministry of Education, EUR

Total spending by the **Ministry of Science** was EUR 5.083,30.

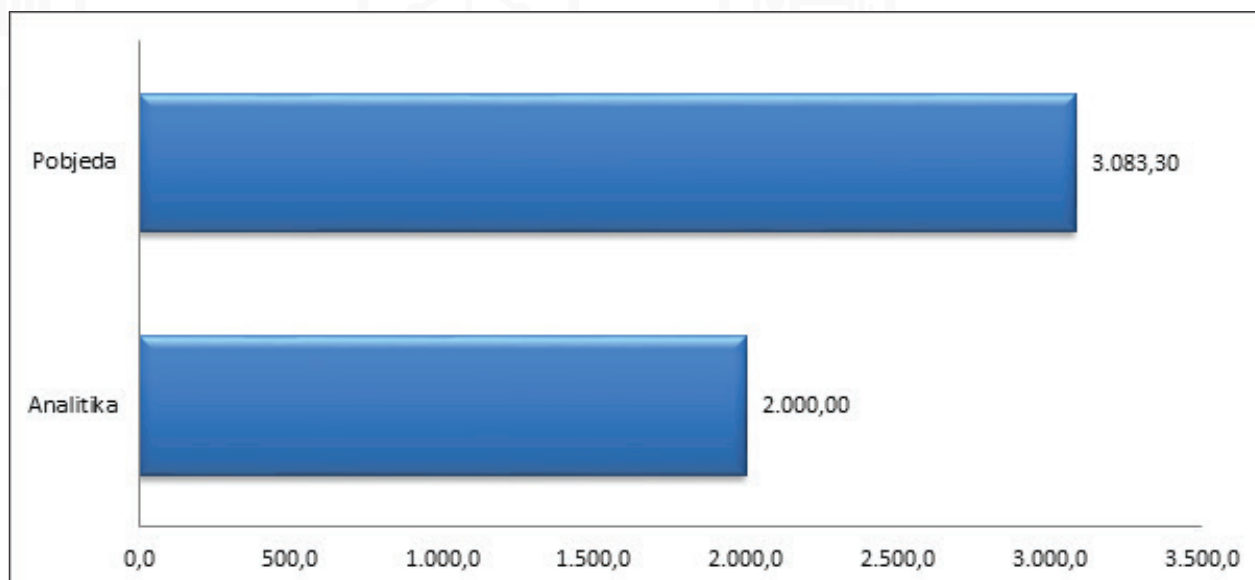


Figure 33: Payments by Ministry of Science, in EUR

Ministry of Transport and Maritime Affairs spent a total of EUR 2.004,90 on *Pobjeda*, Ministry of Education allocated EUR 15.000,00 to the agency *B film Montenegro*, and the Ministry of Finance and Ministry of Human and Minority Rights spent EUR 1.428,00 and EUR 1.356,00 respectively on media services, all of it paid to the news agency *Mina*. According to the information obtained by the CCE, the following institutions had no expenses in this field: General secretariat of the Government of Montenegro, Ministry of Health, Ministry of Foreign Affairs and European Integration and Ministry of Economy.

Administrative bodies³³

The research covered 73 administrative bodies, both those belonging to the ministries and independent administrative bodies – such as directorates, bureaus, funds, and agencies. The majority of them (60) responded positively to the request for information within the legally prescribed deadline, but 13 bodies only submitted the information after the intervention of the Agency for the protection of personal data and free access to information. According to the data collected, only 29 of these bodies had some spending on the media.

Administrative bodies spent altogether **EUR 256.359,67** in 2015. Out of this amount, **EUR 11.500** was distributed to the media by the Commission for allocation of part of revenues from games of chance to finance various projects, and this amount will be analysed separately. The Commission acts within the Ministry of Finance, but it also awards significant resources to the media through specific projects.

³³ To ensure clarity of graphic representation, administrative bodies in the ministries and independent administrative bodies are presented together.

The remaining **EUR 244.859,67** was spent in the following manner: **EUR 66.618,48 (27,2%)** was allocated to the print media, **EUR 48.402,37 (19,8%)** to TVs, **EUR 8.553,90 (3,5%)** to radio stations, **EUR 19.134,50 (7,8%)** to websites, **EUR 20.659,35 (8,4%)** to news agencies and services, **EUR 19.676,10 (8%)** to agencies for public opinion research, and **EUR 58.194,98 (23,8%)** to marketing agencies and production houses.

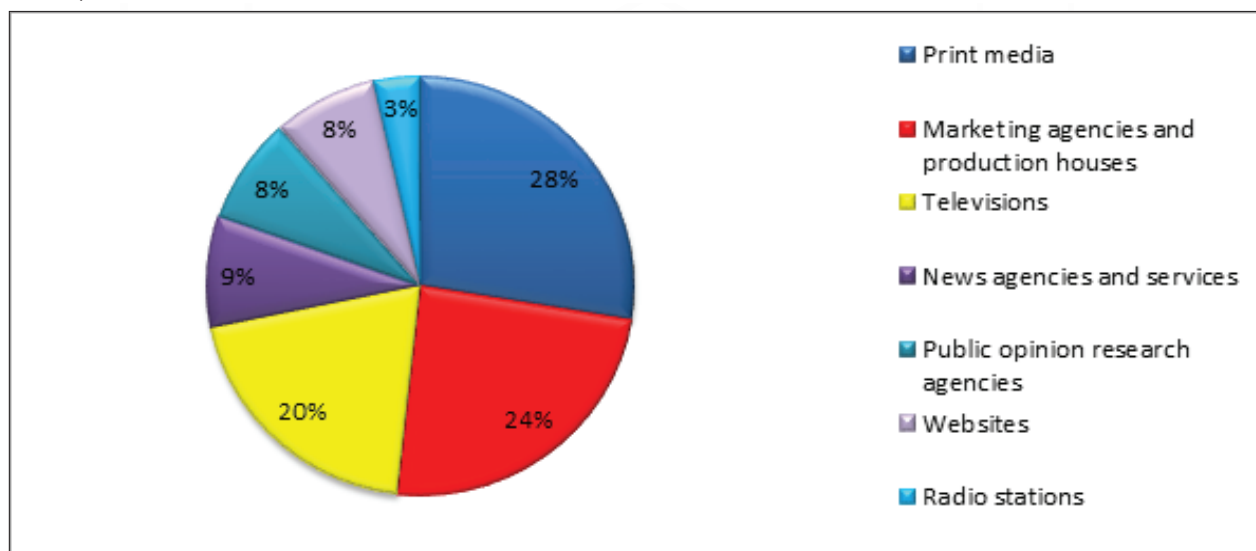


Figure 34: Distribution of spending on the media by administrative bodies, per category of outlet

The structure of entities receiving the money from administrative bodies is presented below in a single table. Due to the small overall number of outlets receiving the funding from this source, we did not divide them into categories.³⁴

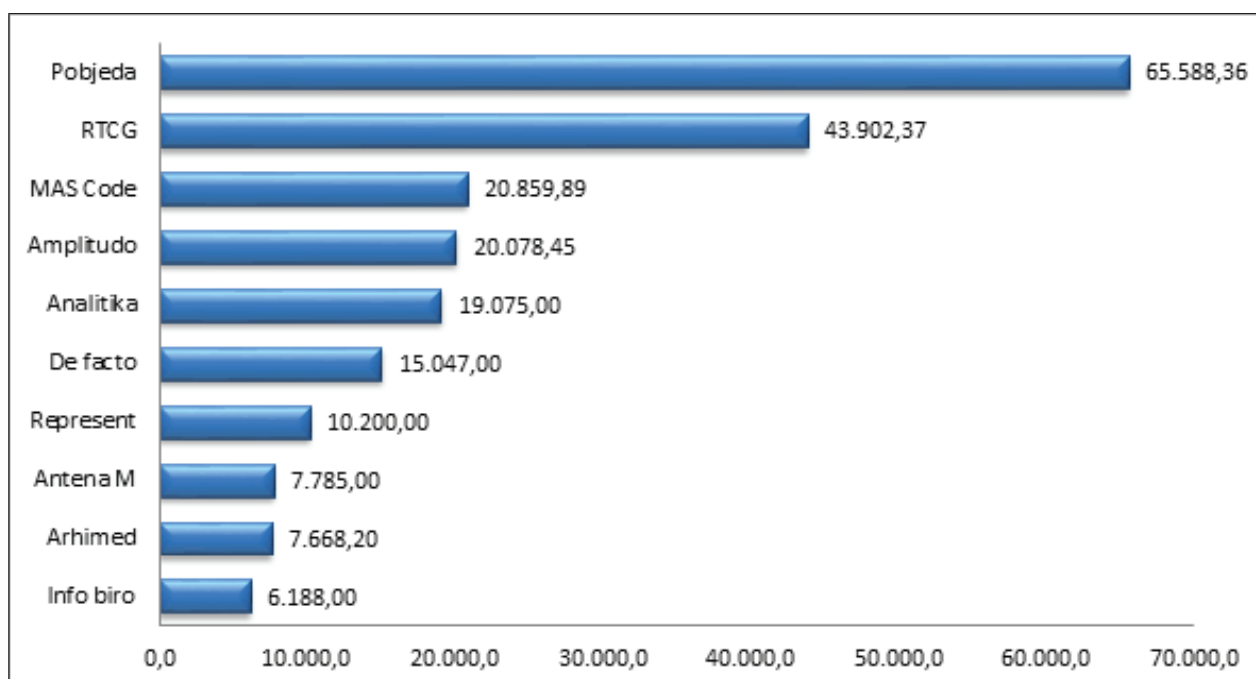


Figure 35: structure of subjects which received funds from administrative bodies in EUR amounts

³⁴ The analysis only included subjects that received more than EUR 5.000 in 2015.

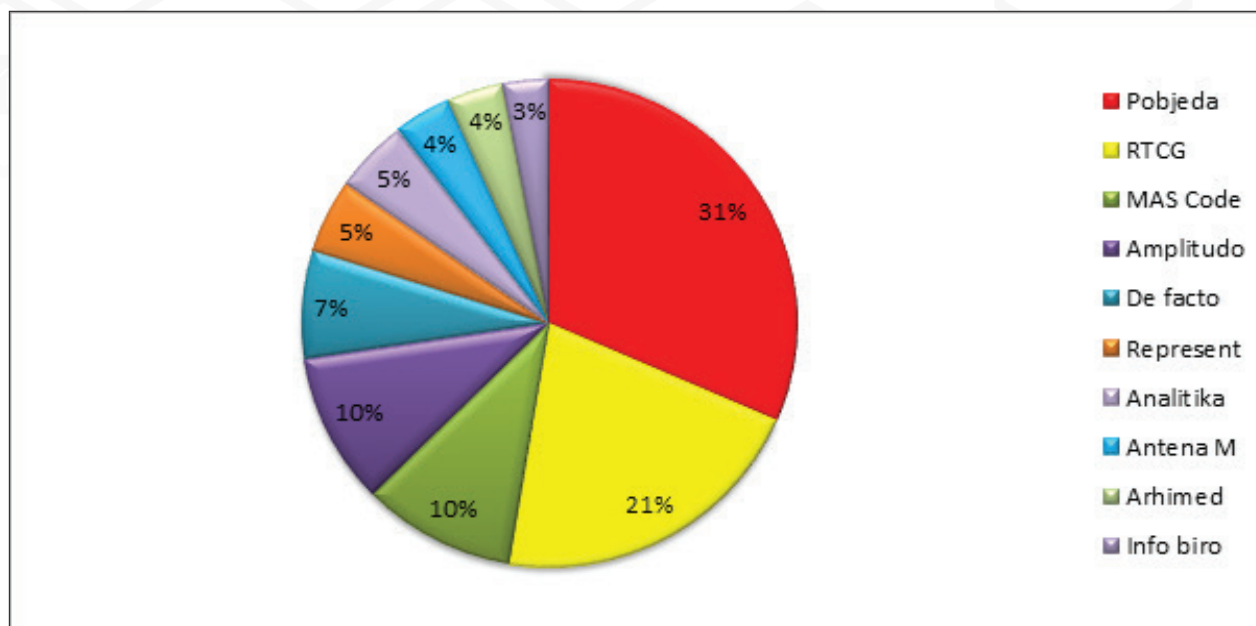


Figure 36: Outlets that received payment from administrative bodies, % of total

Of the total amount spent by administrative bodies on media services, over 80% of spending, or EUR 198.218,73 came from just five bodies: the Employment Agency (EUR 89.619,63), Agency for electronic communication and postal services (EUR 44.110,70), the Investment and Development Fund (EUR 26.492,49), the Deposit Protection Fund (EUR 26.095,89), and Civil Aviation Agency (EUR 11.900,00). The following figures therefore only present the distribution of payments for these five bodies.

Employment agency of Montenegro

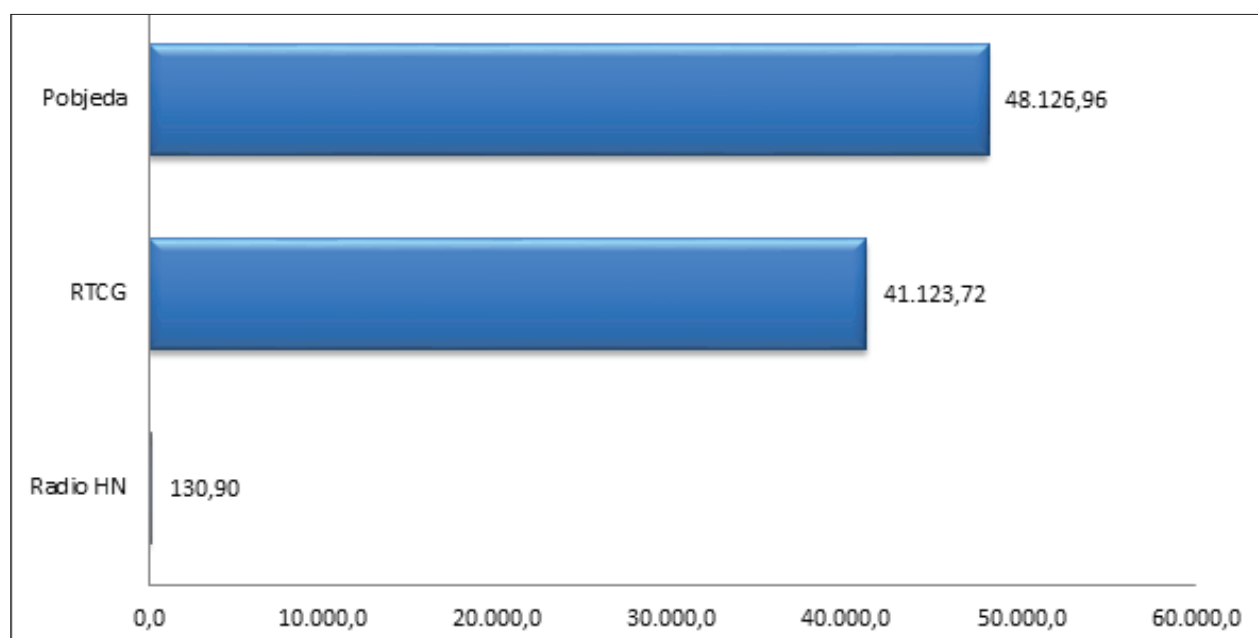


Figure 37: Structure of expenditure by the Employment agency of Montenegro by media outlet, in EUR

Agency for electronic communications and postal services

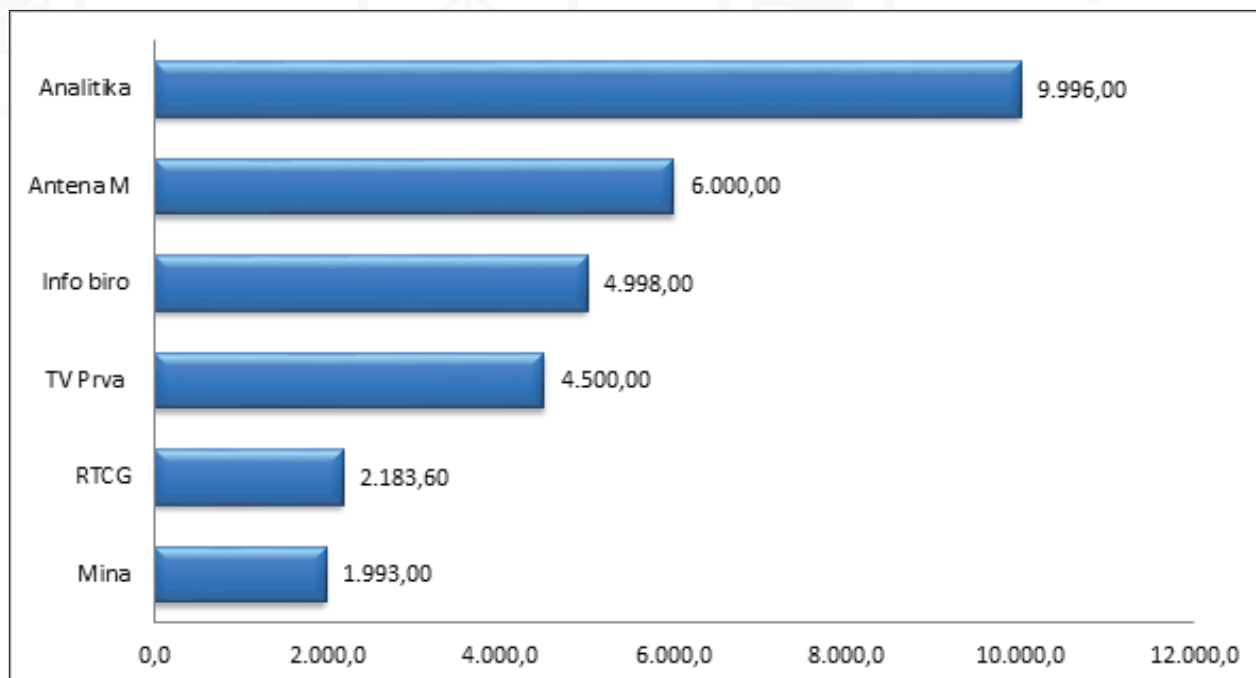


Figure 38: Structure of expenditure by the Agency for electronic communications and postal service by media outlet, in EUR

In addition the media outlets included in the figure above, the Agency had additional expenditures on the services of two public opinion research agencies. Agency *De facto* thus received EUR 9.811,00, and agency *Damar* EUR 4.629,10.

Investment and Development Fund

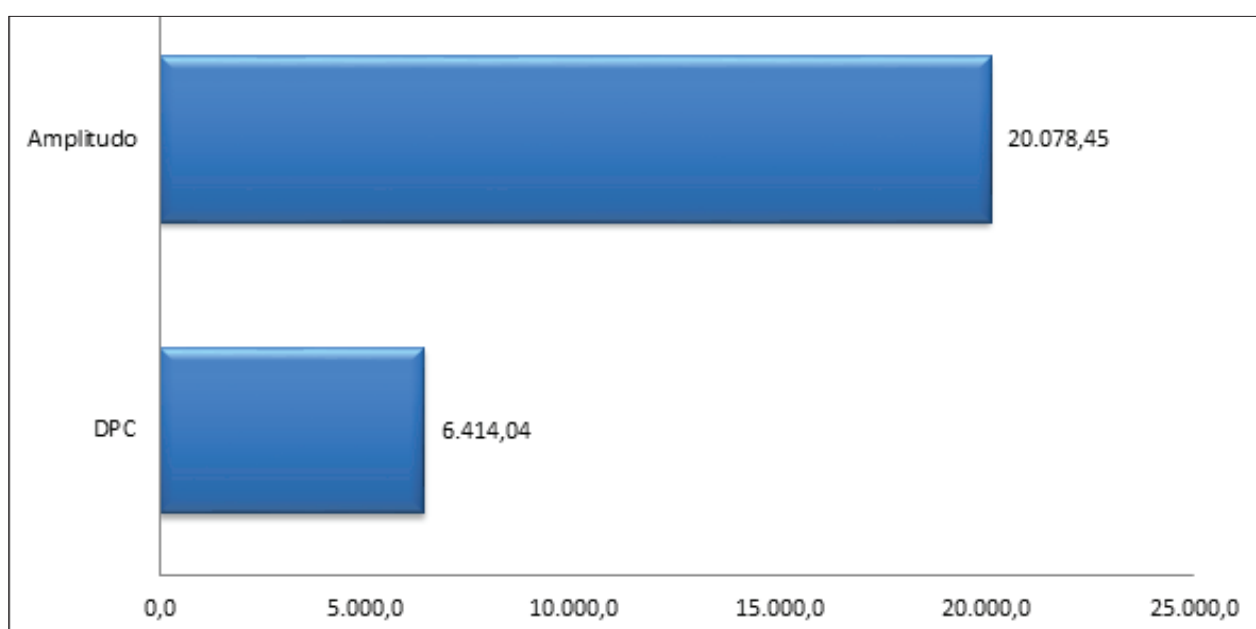


Figure 39: Structure of expenditure by the Investment and Development Fund by media outlet, in EUR

Deposit Protection Fund of Montenegro

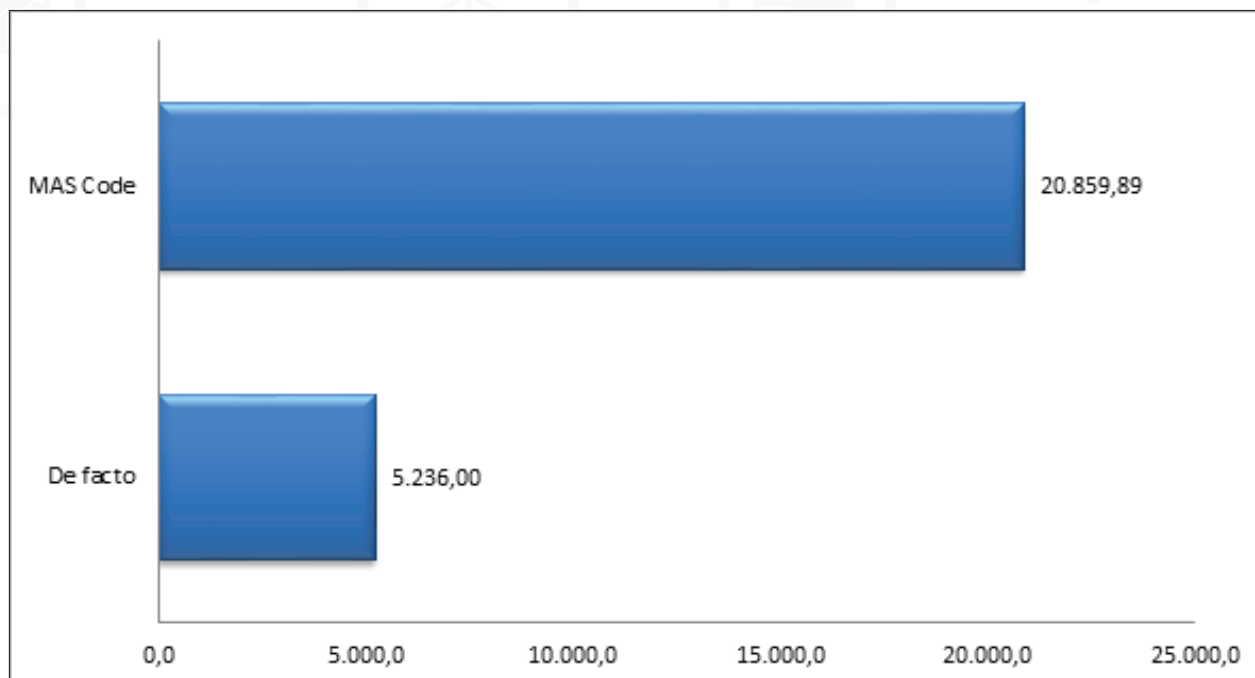


Figure 40: Structure of expenditure by the Deposit Protection Fund of Montenegro by media outlet, in EUR

Civil aviation agency

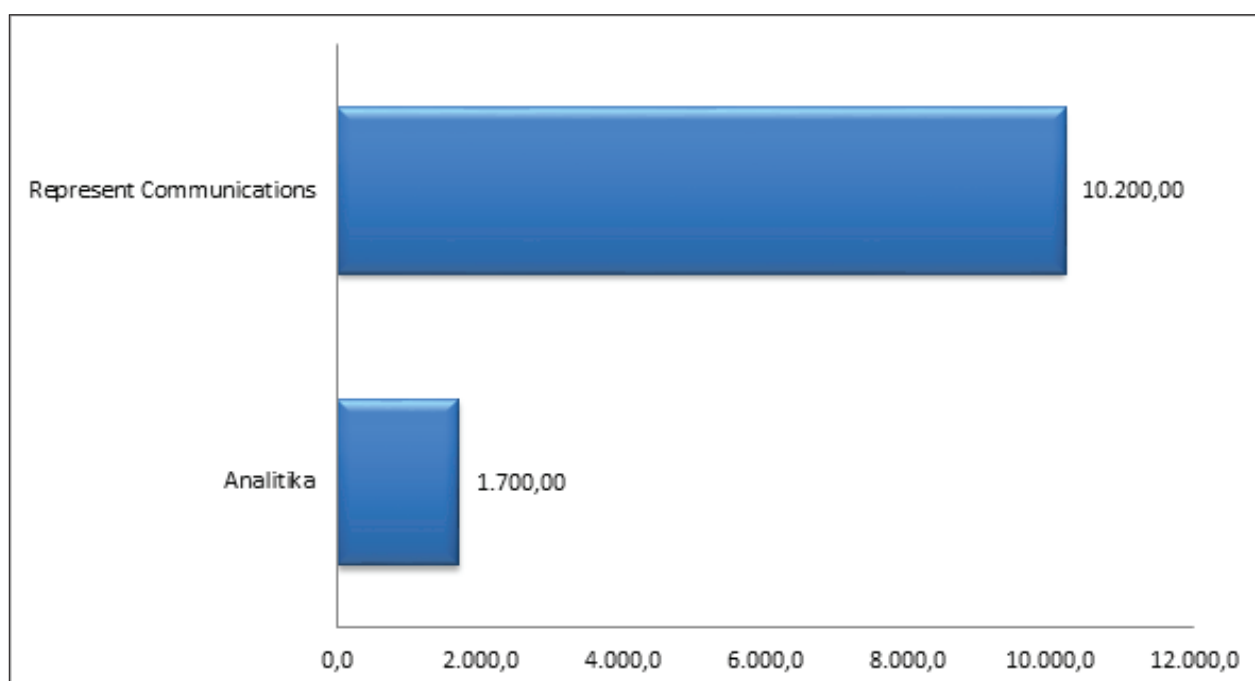


Figure 41: Structure of expenditure by the Civil aviation agency by outlet, in EUR

In addition to the administrative bodies whose spending was analysed above, we also present data on the bodies with smaller media budgets, up to EUR 5.000.

Customs administration

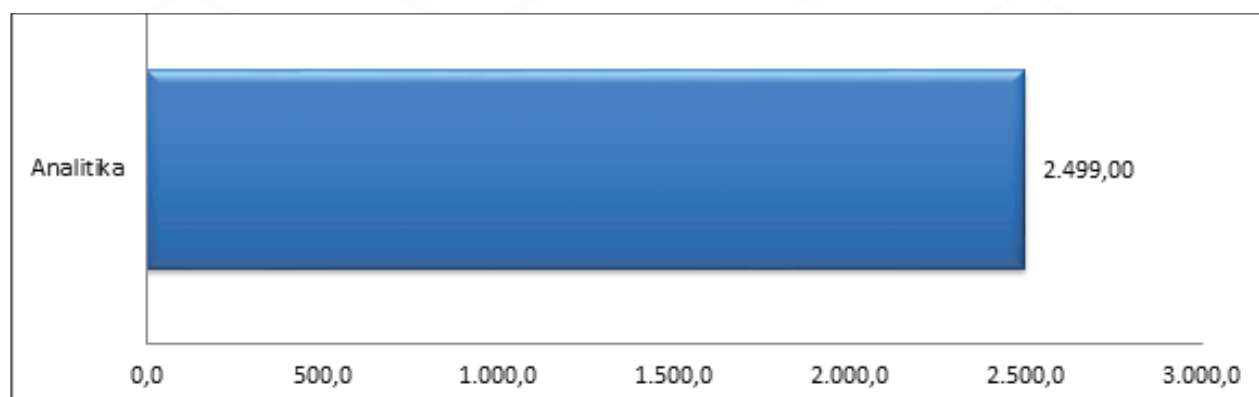


Figure 42: Structure of expenditure by the Customs administration by media outlet, in EUR

Administration for Inspection Affairs

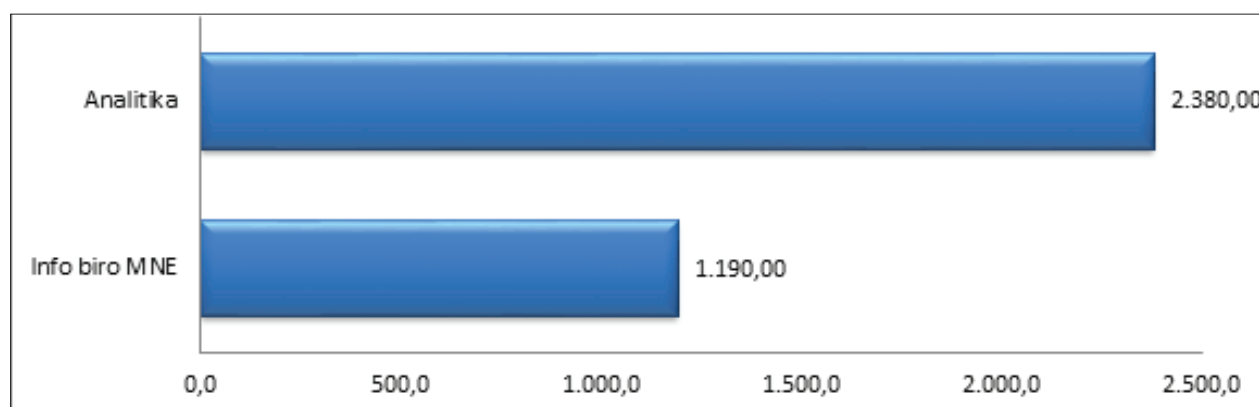


Figure 43: Structure of expenditure by the Administration for Inspection Affairs by media outlet, in EUR

Maritime safety department

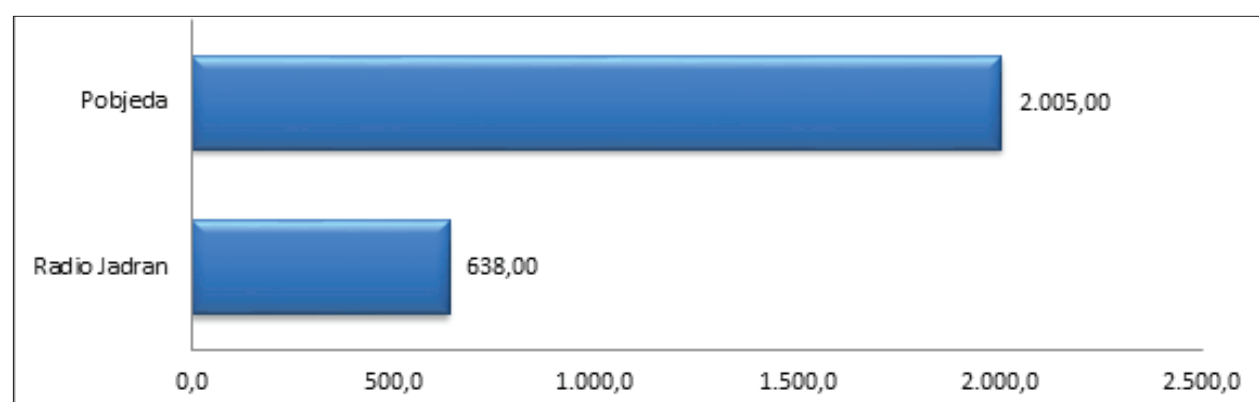


Figure 44: Structure of expenditure by the Maritime safety department by media outlet, in EUR

Administration for Prevention of Money Laundering and Terrorist Financing

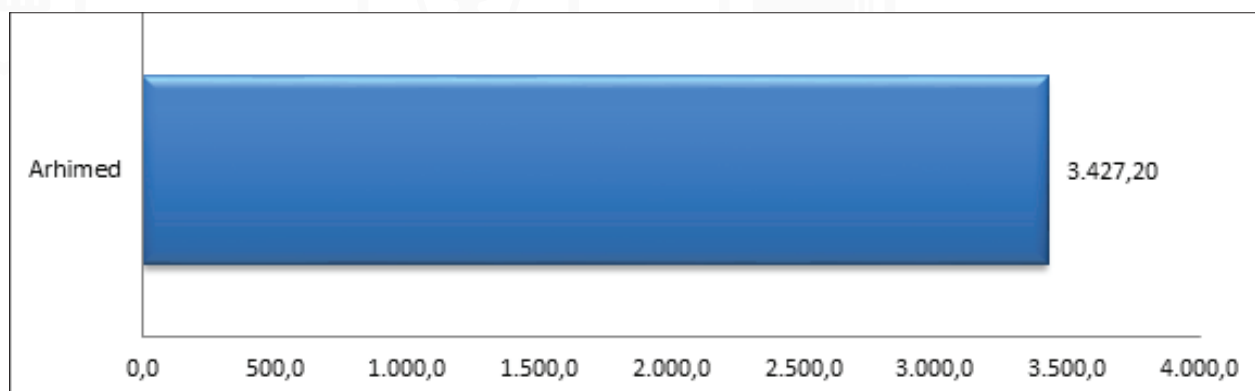


Figure 45: Structure of expenditure by the Administration for the Prevention of Money Laundering and Terrorist Financing by media outlet, in EUR

Directorate for transport

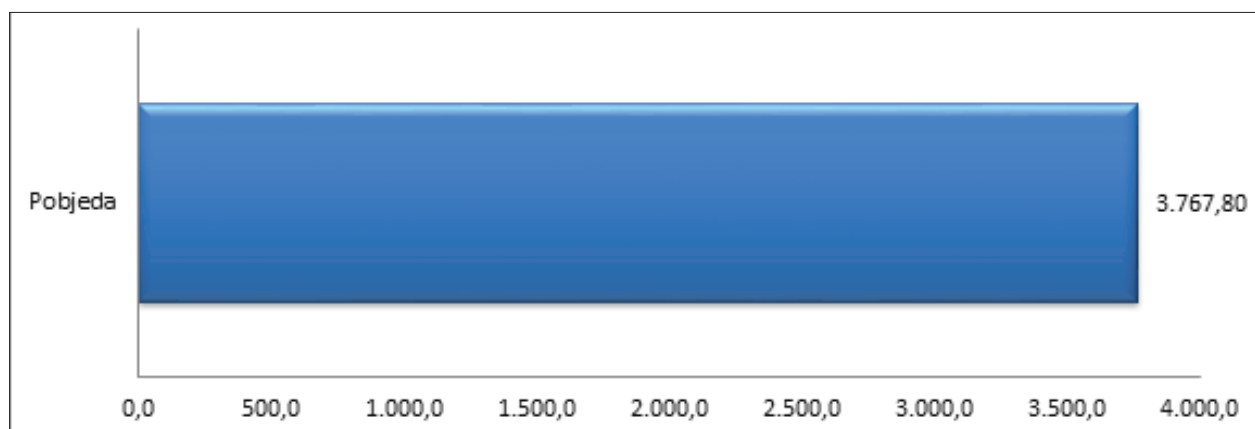


Figure 46: Structure of expenditure by the Directorate for transport by media outlet, in EUR

Housing agency

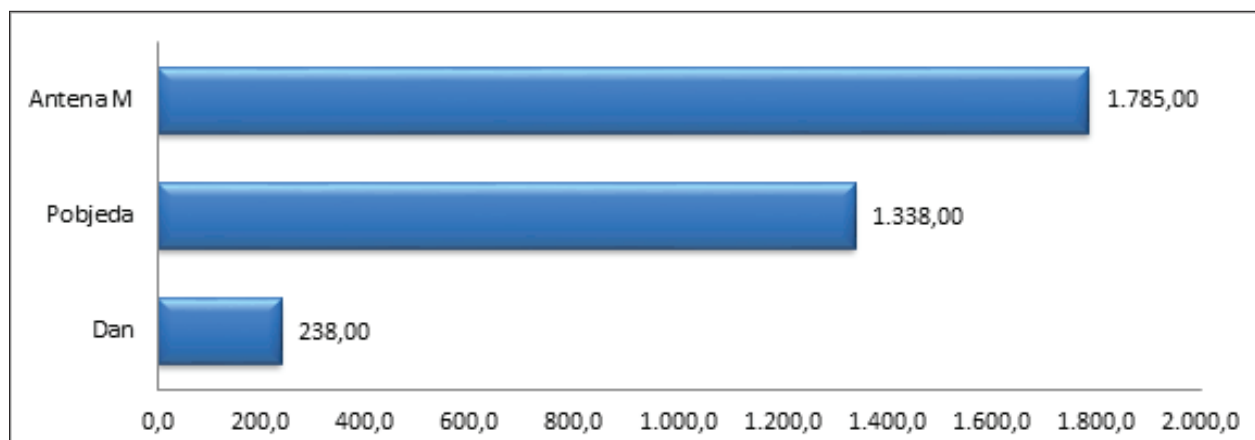


Figure 47: Structure of expenditure by the Housing agency by media outlet, in EUR

Agency for electronic media

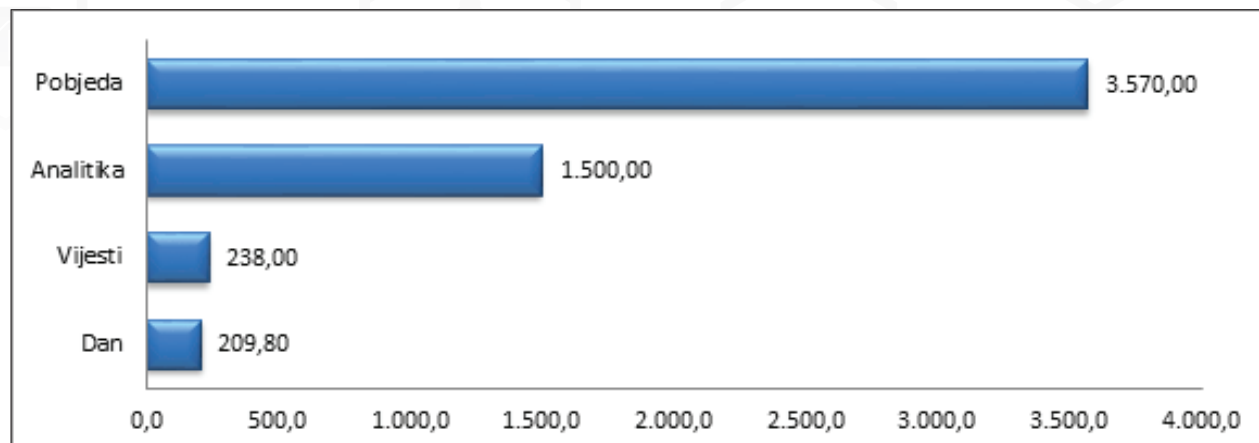


Figure 48: Structure of expenditure by the Agency for electronic media, in EUR

Energy regulation agency

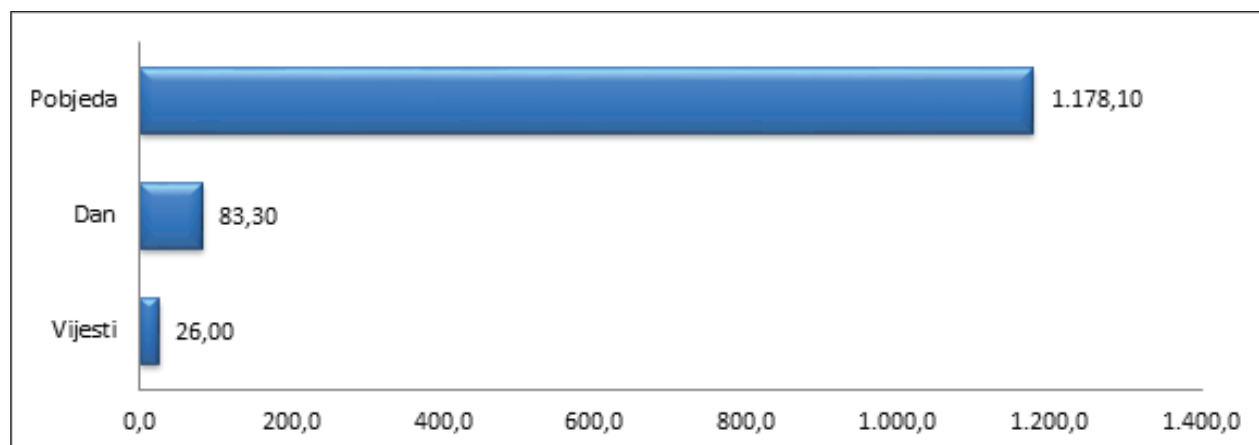


Figure 49: Structure of expenditure by the Energy regulation agency by media outlet, in EUR

Centre for eco-toxicological research

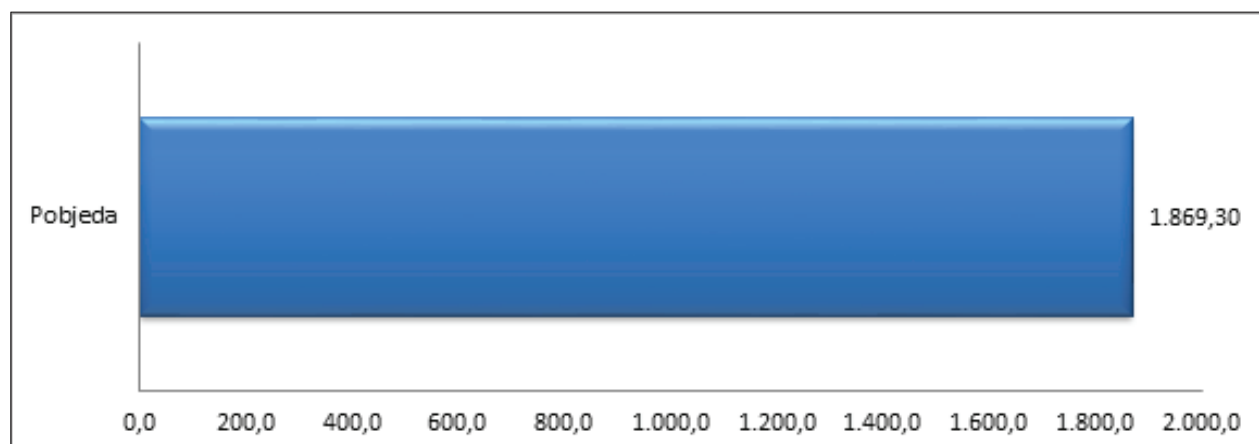


Figure 50: Structure of expenditure by the Centre for eco-toxicological research, in EUR

Fund for health insurance

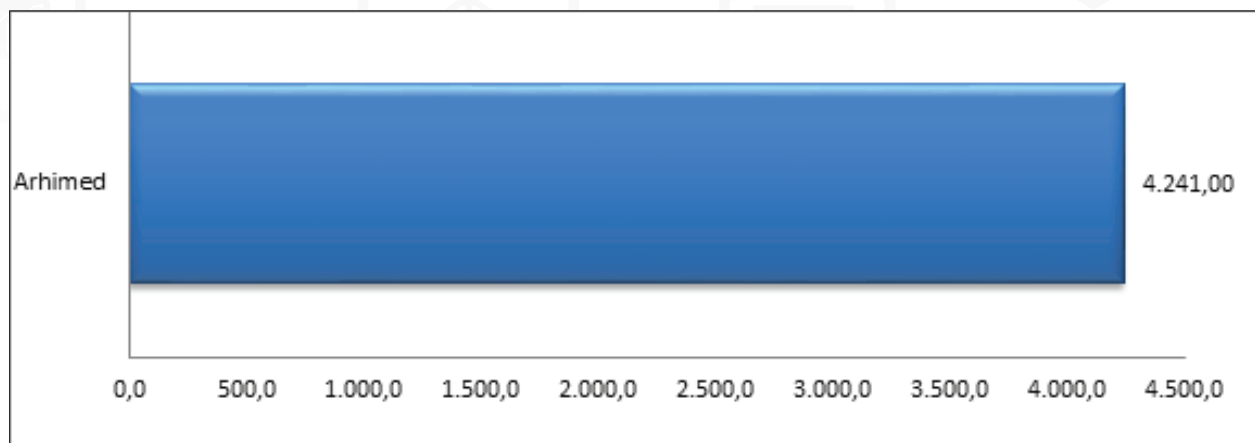


Figure 51: Structure of expenditure by the Fund for health insurance, in EUR

Commission for allocation of part of revenue from the games of chance

As noted in the introduction, the research also covered the **Commission for allocation of part of revenue from the games of chance**. The Commission is not a separate body but acts within the Ministry of Finance, and allocates funds to the media via competitions for project financing. The total amount distributed by the Commission to media-led projects in 2015 was **EUR 11.500,00**.

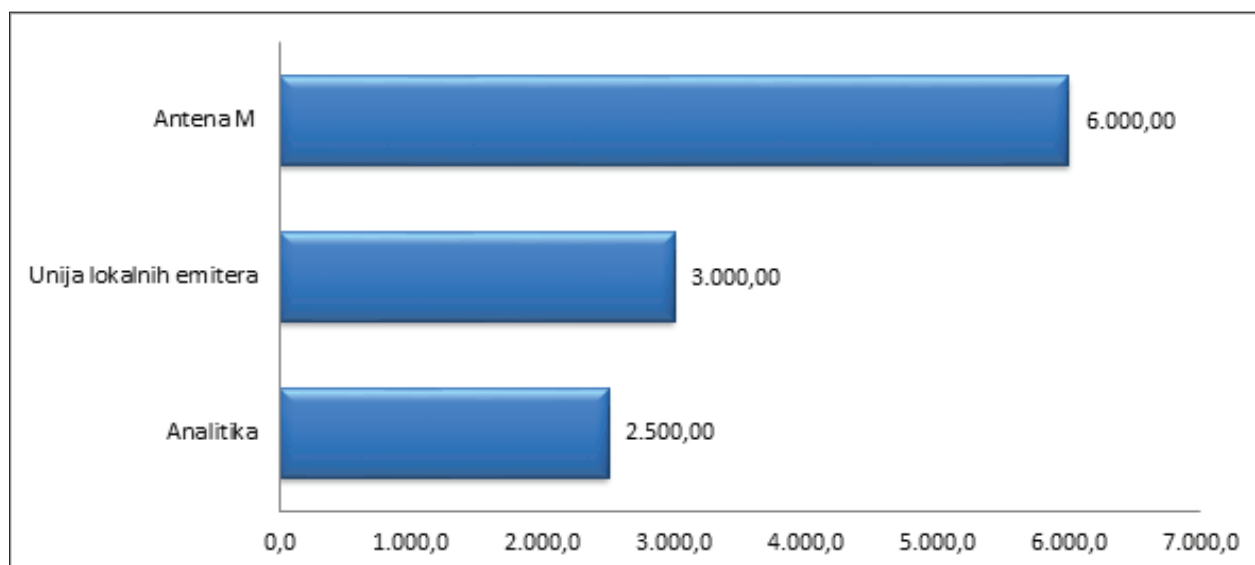


Figure 52: Structure of expenditure by the Commission per media outlet, in EUR

Local self-governments

A significant amount of resources was also allocated to the media from the budgets of local self-governments. The total amount spent by this level of government was **EUR 277.227,53**. Out of 23 municipalities in Montenegro, 21 responded to our requests for information and delivered the required data. The detail and quality of information we received varied among

the municipalities, suggesting that different municipalities interpret the Law on free access to information in different ways. **Capital City Podgorica and Herceg Novi refused to submit the requested information, even after the CCE's complaint and the Agency's decision in our favour.** Of the 21 municipalities that did submit information, Gusinje, Petnjica, Plužine, Plav, Rožaje i Šavnik reported no expenses for media services in 2015.

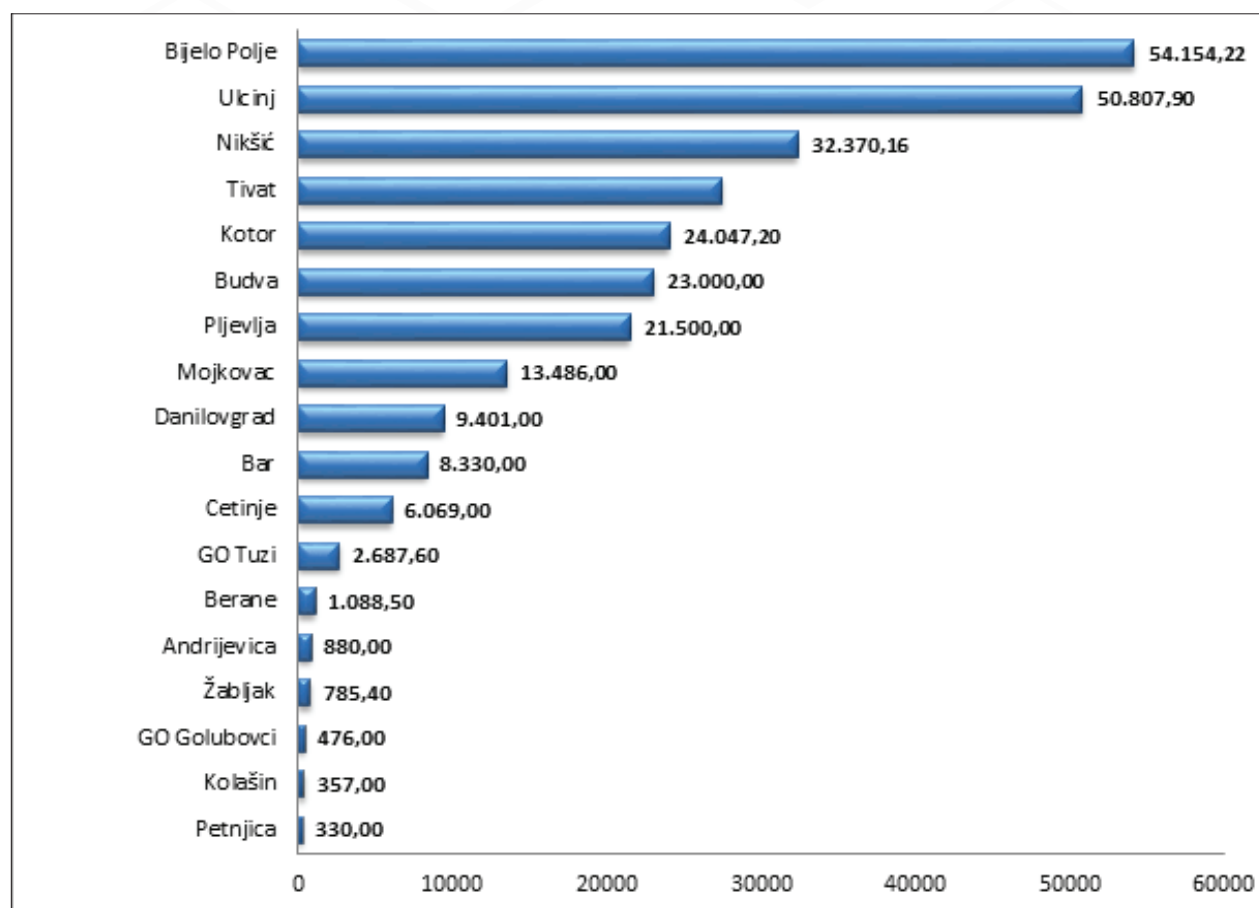


Figure 53: Payments to the media by municipality, in EUR

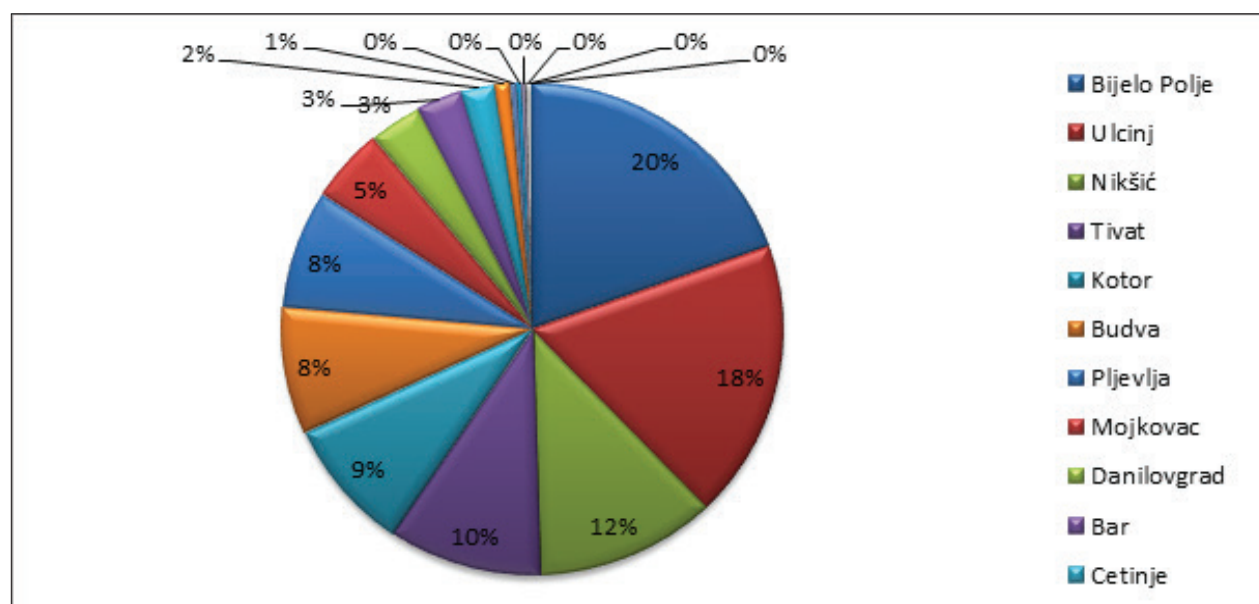


Figure 54: Payments for the media by municipality, % of total

Out of the total amount spent by municipalities on media services, **EUR 33.974.66 (12,2%)** was spent on printed media, **EUR 99.332.22 (35,8%)** on TVs, **EUR 34.091,00 (12,3%)** on radio stations, **EUR 16.756,80 (6%)** on websites, **EUR 24.003,90 (8,7%)** on news agencies and services, **EUR 28,500,00 (10,2%)** on regional media, and **EUR 40.568.95 (14,6 %)** on marketing agencies and production houses.

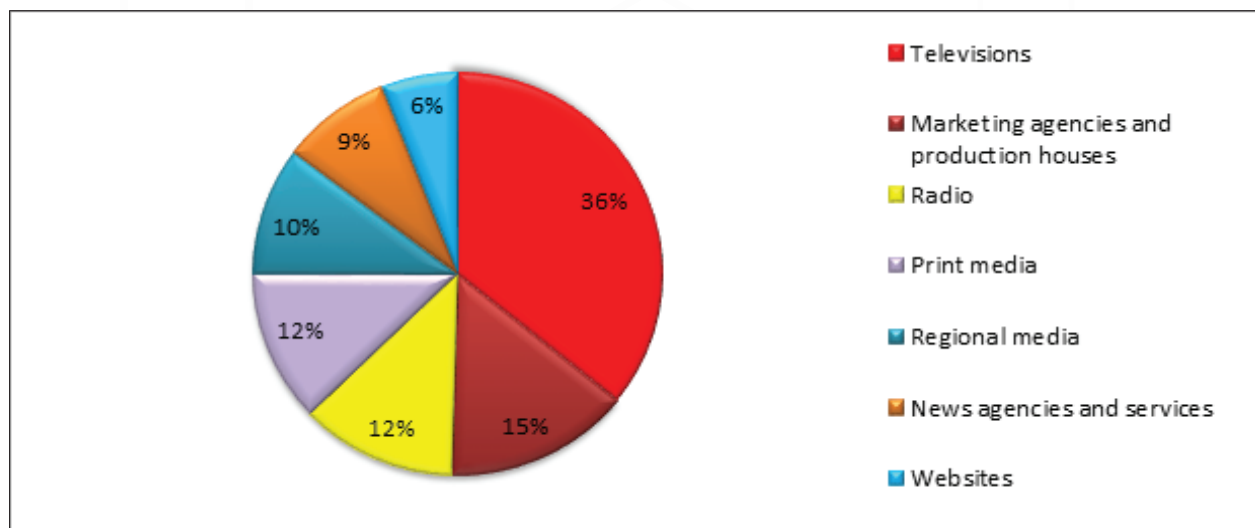


Figure 55: Payments by municipalities per type of outlet, % of the total

As already noted, print media received a total of **EUR 33.974,66** from the analysed local self-governments.

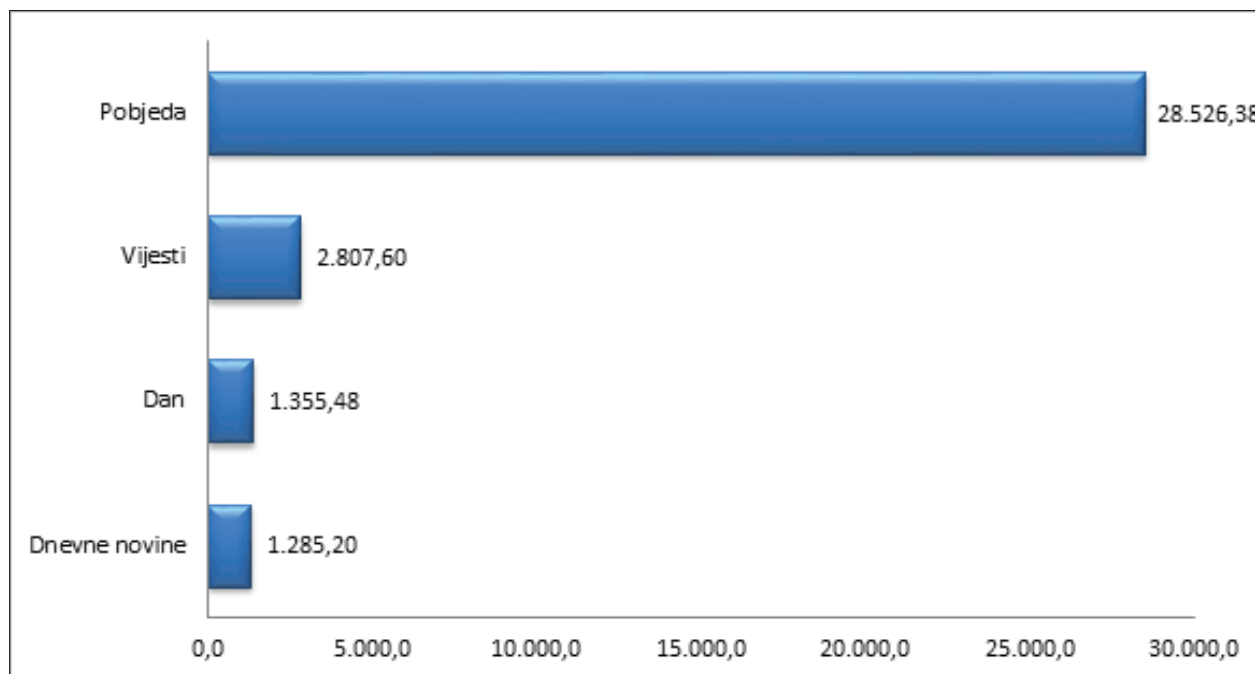


Figure 56: Printed media that received payments from municipalities, in EUR

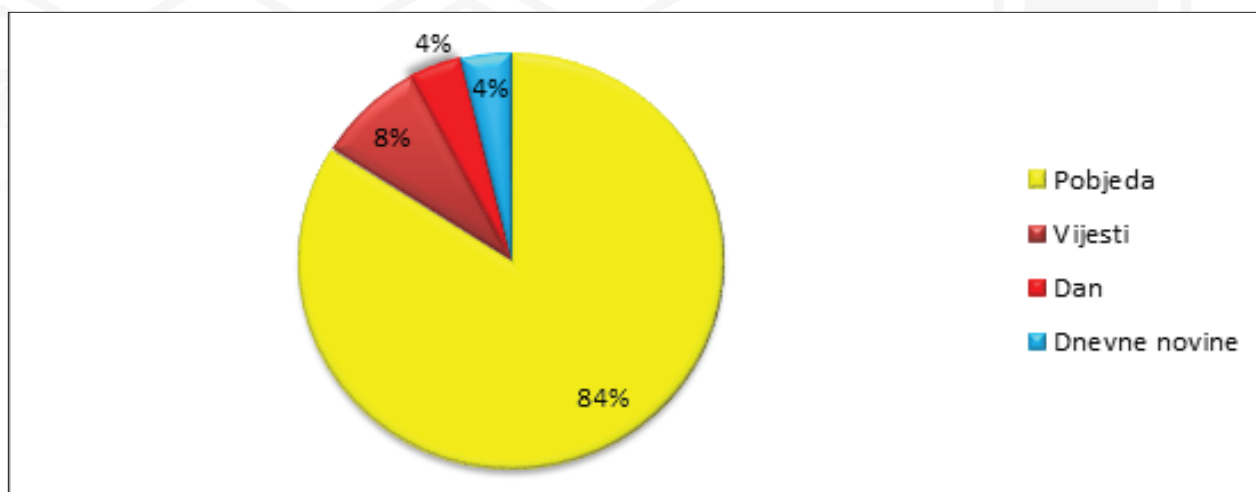


Figure 57: Print media that received payments from municipalities, % of the total

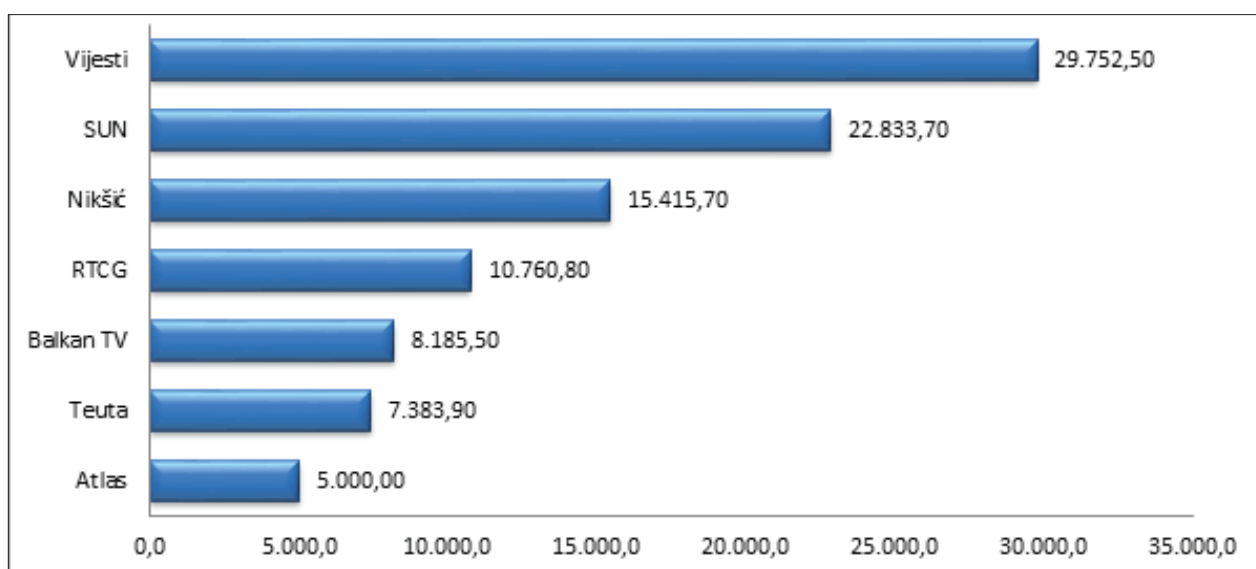


Figure 58: TVs that received payments from municipalities, in EUR

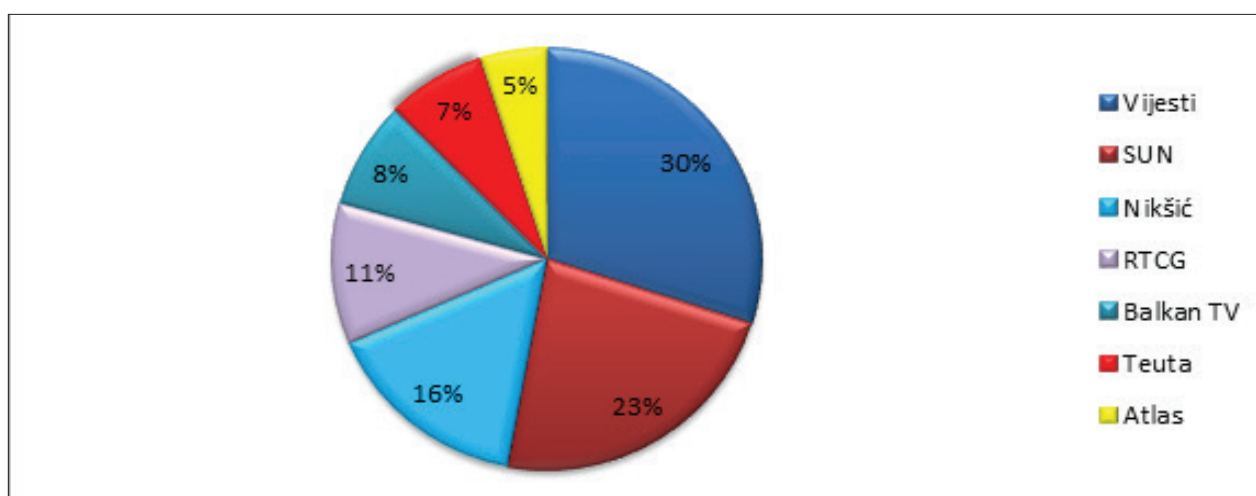


Figure 59: TVs that received payments from municipalities, %

In the interest of obtaining a clearer picture of municipal spending on the media, it should be noted that the local TVs predominantly received payments from municipalities in which they are located. TV Sun, for instance, received all of its funding from the local budget of the municipality of Bijelo Polje, and TV Nikšić from the municipality of Nikšić.

The amounts spent on TV Vijesti came from the municipal budgets of Budva, Kotor, Tivat, Ulcinj, and Berane, whereas RTCG received payments from Bijelo Polje, Danilovgrad, urban municipality Tuzi and Tivat. The entire amount allocated to Atlas TV from municipal budgets came from the municipality of Budva.

The total spending on radio stations by local self-governments in 2015 was was **EUR 34.091,00**. Below is the overview of radio stations that received funding from this source:

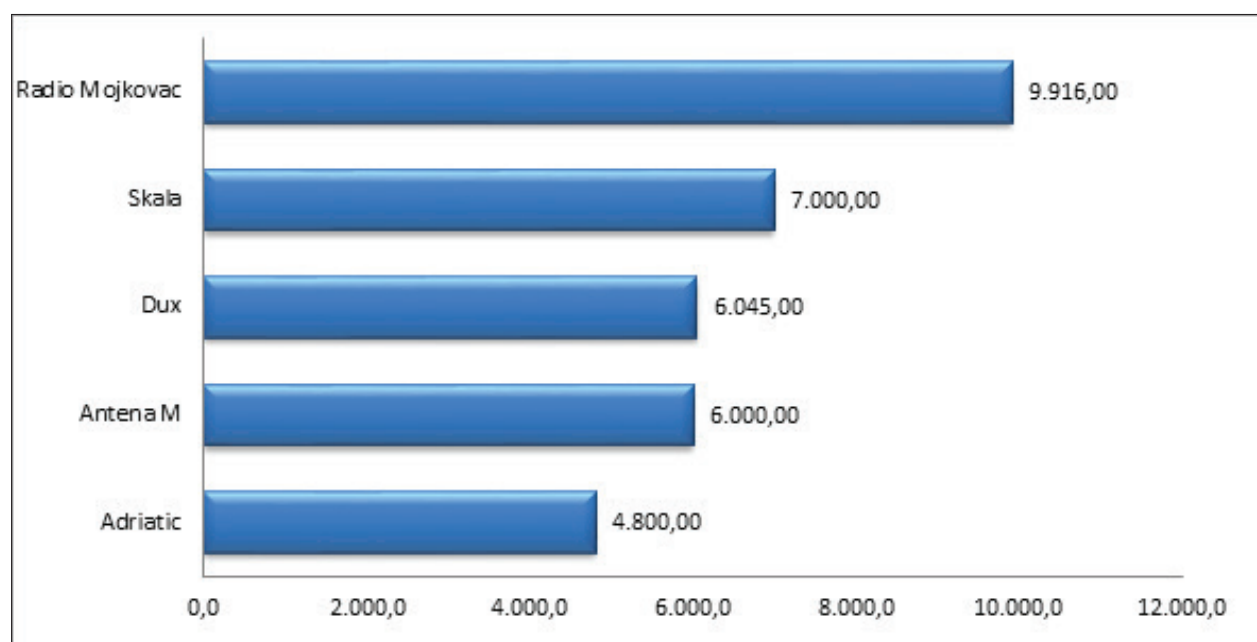


Figure 60: Radio stations that received payments from municipalities, in EUR

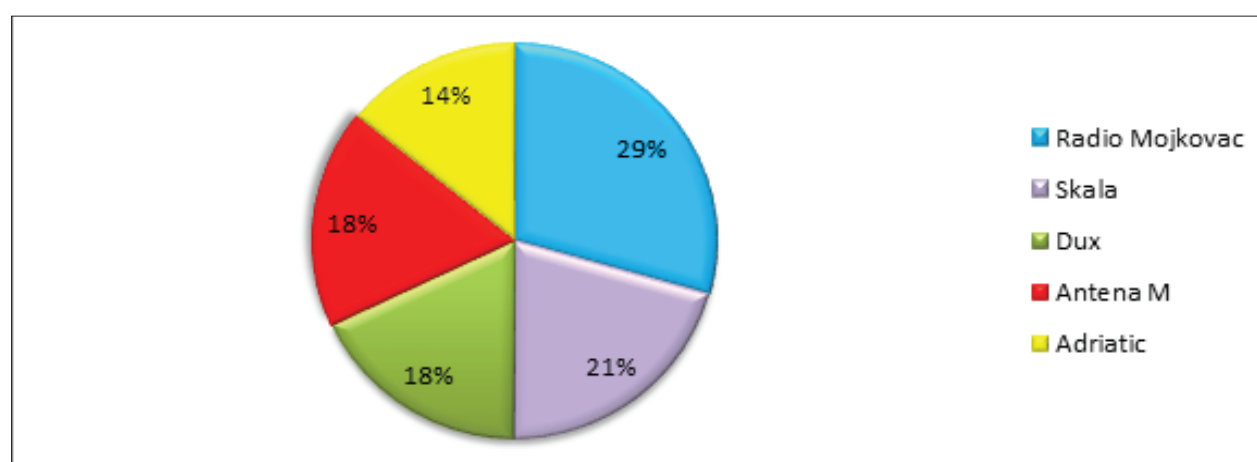


Figure 61: Radio stations that received payments from municipalities, %

Local radio stations received funding from the municipalities on whose territory they operate. Municipalities Kotor and Tivat also allocated some payments to radio Antena M, while radio Skala and Dux received the totality of payments from this source from the municipality of Kotor. Radio Adriatic similarly received all of its funding from the municipality of Bijelo Polje.

In 2015, local self-governments spent **EUR 16.756,80** on the services of internet-based media.

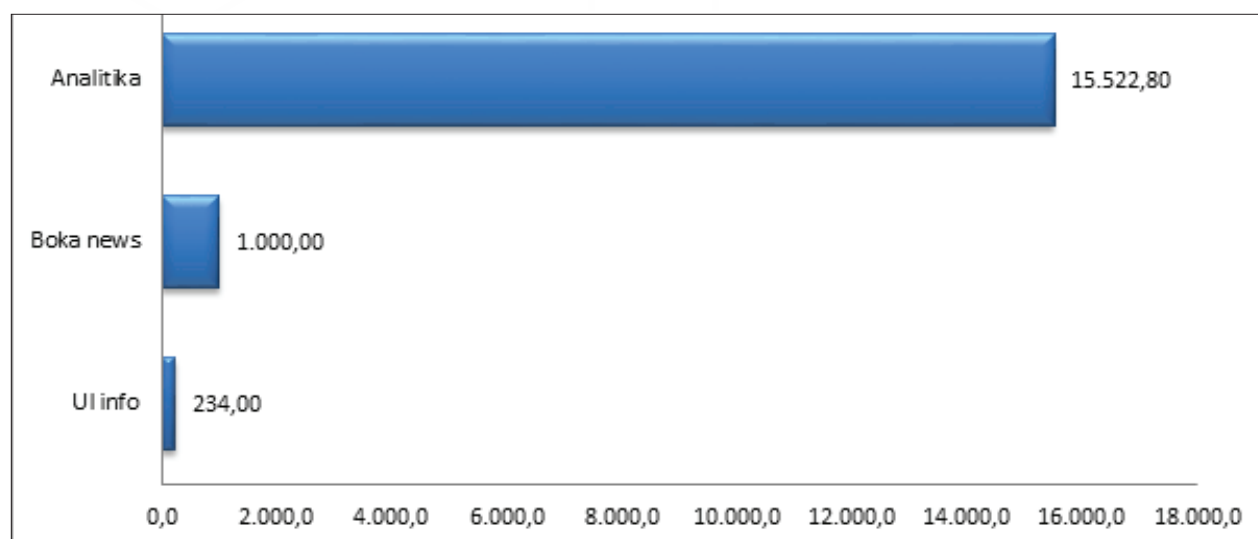


Figure 62: Websites that received payments from municipalities, in EUR

As in 2013 and 2014, website Analitika accounted for the lion's share of municipal spending on websites. The payments came from the municipalities of Bijelo Polje, Budva, Bar and Tivat.

The total amount spent on news agencies and services by local self-governments in 2015 was **EUR 24.003,90**.

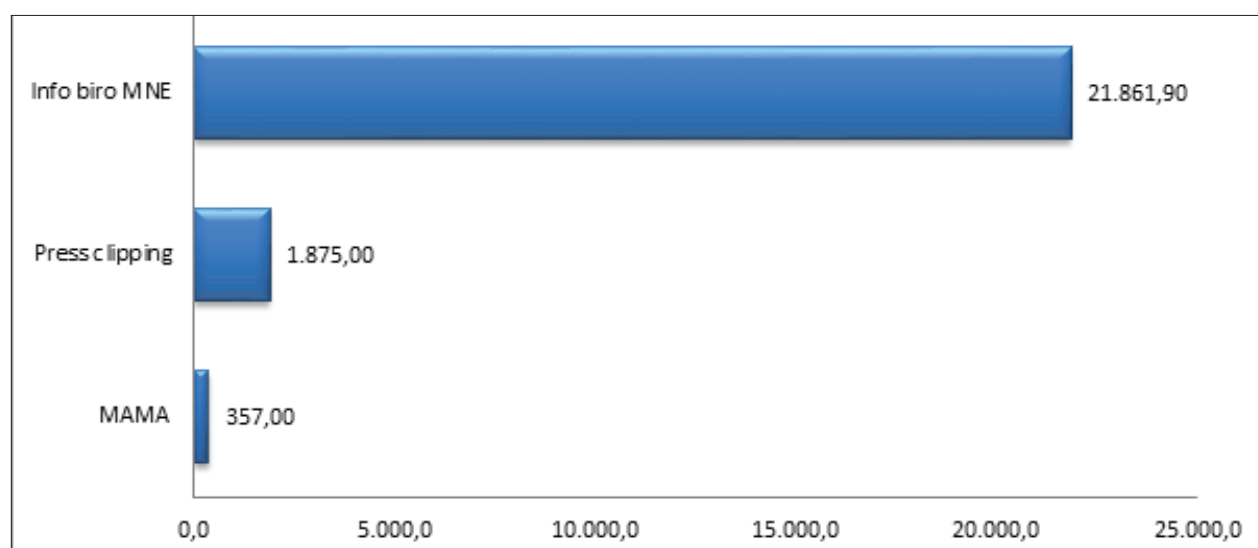


Figure 63: News agencies and services that received payments from municipalities, in EUR

Info biro's services were used by municipalities Bar, Budva, Tivat, Cetinje i Danilograd, and Royal Capital Cetinje relied exclusively on the services of Pressclipping.

In 2015, local self-governments paid a total of **EUR 40.568,95** for the services of marketing agencies and production houses.

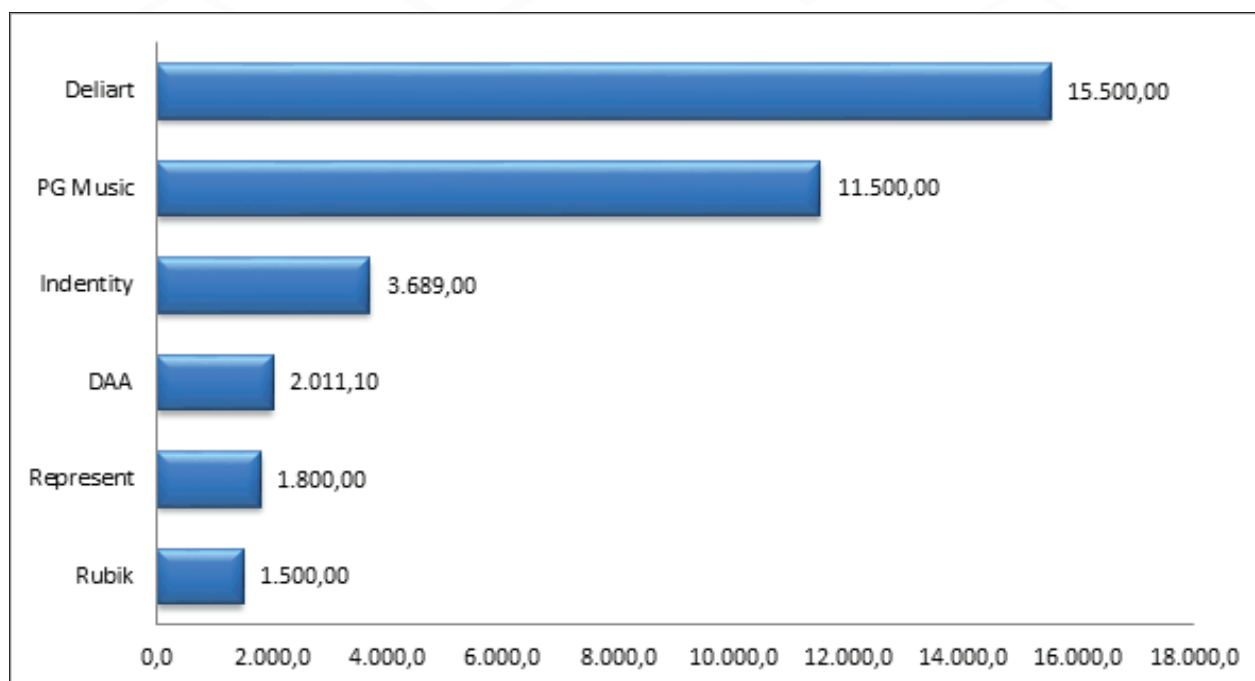


Figure 64: Marketing agencies and production houses that received payments from municipalities, in EUR

Public institutions and public enterprises

This category encompasses institutions and business companies where the state or municipalities have the controlling stake. The research conducted by CCE covered 214 such subjects³⁵. Out of that number, 122 or 57%, provided the information we requested in line with the Law on free access to information. Another 92 public institutions and companies did not respond to our requests despite all the efforts of the CCE's research team, which repeatedly tried to contact each of these companies and institutions during data collection.

Consequently, the analysis below only includes those public institutions and companies submitted the requested information and had made payments to the media, marketing agencies, public relations agencies, public opinion research agencies or production houses, based on a service agreement, contract for specialised services or other grounds. There were **57** such institutions in 2015, and the total amount spent by them on media-related services was **EUR 660.831,95**.

³⁵ The full list of public institutions and enterprises included in the analysis, as well as of those that refused to submit information can be found in the Annex.

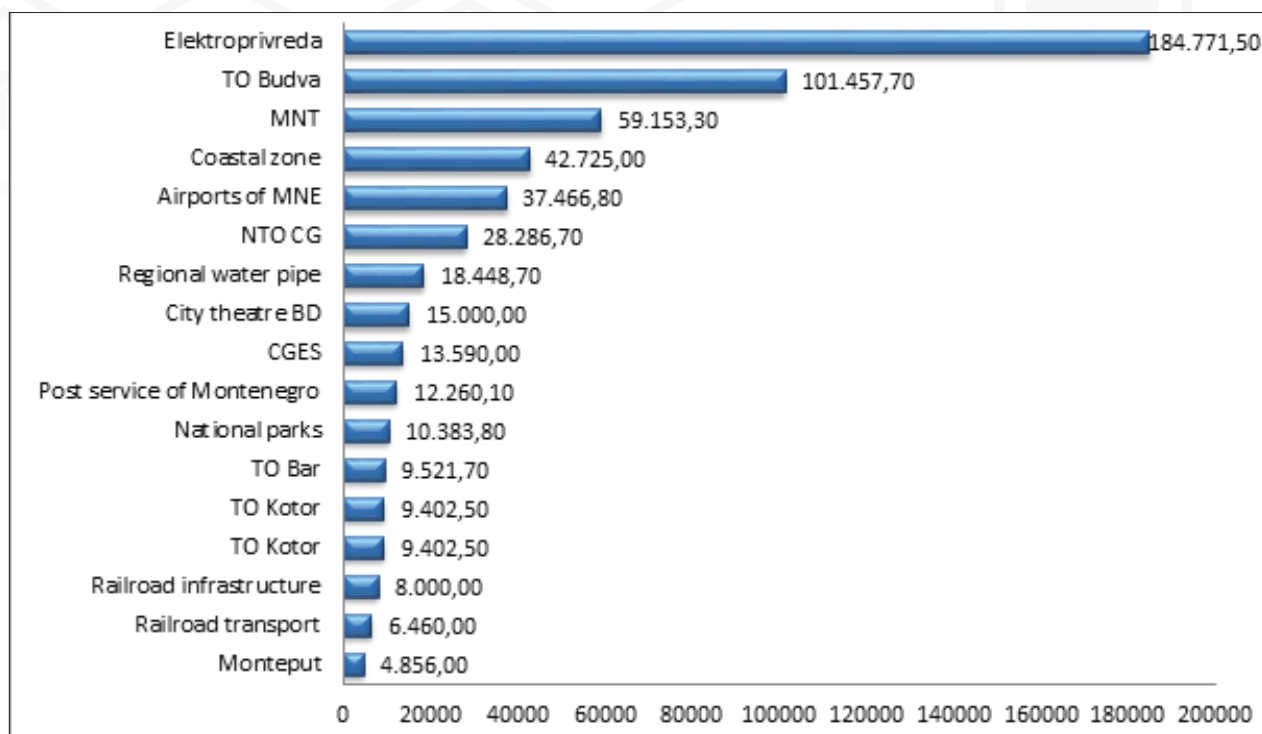


Figure 65: Spending on media by public institutions and enterprises³⁶

Out of this amount, **EUR 97.549,85 (14,8%)** was allocated to the print media, **EUR 202.267,13 (30,6%)** to TVs, **EUR 40.179,25 (6,1%)** to radio stations, **EUR 47.119,00 (7,1%)** to websites, **EUR 48.989,87 (7,4%)** to news agencies and services, and **EUR 190.180,38 (28,8%)** to marketing agencies and production houses. Another EUR 26.707,37 was spent on the regional media, and EUR 7.839,10 on the services of agencies for public opinion research.

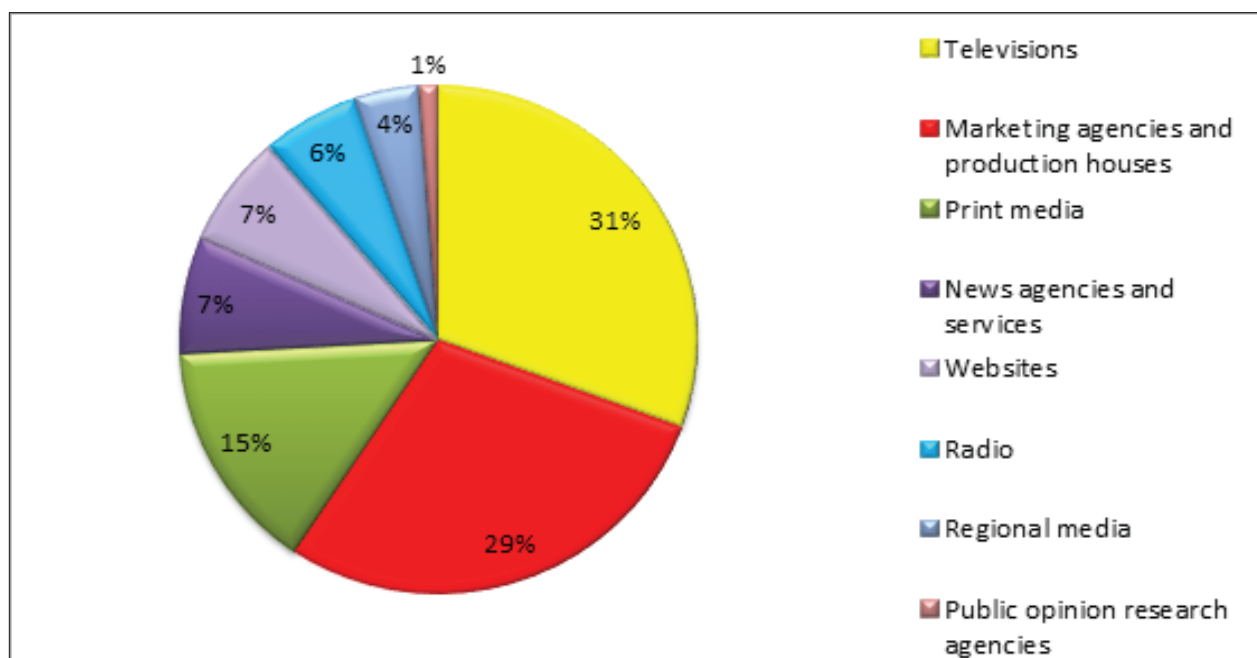


Figure 66: Overview of spending by public institutions and enterprises, by type of outlet

³⁶ Due to the large number of subjects, the figure only includes those public institutions and enterprises whose spending in 2015 exceeded EUR 3000.

The total amount of funds allocated to the print media was EUR 97.549,85.

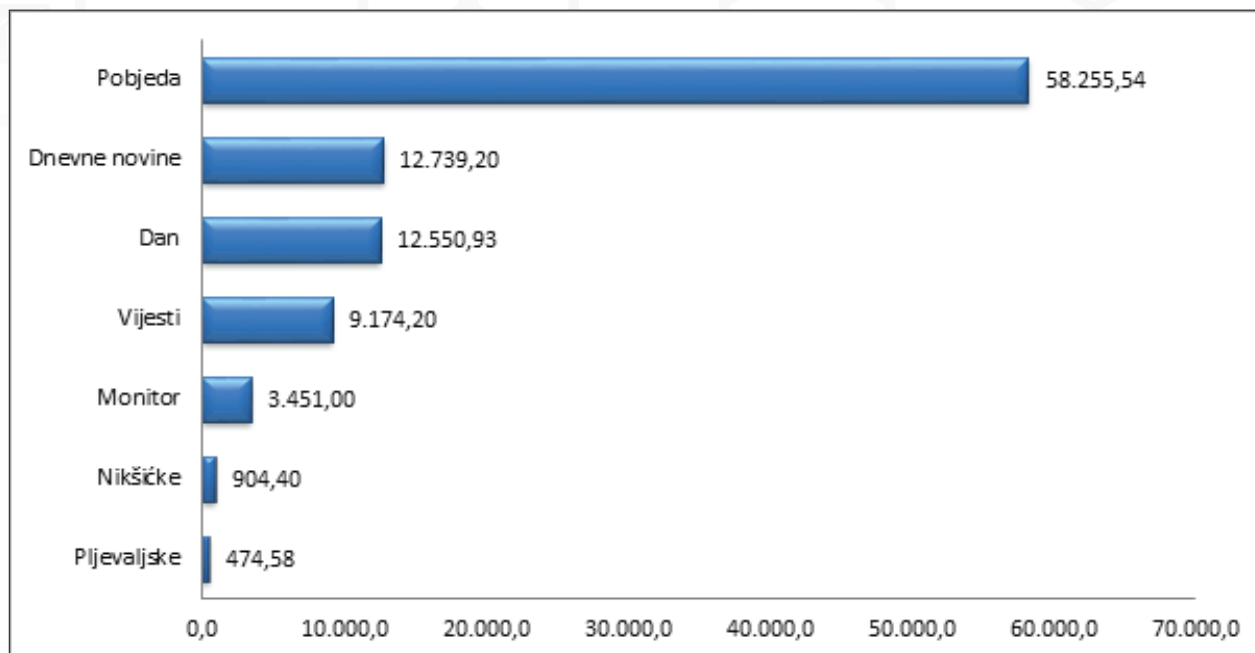


Figure 67: Overview of payments to print media by public institutions and companies, in EUR

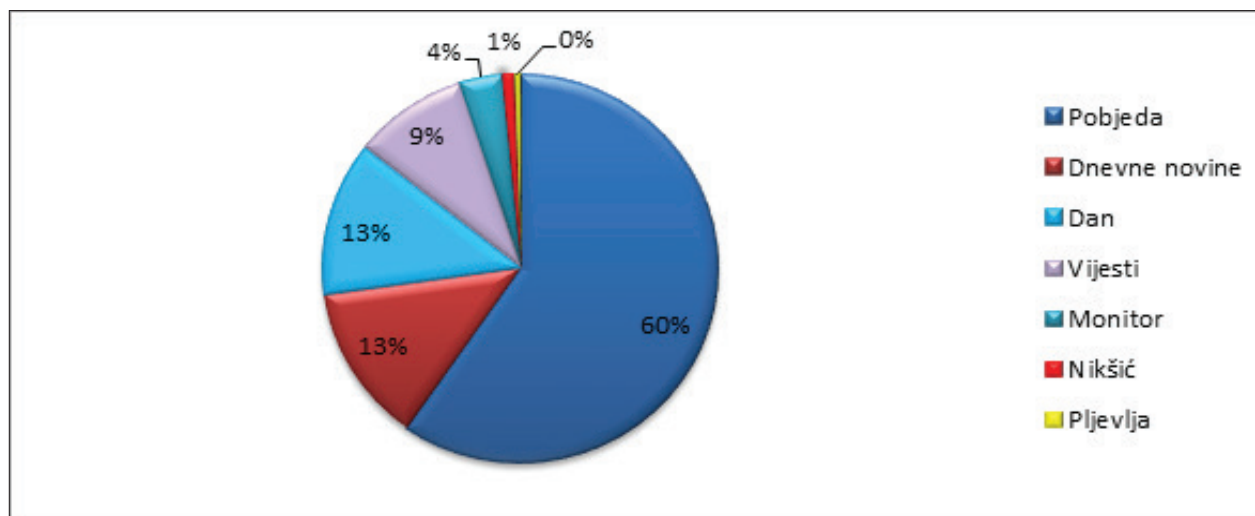


Figure 68: Overview of payments to print media by public institutions and companies, %

Due to significant variation in the amount of funding, it should be noted that Vijesti, Monitor, Pljevlja and Nikšić newspapers received their entire amounts from Elektroprivreda. Meanwhile, Pobjeda received funds from numerous subjects, as many as 28. Among them were: PE National parks (EUR 10.383,8, Airports of Montenegro EUR 7.910,00, PE Regional water supply EUR 5.988,70, PE Coastal zone EUR 4.095,00, Montenegrin Railroad EUR 4.760,00, Monteput EUR 2.273,00, TO Bar EUR 2.297,11, Institute for public health EUR 1.130,50, CES EUR 1.000,00. Payments of other outlets were too small to be listed here individually (under EUR 1000).

Daily *Dan* also received the majority of its payments from Elektroprivreda (EUR 7.234, 90), and the rest from PUC Cetinje (EUR 5.035,45), and two other smaller sources each of which was below EUR 100. The situation is similar in the case of Dnevne novine, which received the majority of payments from Elektroprivreda (EUR 8.139,60) and Directorate for urbanisation and development of the city of Kotor (EUR 3.998,40). Payments from other sources were significantly lower and will not be listed here separately.

In 2015, television stations received altogether **EUR 202.267,13** in payments from public institutions and enterprises.

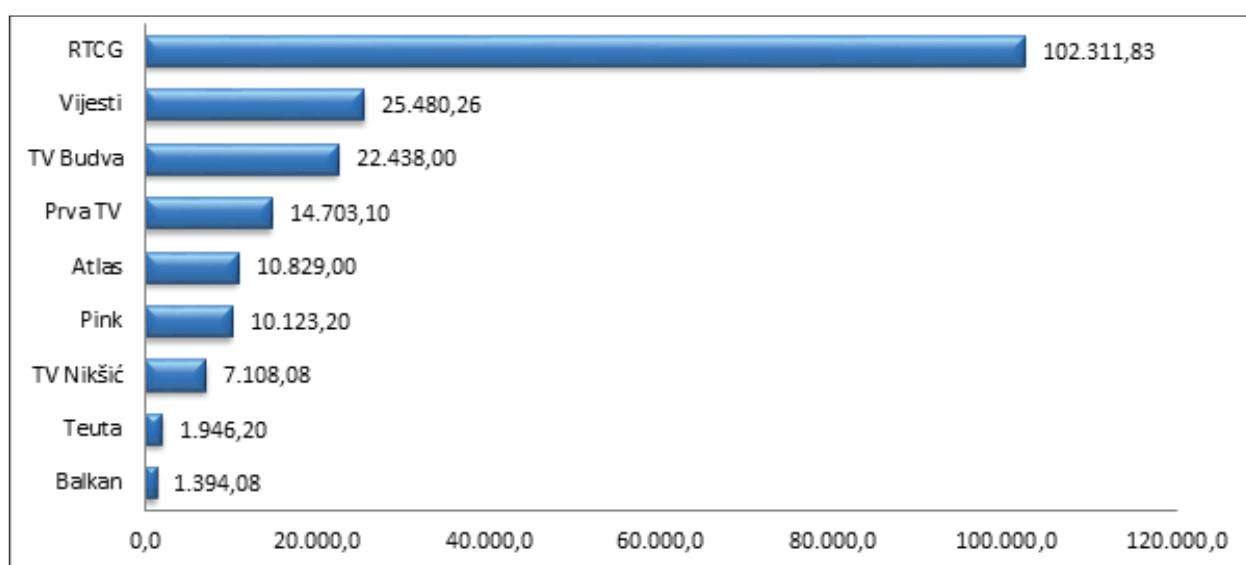


Figure 69: Payments to TVs by public institutions and enterprises, in EUR

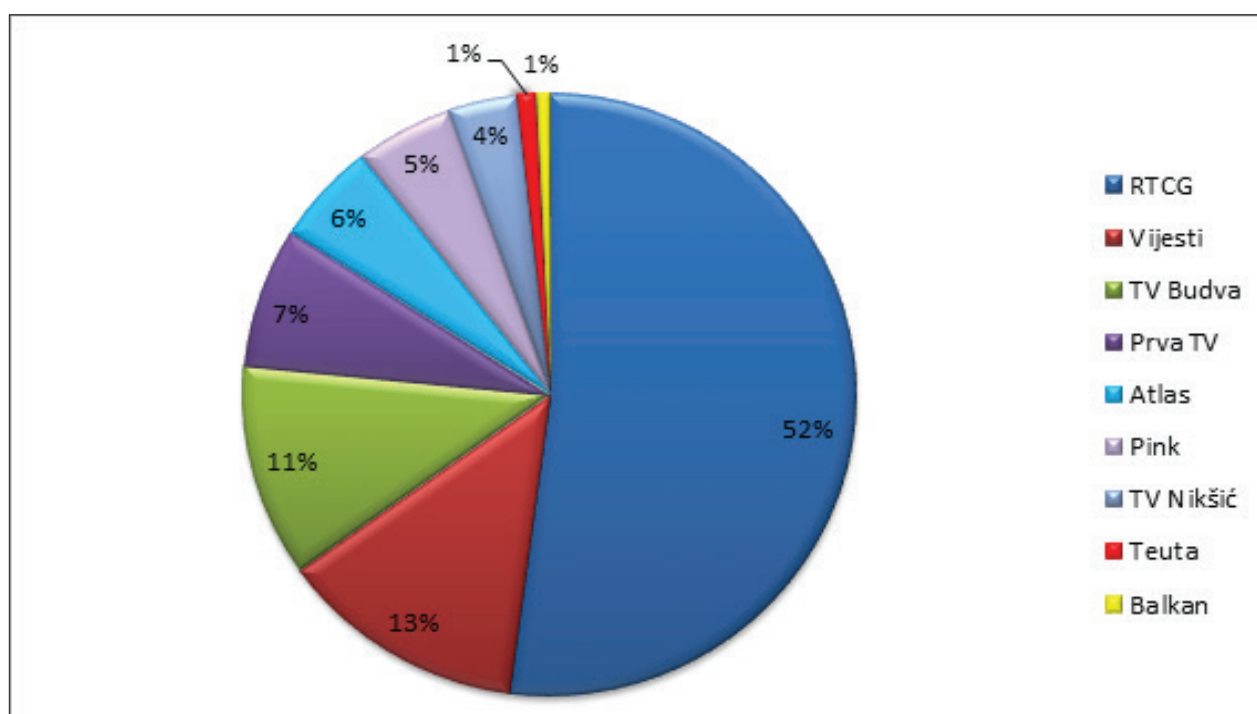


Figure 70: Payments to TVs by public institutions and enterprises, % of the total

The largest portion of total payments to TVs, more than 45%, came from Elektroprivreda, in total EUR 91.740,88. The distribution of these payments was quite balanced across the outlets, and all TVs received some of the money. In addition to the revenues from Elektroprivreda (EUR 36.178, 90), RTCG also received payments from MNT (EUR 44.569,80), PE Coastal zone (EUR 5.950,00), NTO (EUR 5.000,00), TO Bar (EUR 3.475,75), Airports of MNE (EUR 2.546,00), PI «Ljubović» (EUR 2.500,00). Payments from other subjects were all under EUR 1000, and will not be listed here separately.

TV Vijesti received a total amount of EUR 25.480,26 from the following public institutions and companies: Eletroprivreda of Montenegro (EUR 15.339.10), PE Coastal zone (EUR 3.750.00), TO Budva (EUR 5.000.00) and TO Bar (EUR 1.571,16).

Prva TV, Pink M and Atlas TV receive funds from Eletroprivreda of Montenegro and PE Coastal zone. The situation is similar in the case of RTV Nikšić, TV Budva and TV Teuta, although except that the payments to RTV Nikšić came almost entirely from, to TV Budva from PE Coastal zone and PI Parking service Budva, and TV Teuta received funds from both subjects.

Radio stations received the total of **EUR 40.179,25** from public institutions and companies.

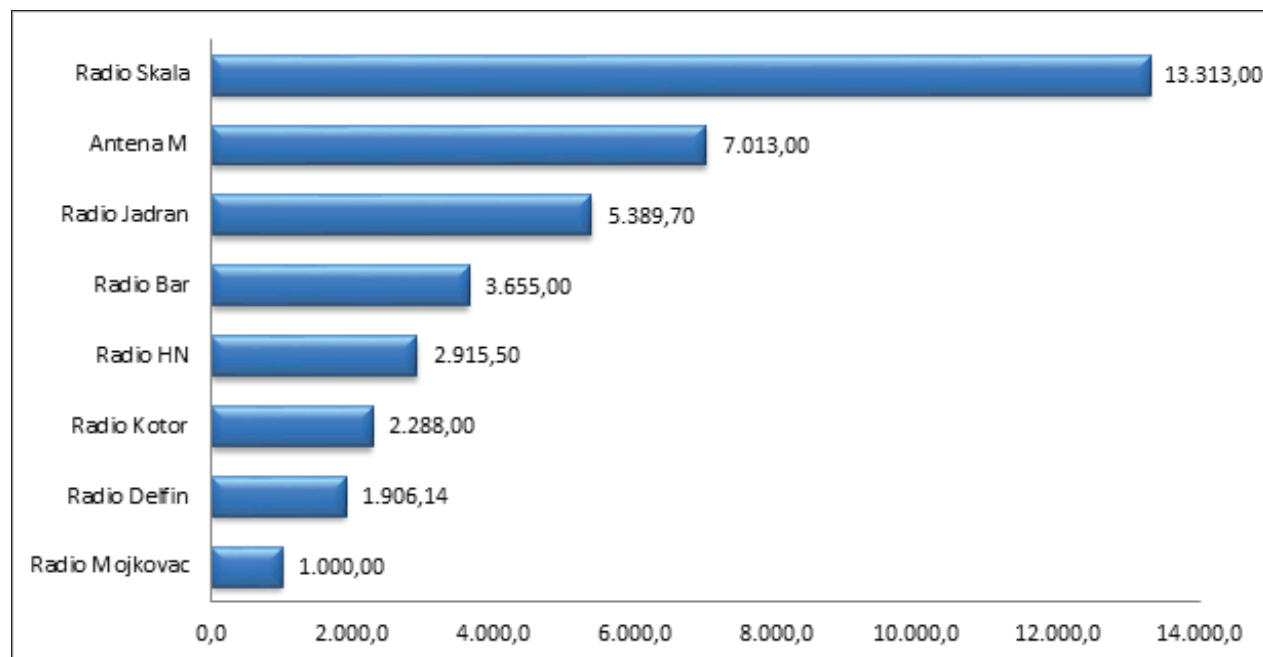


Figure 71: Payments to radio stations by public institutions and companies, in EUR

The table only shows the outlets that received more than EUR 1000.

In this case too the largest source of revenues in among the public institutions and enterprises was Elektroprivreda of Montenegro. From this source, Antena M received EUR 3.213,00, Radio Skala EUR 2.975,00 while other radio stations received payments under EUR 1.000,00. Antena M also received payment from the Airports of Montenegro in the amount of EUR 2.800,00. Radio Skala also had revenues from the Airports

of Montenegro (EUR 3.150,00), TO Kotor (3.900,00), PE Water supply Kotor (EUR 1.428,00) and PE Regional water supply (EUR 1.000,00). Other radio stations received some smaller payments from a number of different public institutions and companies.

The total amount of funds paid to websites was EUR 47.119,00.

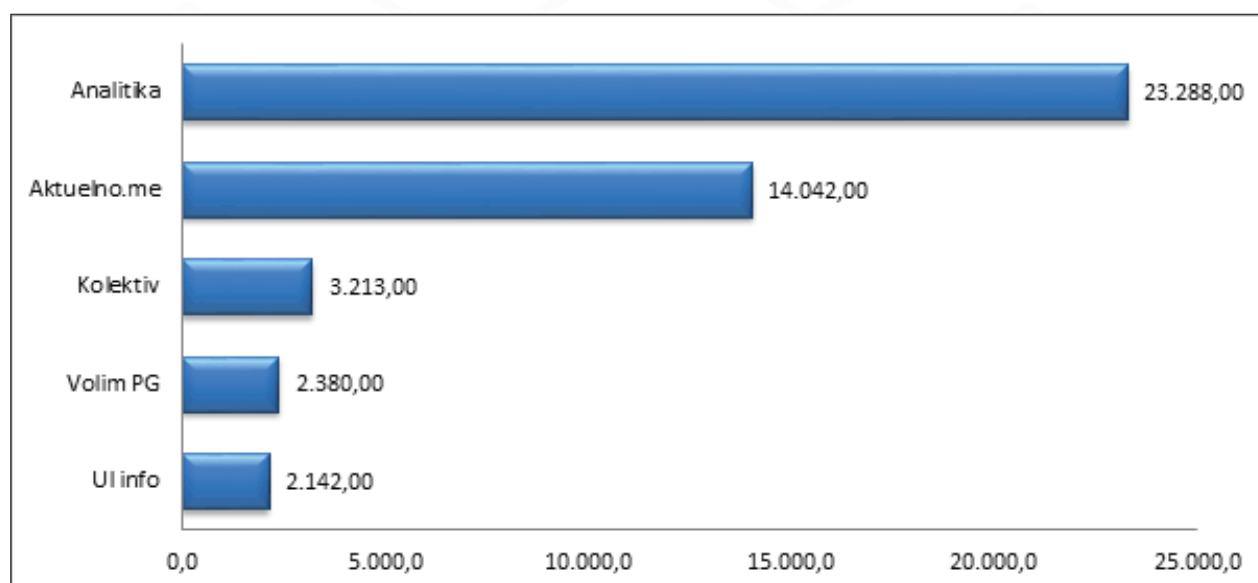


Figure 72: Payments to websites by public institutions and companies, in EUR³⁷

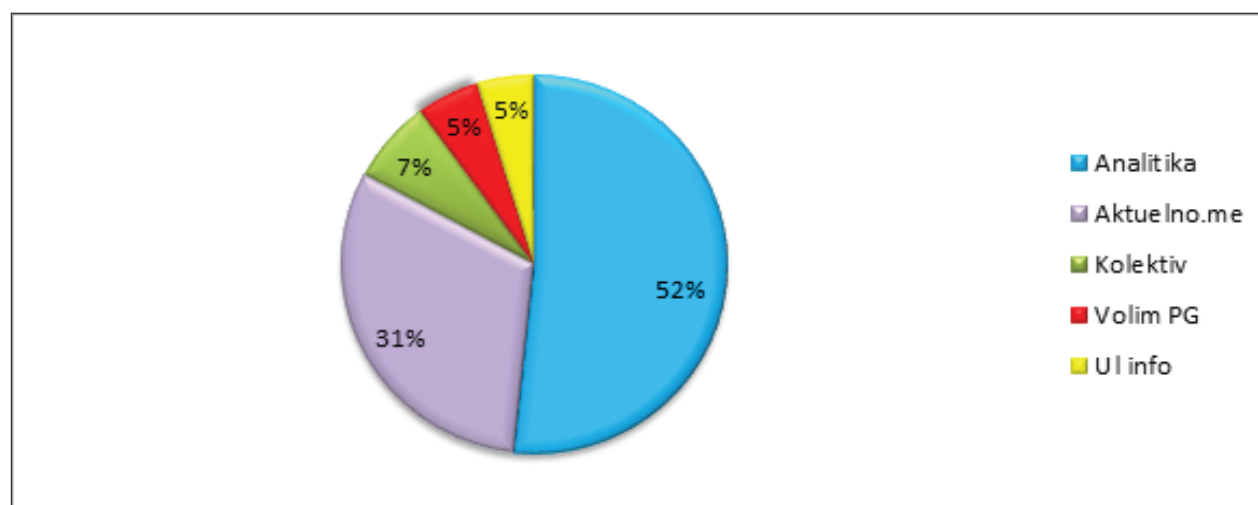


Figure 73: Payments to websites by public institutions and companies, % of the total

The majority of payments to Montenegrin websites came from Elektroprivreda Montenegro - EUR 30.523,00 or 65%. The largest recipient of funding among the websites was Analitika, which received EUR 8.092,00 from Elektroprivreda Montenegro, EUR 5.698,00 from Airports of Montenegro, EUR 4.998,00 from the Post Office of Montenegro, EUR 2.000,00 from PE Coastal zone, EUR 1.500,00 from TO Budva, as well as some smaller amounts from other sources. On the other hand, the total revenue from this category of sources for websites Aktuelno.me, Volim Podgoricu, Kolektiv and UL Info came from Elektroprivreda Montenegro.

³⁷ Only includes outlets that received more than EUR 2000.

The total amount allocated to news agencies and services by public institutions and enterprises in 2015 was **EUR 48.989,87**.

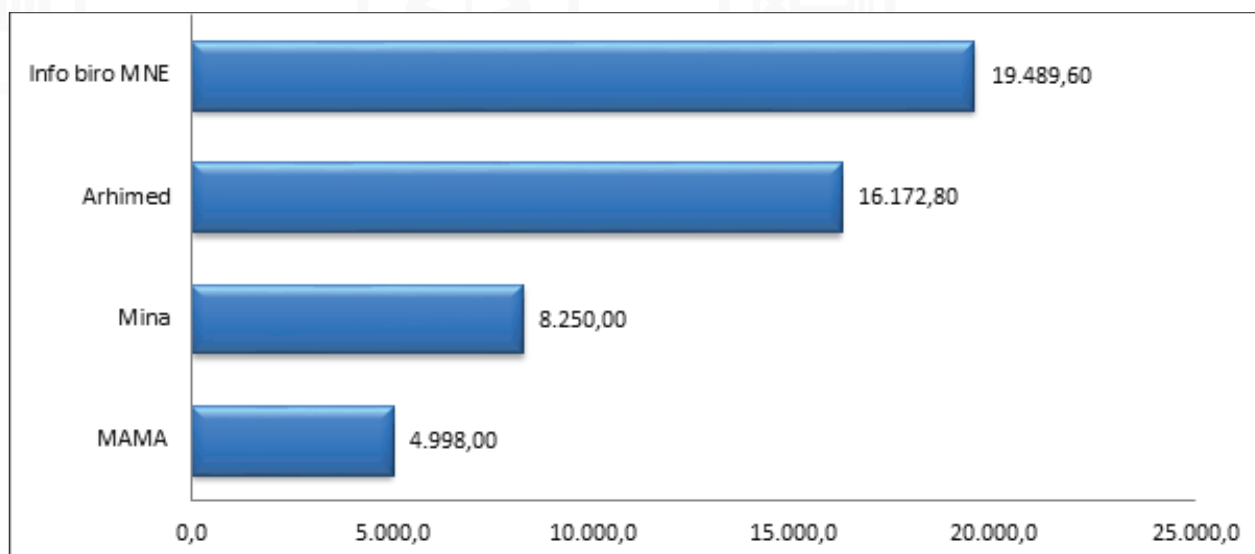


Figure 74: Payments to websites from public institutions and companies, in EUR38

We do not include a detailed overview of sources and recipients of funding in this category, as many public institutions and enterprises had some payments towards news agencies, most of them quite small.

The total amount allocated to marketing agencies and production houses by public institutions and companies in 2015 was **EUR 190.180,38**. Below is the overview of payments by outlet, but we only included those entities that received more than EUR 5.000.

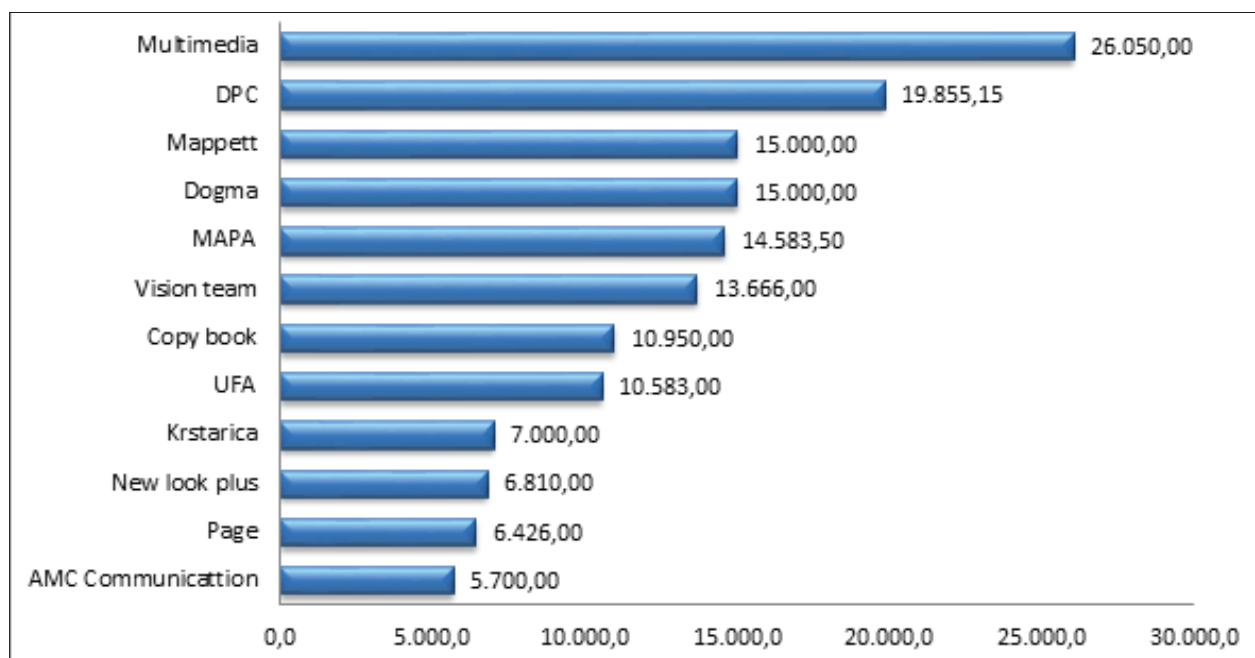


Figure 75: Payments to marketing agencies and production houses by public institutions and companies, in EUR

38 Only includes outlets that received more than EUR 2000.

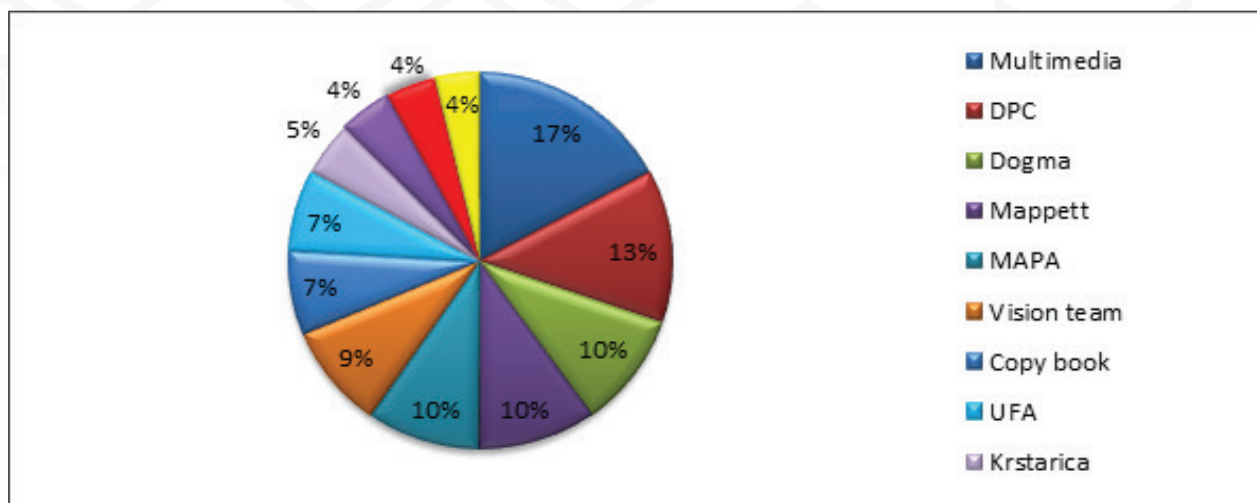


Figure 76: Payments to marketing agencies and production houses by public institutions and companies, % of the total

National Tourist Organisation (NTO) of Montenegro and Tourist Organisation Budva spent the most on the services of marketing agencies and production houses. In the case of NTO, however, we noted a drop in the amount of spending in this category by more than 50% compared to the previous year. Meanwhile, in TO Budva the spending on this type of services reached record amounts in 2015, with a total of EUR 65.507,50. Of this, EUR 26.050,00 went to the Multimedia group, EUR 13.666,00 to the Vision team, EUR 7.000,00 to Krstarica d.o.o, EUR 6.270 to the New Look Plus, and EUR 5.700,00 to AMC Communications. Montenegrin National Theatre (MNT) only engaged the services of the MAPA agency. Railroad infrastructure of Montenegro and PE Coastal zone allocated the entire amount of spending in this category to the agency UFA Media.


The Post Office of Montenegro spent EUR 3.320,00 on the services of the agency Represent communication, and EUR 2.142,00 EUR on Media solution. Also, entire amount allocated to Mappett production came from PI "Grad teatar" (City theatre) Budva, while the entire amount of EUR 15.000,00 to Dogma studio came from the Airports of Montenegro. Other payments were all under EUR 3.000 and were quite fragmented across service providers and public institutions and enterprises.

A total of **EUR 26.707,37** was allocated by public institutions and enterprises to the category "regional media". The largest amount, or EUR 23.300,00, came from TO Budva, and was paid to different outlets in the region.

Central Bank of Montenegro

The Central Bank of Montenegro gave a total of EUR 13.300,90, to the media in 2015, out of which EUR 8.300,90 for the provision of services, and EUR 5.000 in financial assistance grants to individual outlets. The money for services was allocated to Arhimed (EUR 5.997,60), MINA (EUR 1.500,00), and RTCG (EUR 803.8).

Meanwhile, the **financial aid** was allocated to the following subjects: Pobjeda EUR



3.000,00, Antena M EUR 1.000,00 and website EUR Analitika 1.000,00. The Decision of the Central Bank of Montenegro to allocate aid, signed by governor Milojica Dakić, said it is granted "as financial assistance to cover part of the costs for the continuation and development of media activities". The decision was made in accordance with Article 45 and 46 of the Law on Central Bank of Montenegro, which regulate the rights and obligations of the governor (Article 45), and the matters of property of the Central Bank (Article 46).³⁹ However, neither of these articles lays grounds for allocation of financial aid to any media outlet, which makes it clear that this was a discretionary decision of the management.

In its previous reports the CCE has already repeatedly stressed the importance of clearly regulating allocation of financial aid to the media and preventing the current practice of aid allocation on purely discretionary basis. A decision to grant aid should be based on a justified, clearly understandable reason, and follow a precise legal procedure in order to avoid potential abuse.

Parliament of Montenegro

The spending of the Parliament of Montenegro on the media was at its lowest point in 2015 since the CCE began conducting this research, i.e. since 2011. The total amount spent for this purpose was **EUR 14.706.15**. Out of that sum, EUR 4.472,15 concerned payments for the services of the news agency MINA, and EUR 10.234,00 for the news service Arhimed.

President of Montenegro

President of Montenegro responded to our request for information in a timely manner, and reported payments of a total of EUR 3.808,70 for media services, all of it paid to the Info biro of Montenegro.

Judiciary (courts and prosecutions)

Except for the Supreme State Prosecution, which reported spending EUR 1.750,00 on the services of Press clipping, other bodies of the judiciary system did not have expenses in this area, and all of them answered our requests within the legally prescribed deadline.

Ombudsman

Ombudsman's expenses on media in 2015 amounted to EUR 3.432,7, and went to Represent communication (EUR 2.546,60), Pobjeda (EUR 226), and S press (EUR 660). The information was submitted within legally prescribed deadline.

³⁹ The example of one of the four identical contracts is available in Annex 2.



Other public funds that provided financing to media in Montenegro

Agency for electronic media fund for assistance to commercial radio broadcasters

In 2015, the Council of the Agency announced two calls for allocation of support from the Agency's Fund for assistance to commercial radio broadcasters. The two calls, in July and December, together distributed **EUR 260.000,00**.

The money from the Agency's Fund is allocated on two grounds, as an *annual grant for the support of increase of own production material in the programme structure* and as *programme grants for the increase of volume, structure and diversity of offer of contents dedicated to issues of public relevance*.

Within the first call EUR 130.000,00 were allocated, EUR 75.000,00 in annual grants, and EUR 55.000,00 in programme grants. Within the second call, another EUR 130.000,00 were distributed, of which slightly more went to the annual grants (EUR 83.645,00) than to programme grants (EUR 46.355,00).

A total of 51 commercial radio stations received support through these two calls in the course of 2015. Of these, 20 received annual grants, and 31 commercial radio stations received programme grants.

Name of the outlet	Amount received in July 2015.	Amount received in December 2015	Total amount of funding in 2015
Antena M	34.654,00	33.363,00	68.017,00
Radio DRS	4.214,00	16.986,00	21.200,00
Radio Cool	5.528,00	9.465,00	14.993,00
Radio Skala	4.392,00	8.605,00	12.997,00
Radio Jadran	3.561,00	8.208,00	11.769,00
Radio Elita	2.839,00	2.567,00	5.406,00
Radio D+	4.727,00		4.727,00
Radio D	4.667,00		4.667,00
Adriatic radio		4.036,00	4.036,00
Radio Mojkovac	3.984,00		3.984,00
Radio Atlas	3.199,00		3.199,00
Romski radio	2.285,00		2.285,00
Star FM	951		951

Name of the outlet	Amount received in July 2015.	Amount received in December 2015	Total amount of funding in 2015
Radio Cool	14.699,00	9.970,00	24.699,00
Radio DRS	6.536,00	14.234,00	20.770,00
Radio Zeta	6.858,00	2.344,00	9.202,00
Romski radio	7.521,00	758	8.279,00
Radio Petnjica		7.810,00	7.810,00
Radio Atlas	5.851,00		5.851,00
Radio D+	5.223,00		5.223,00
Radio Elita	2.825,00	1.319,00	4.144,00
Adriatic radio		4.000,00	4.000,00
Radio Krš	3.517,00		3.517,00
Skadar Lake		3.000,00	3.000,00
Glas Plava		3.000,00	3.000,00
Radio Mojkovac	2.269,00		2.269,00

Comparative overview of data for 2013, 2014 and 2015

According to the data available to the CCE, which is an underestimate because it excludes institutions that failed to reply to our requests for information, in the past three years the public sector spend altogether **EUR 6.041.027.2** on the media.

Printed media

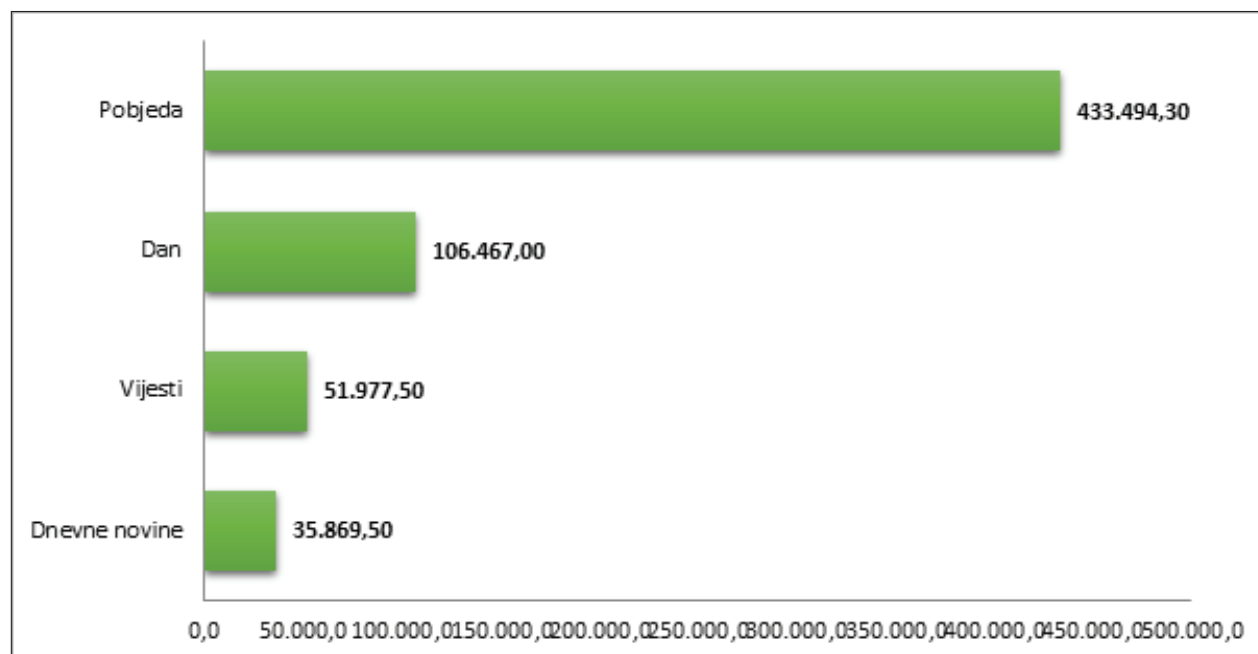


Figure 77: Overview of the largest individual recipients of public funding, in EUR, total for 2013, 2014 and 2015⁴⁰.

40 The total amount allocated to Pobjeda from the public sector sources surveyed in this study (EUR 57.183,00) is less than the amount Pobjeda received from the Capital City alone, but of which we could not obtain the official record. It also excludes the state aid received by Pobjeda until its privatization on 14.10.2014.

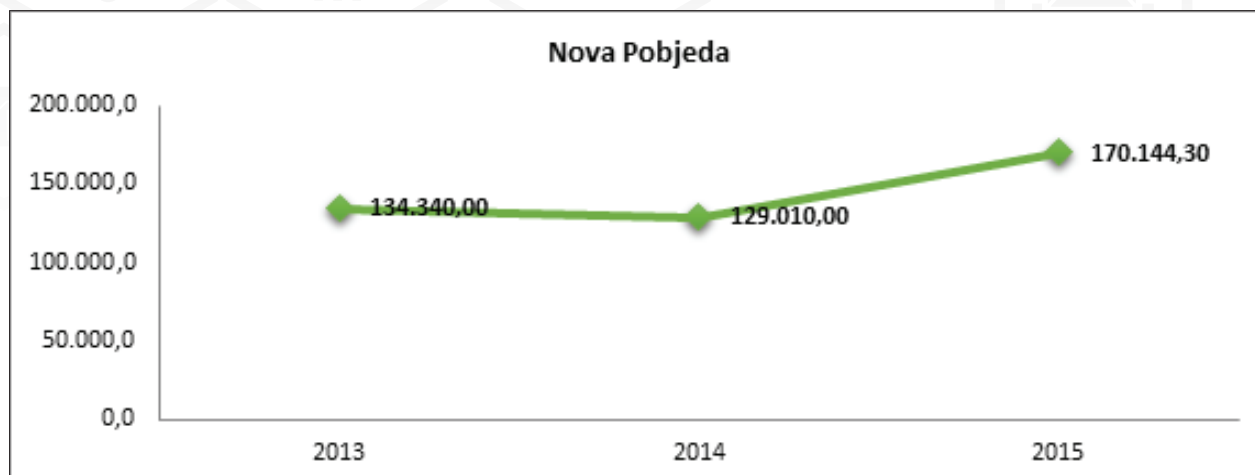


Figure 78: Trends in total funding allocated to Pobjeda by public sector bodies, in EUR

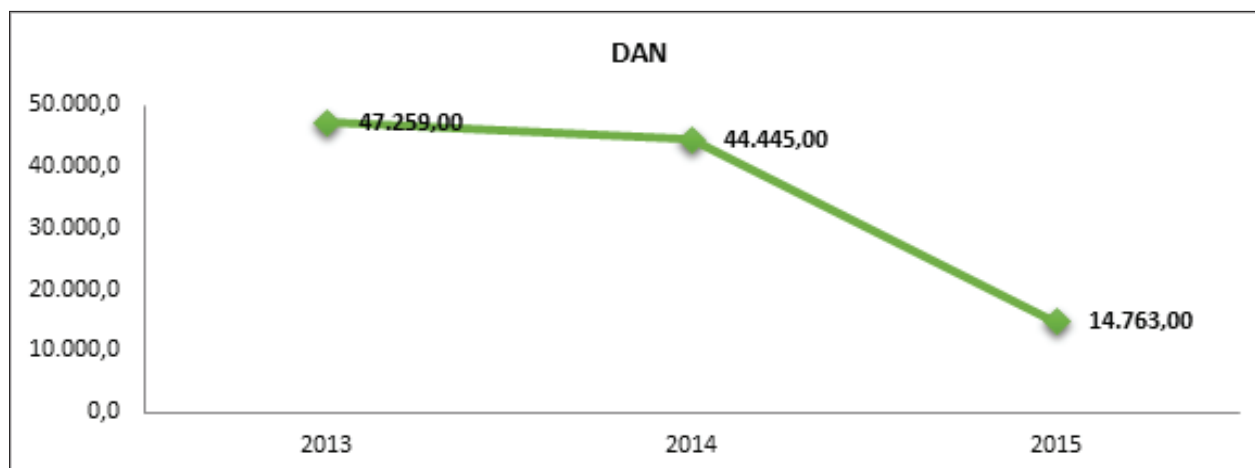


Figure 79: Trends in total funding allocated to Dan by public sector bodies, in EUR

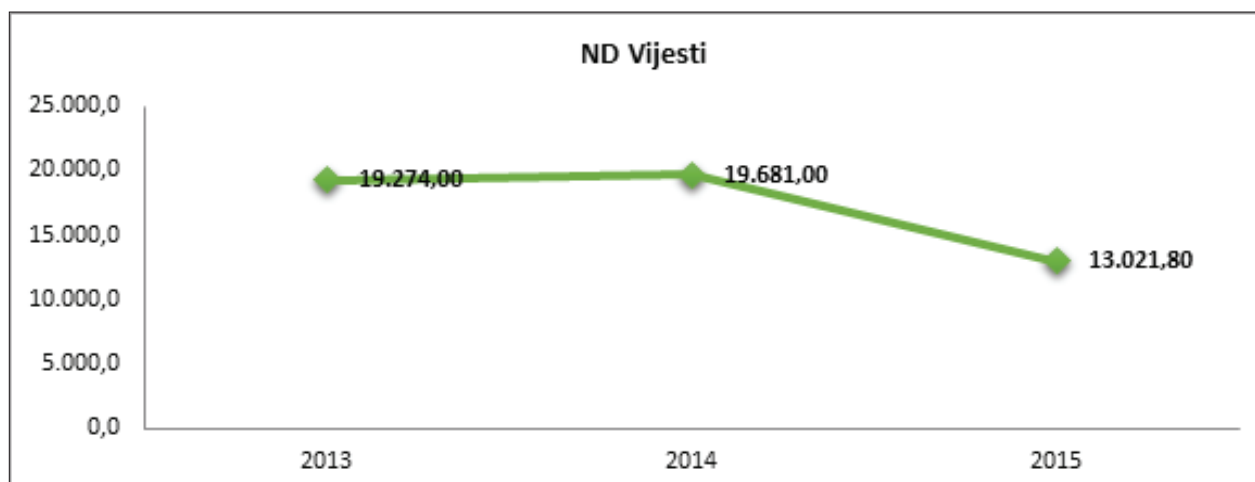


Figure 80: Trends in total funding allocated to Vijesti by public sector bodies, in EUR

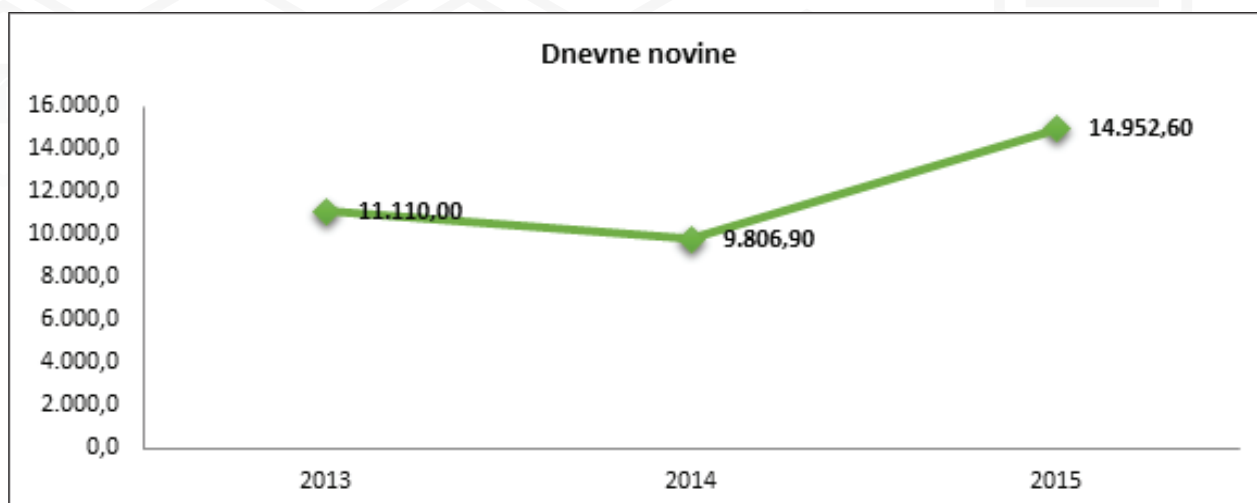


Figure 81: Trends in total funding allocated to Dnevne novine by public sector bodies, in EUR

Televisions

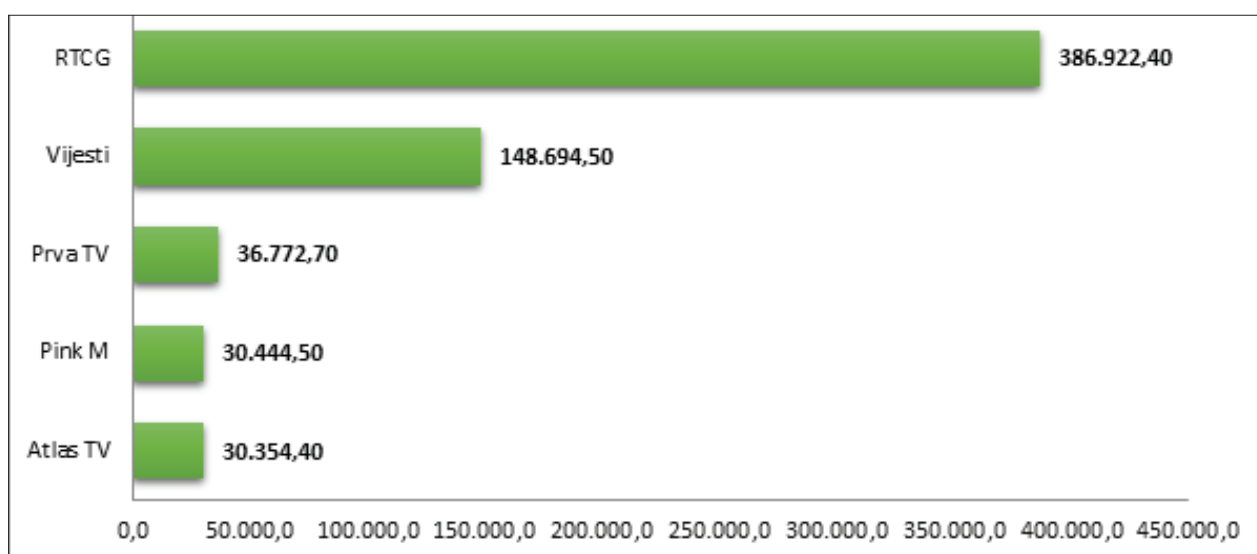


Figure 82: Overview of the largest individual recipient of public funds, in EUR, total for 2013, 2014 and 2015.

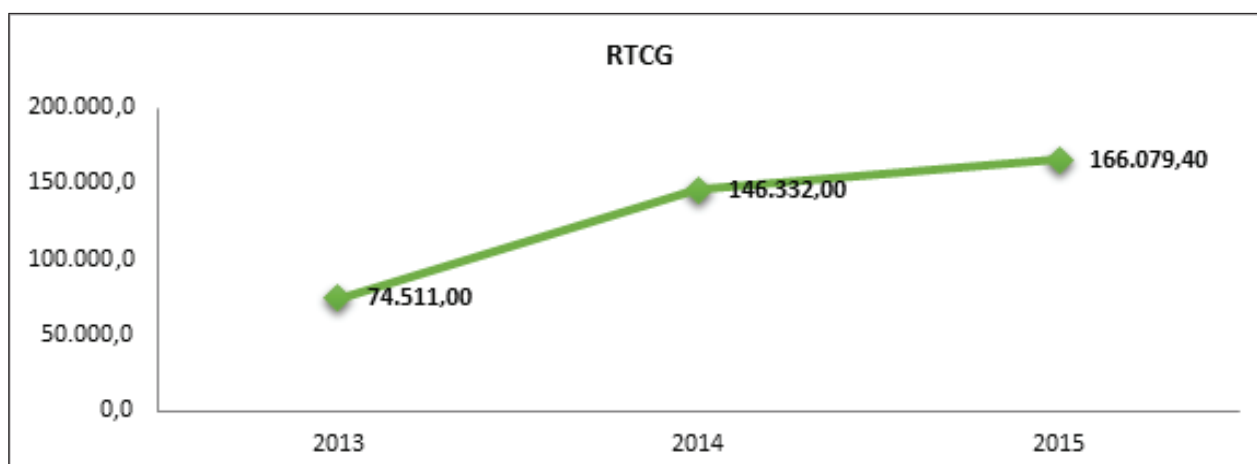


Figure 83: Trends in total funding allocated to RTCG by public sector bodies, in EUR

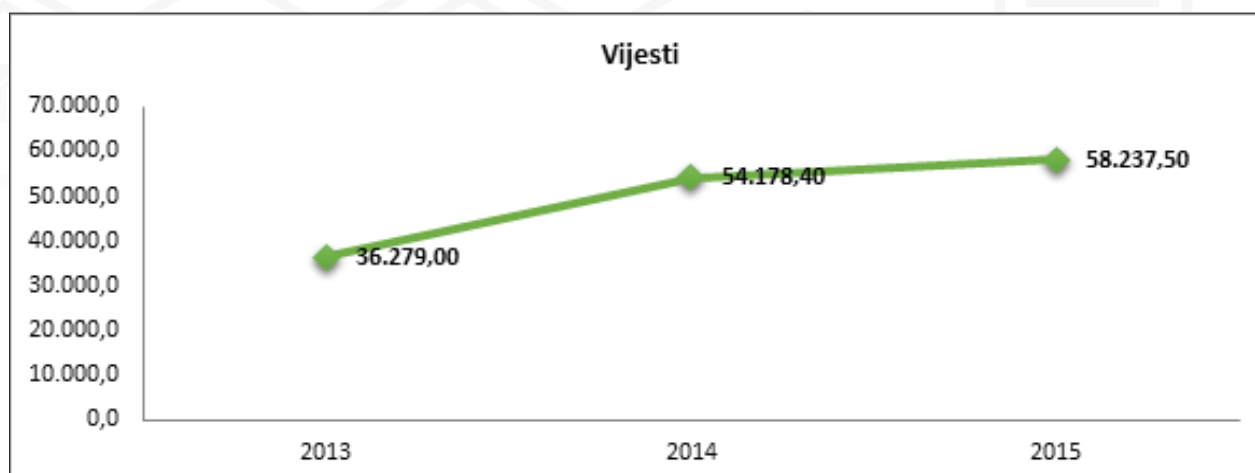


Figure 84: Trends in total funding allocated to TV Vijesti by public sector bodies, in EUR

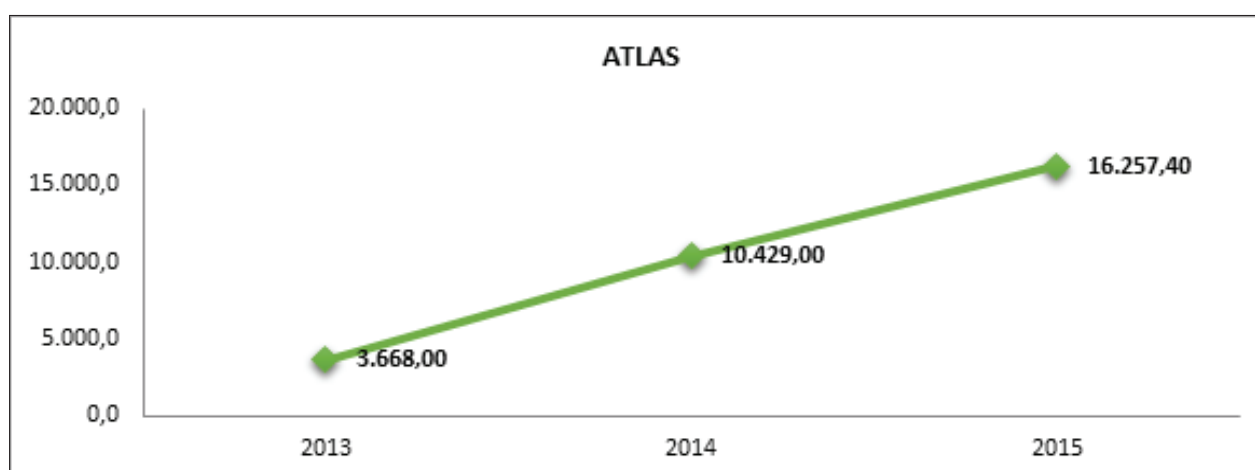


Figure 85: Trends in total funding allocated to Atlas TV by public sector bodies, in EUR

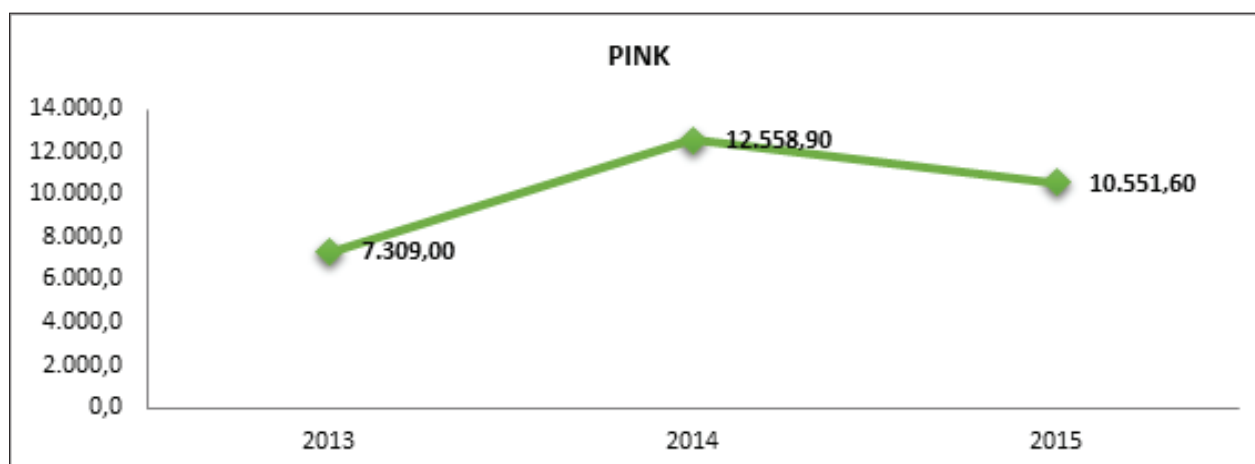


Figure 86: Trends in total funding allocated to TV PINK by public sector bodies, in EUR

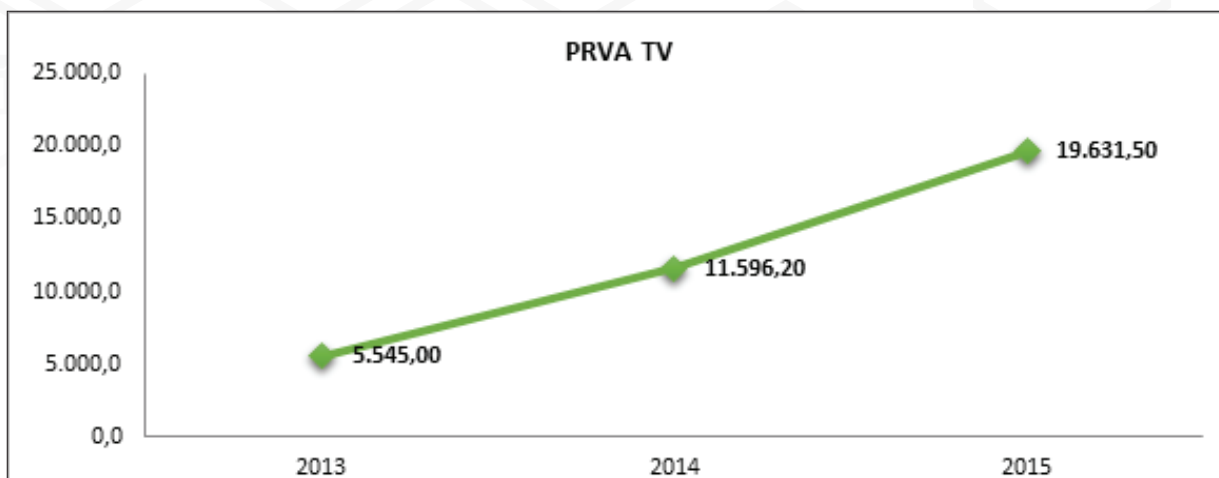


Figure 87: Trends in total funding allocated to TV PRVA by public sector bodies, in EUR

Websites

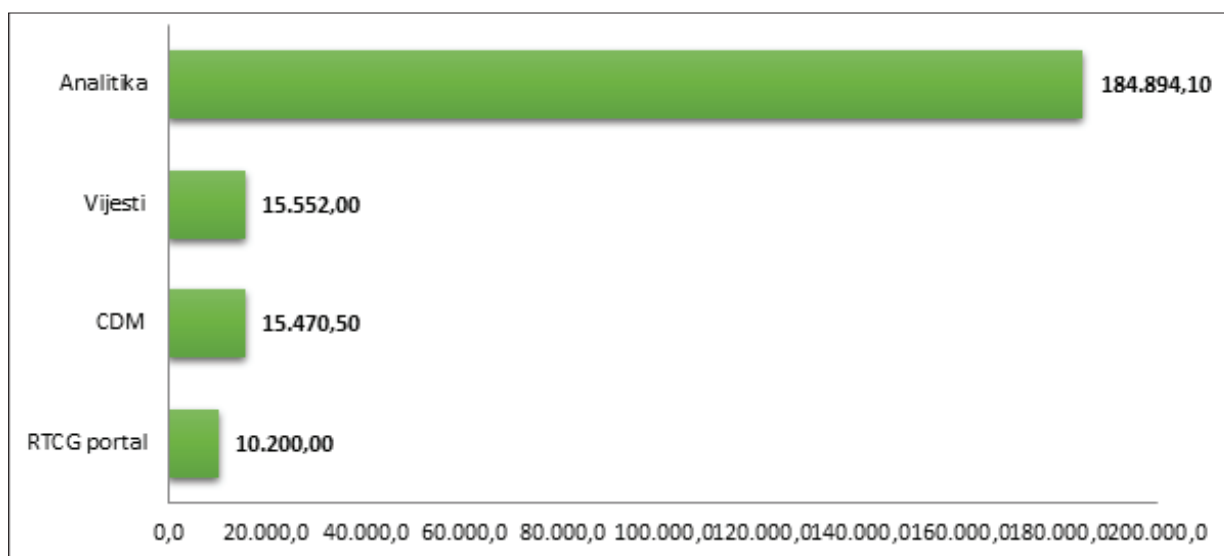


Figure 88: Overview of the largest individual recipients of public funds, in EUR, totals for 2013, 2014 and 2015.

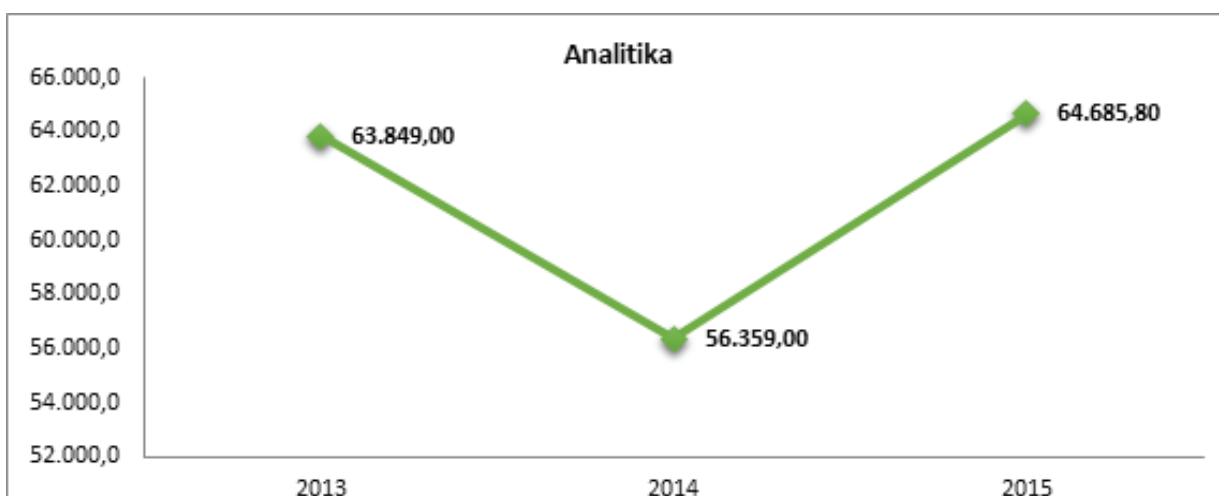


Figure 89: Trends in total funding allocated to website Analitika by public sector bodies, in EUR

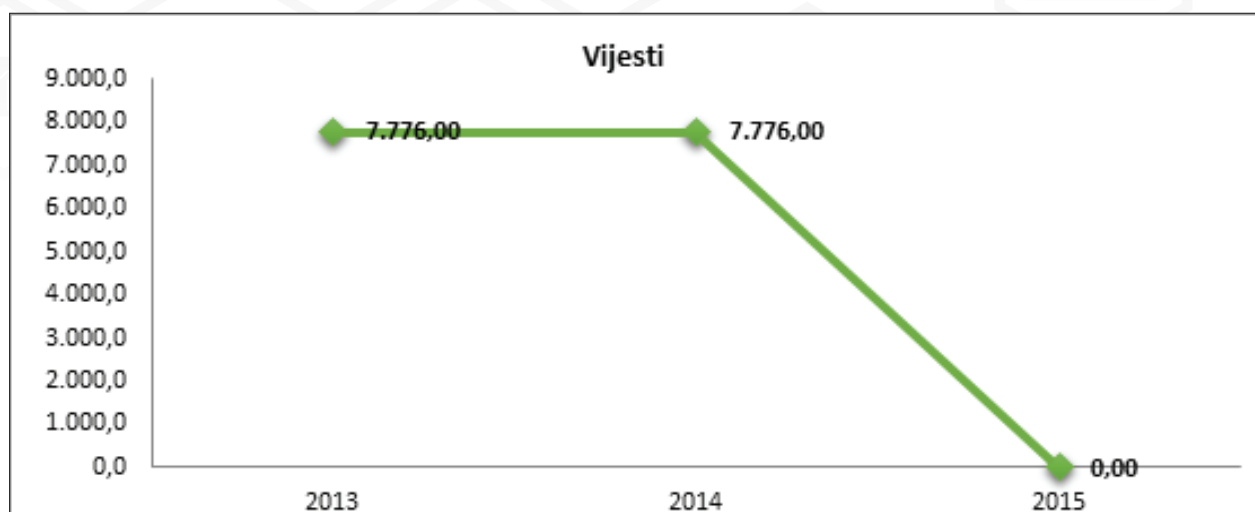


Figure 90: Trends in total funding allocated to website Vijesti by public sector bodies, in EUR

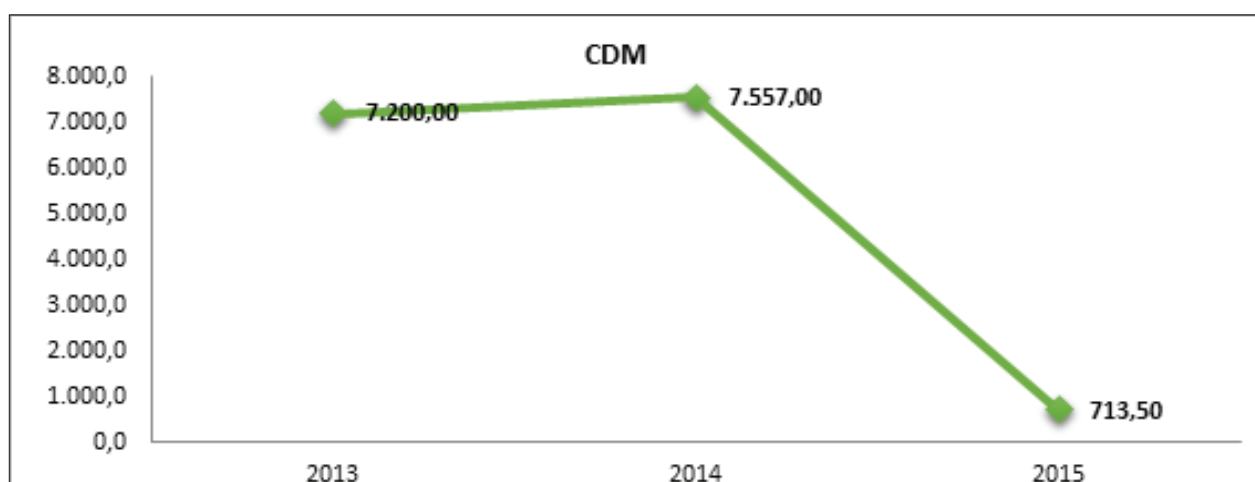


Figure 91: Trends in total funding allocated to CDM by public sector bodies, in EUR

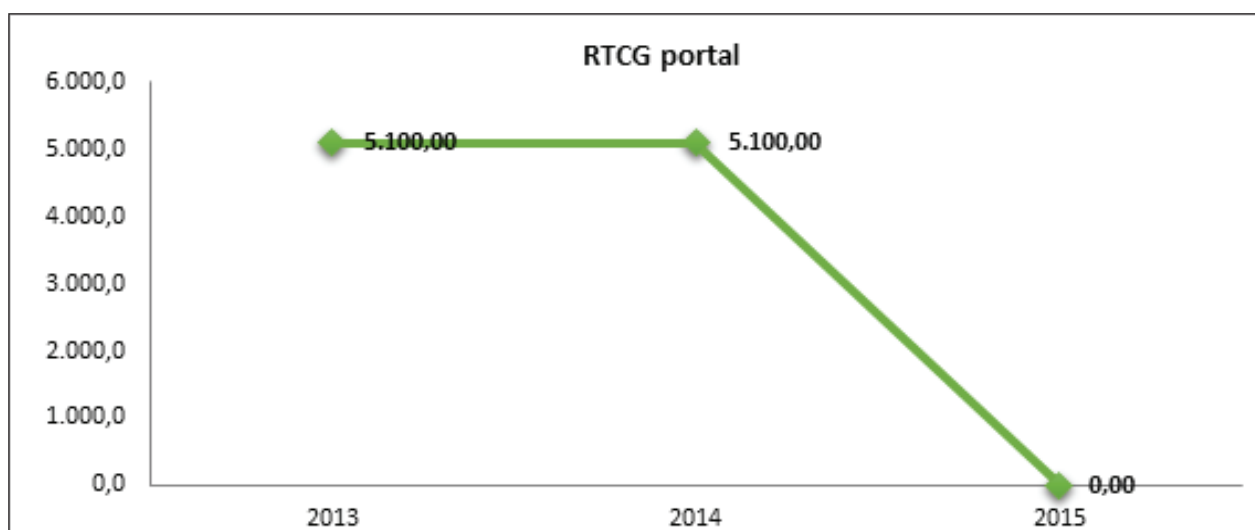


Figure 92: Trends in total funding allocated to the website of RTCG by public sector bodies, in EUR

Public sector bodies do not recognise the importance of the web medium in Montenegro. The abovementioned websites so far only received payments from Elektroprivreda Montenegro, hence the abrupt reduction in 2015. The only exception from this rule is website Analitika.

News agencies and services

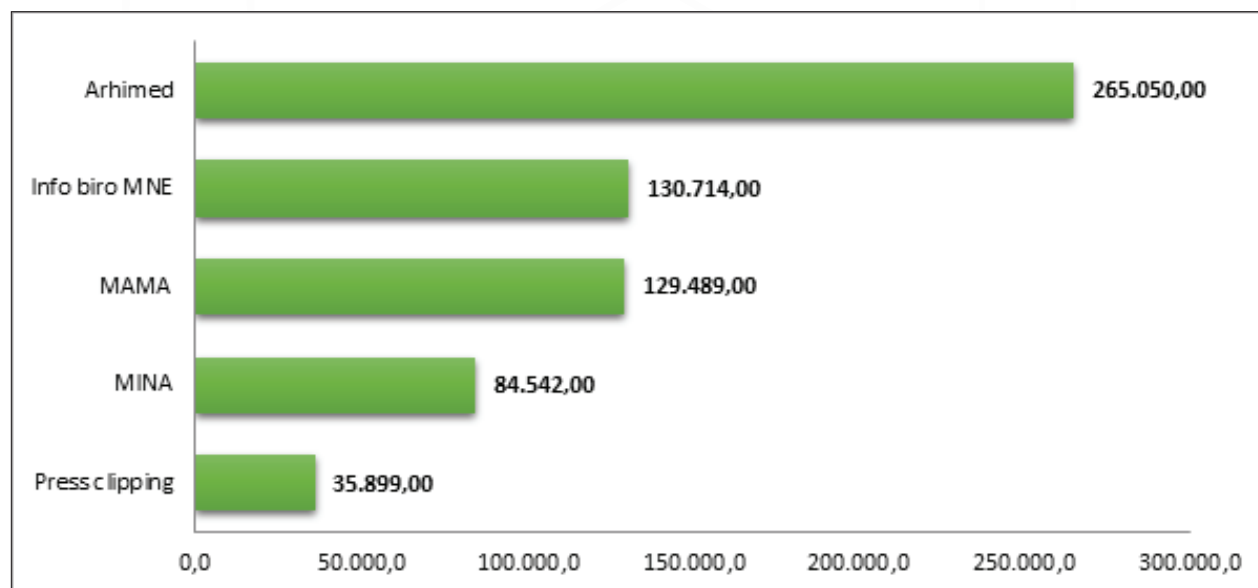


Figure 93: Overview of the largest individual recipients of public funds, in EUR, totals for 2013, 2014 and 2015.

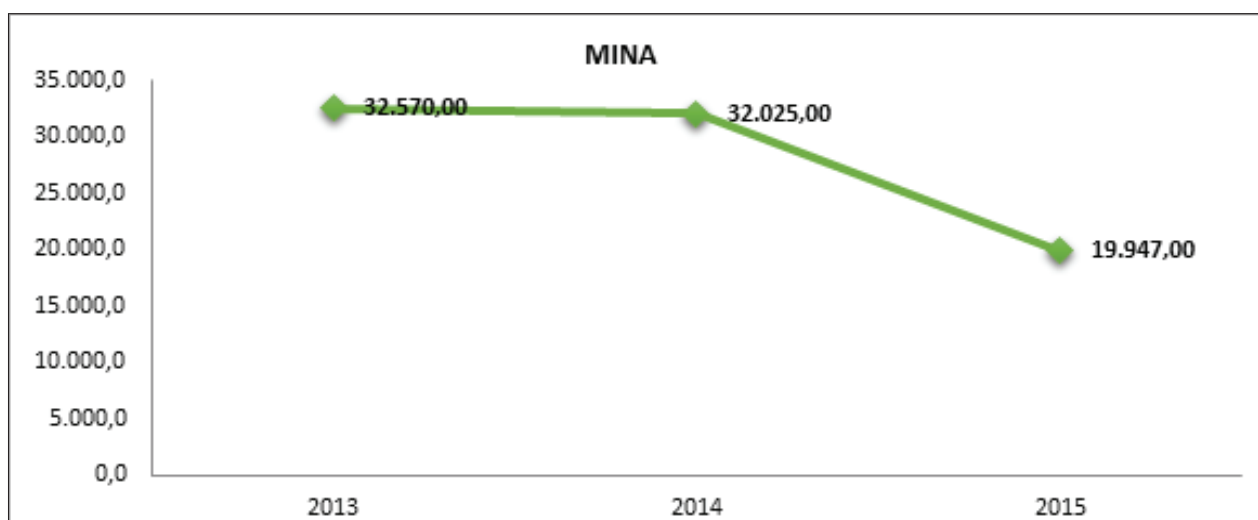


Figure 94: Trends in total funding allocated to MINA by public sector bodies, in EUR

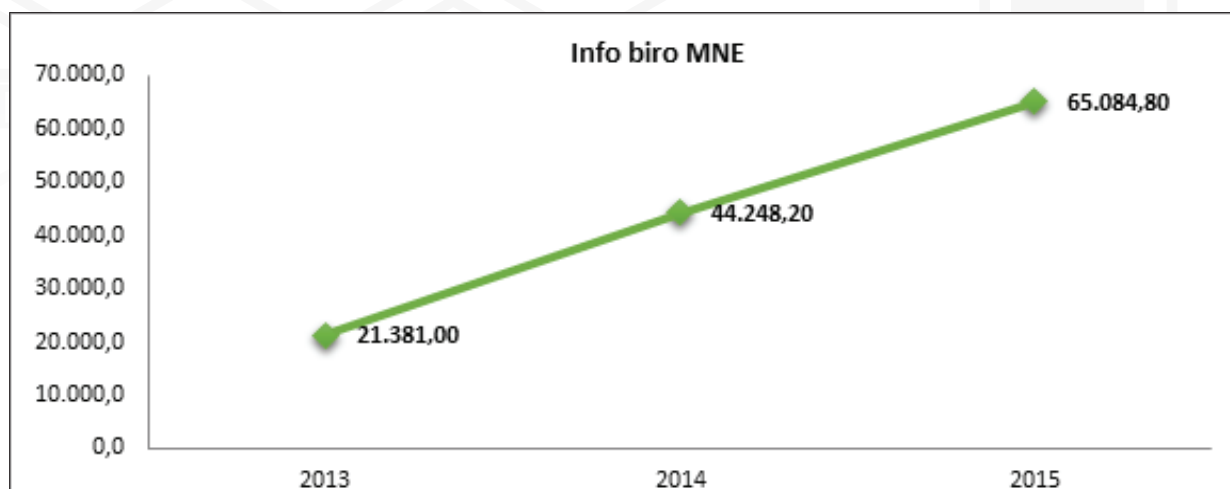


Figure 95: Trends in total funding allocated to Info Biro agency by public sector bodies, in EUR

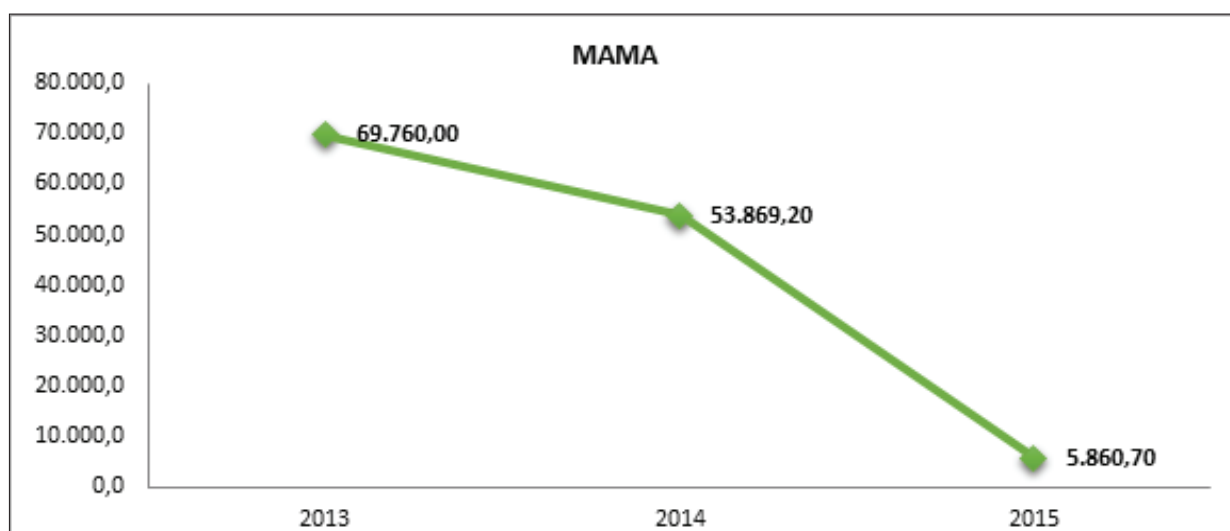


Figure 96: Trends in total funding allocated to MAMA agency by public sector bodies, in EUR

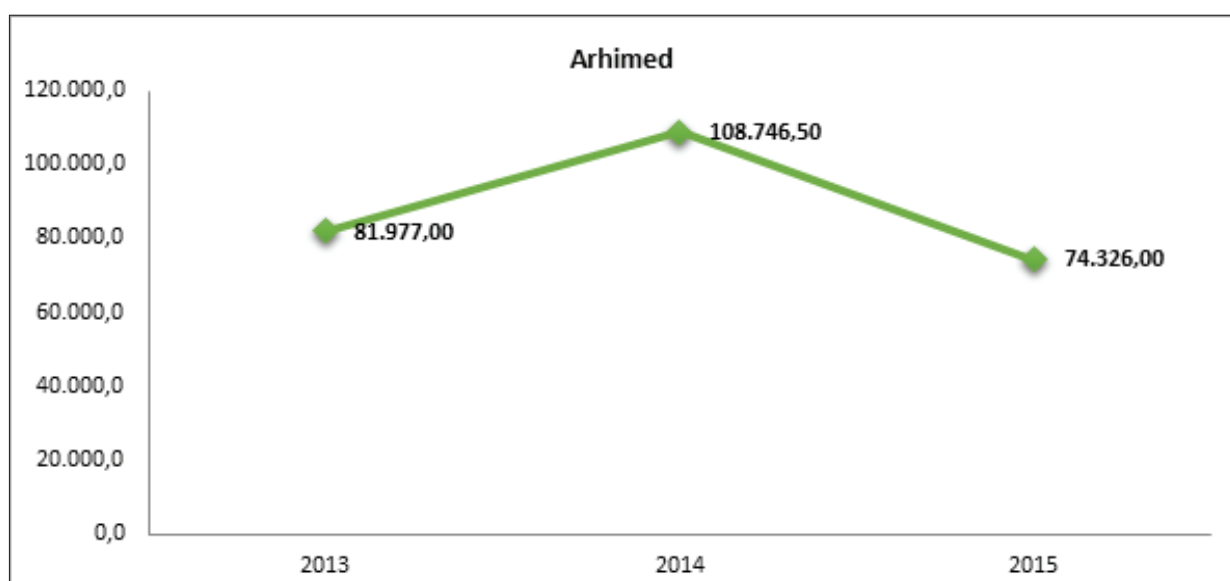



Figure 97: Trends in total funding allocated to Arhimed agency by public sector bodies, in EUR



Implementation of the Law on free access to information and the conduct of the Agency for the protection of personal data and free access to information

The research "Equal chances for all media in Montenegro" was conducted between May and December 2016, based on the Law on free access to information. It covered 353 public sector bodies, out of which 255 responded to our requests for information, while 98, or 27.7% did not submit the requested information.


Public sector bodies that failed to submit the requested information, thereby directly violating the provisions of the Law on free access to information, fall into two categories.

The *First category* is comprised of those bodies that opted for the principle of administrative silence. Despite the months-long efforts of the CCE's research team which included repeated requests, direct communication with the responsible officials and management of the bodies in question, etc. we were not able to obtain the requested information. That **"black list" of non-transparent bodies**, which chose to violate the Law rather than submit the requested information, includes: **Ministry of Agriculture and Rural Development, Capital city Podgorica**, municipality of Herceg Novi, Montenegro Airlines, Plantaže 13 jul, and numerous other public bodies and institutions whose budgets are much lesser and which are not among the significant consumers of media services. Taking into account the results of the previous research, it is evident that Ministry of Agriculture and Rural Development and Capital city Podgorica are the champions of non-transparency, as they refused to provide the requested information for several years in a row.

It is devastating that institutions financed by the taxpayers' money can refuse to disclose the ways in which they manage these funds. This inevitably raises suspicions about the appropriateness of their spending.

CCE filed 42 complaints to the Agency for free access to information, all of which were resolved positively in CCE's favour. However, this was not enough to ensure that we obtained the necessary information, as some bodies persisted in the violation of the law and concealment of data.

The mild sanctions prescribed by the Law on free access to information, which stipulates fines of EUR 500 to EUR 20,000, make it obvious that the bodies which



opt for administrative silence simply find that it is less costly for them to withhold certain information from the public. It is all the more paradoxical that the public sector bodies that violate the law pay the fines from their budget, i.e. from the money of the same citizens of Montenegro who are deprived of information by their actions.

It should also be mentioned that the quality, timeliness and comprehensiveness of the information received was extremely uneven, which caused further delays in completing research and processing the information.

Out of the 353 institutions that were asked to submit the information based on the Law on free access to information, **255 or 72%** responded positively. This is an increase compared to the previous two years, when 66% and 67% of public sector bodies responded positively. It remains to be seen whether this positive trend will continue.



Conclusions and recommendations


Conclusions

The financing of media in Montenegro from the public sources remains unregulated, uncontrolled and opaque. The total amount of money spent on media by the public sector bodies in 2015 is somewhat lower than in the previous years. However, the necessary legal interventions have not been made. The existing legal system does not recognise the connection between media financing from public funds on various grounds and the potential influence of this financing on the freedom and economic (in)stability of the media, nor does it view allocation of advertising payments as a potential source of discrimination among media outlets and attempts to influence editorial policy.

Institutions in Montenegro are still withdrawing information about the total amounts of public money they spend on advertising, services, or other forms of media financing, and there is no authority that would control the way in which this money is allocated and spent. Moreover, the relevant authorities are showing no interest in resolving this problem, although the issue has attracted serious attention from the international community.

The Law on free access to information is still not adequately functioning, nor does it ensure access to all the necessary information. The same institutions choose to refuse information year after year, which demonstrates that the available mechanisms are insufficient. This allows public sector bodies to approach their duties selectively, refusing to submit the requested information whenever they feel that disclosing the information may cause them more difficulty than directly violating the provisions of the Law. The actions of the Agency for the protection of personal information and free access to information are significant, but often slow and eventually insufficient, because the public institutions do not heed its decisions. The Agency ruled on all 42 complaints submitted by the CCE in a positive and timely manner, but this was not enough to bring all the institutions in question to release the information.

The institutions do not have proactive approach to transparency and do not publish information on the amount of public funding they spend on advertising,



marketing or other forms of media financing on their websites. The same is true of local self-governments, with the consequence that there is no publicly accessible information on the financing of local public services or on the spending by municipalities on such services.

Contracts for allocation of financial aid and sponsorships for media concluded on the basis of discretionary decision of the management must be restricted and regulated. This form of support directly assists some, while discriminating other outlets. Given the lack of regulation in this area, distribution of such funds has the potential to cause serious distortions in the media market, benefiting some and disadvantaging other media.

The contracts between media outlets and public sector bodies that contain provisions that prescribe the manner of reporting on that particular institution or obligation to provide certain media space for the interviews with the management and other representatives of the institution amount to a form of hidden advertising and must be sanctioned. This exposes the citizens of Montenegro to propaganda in the guise of independent media reporting, because the resulting content is not flagged as institutional PR. The CCE has copies of such contracts in its archive.

The state exercises inappropriate influence on the media market through opaque and selective allocation of public funding in the form of advertising and media service contracts. Economic crisis and the falling revenues from business advertising only compound this problem, increasing the weight of public institutions as consumers of media services and giving them more influence to shape the media scene according to the interests of the ruling parties, by misusing public resources.

The tendency to centralise budget allocations for advertising and other media services and redirect them from individual media outlets to marketing agencies that specialise in the lease of media space aggravates the task of monitoring the allocation of public funds to the media.

Bearing in mind that 2016 Report of the European Commission identified the problem of state financing of the media as one of the four priorities in the area of freedom of expression, we expect to finally see a genuine progress in finding a sustainable solution to this problem.



Recommendations

Deep and on-going crisis in the media sector requires serious reform and amendments to the media laws. It is necessary to open up the space for broader dialogue and public discussion by the interested stakeholders in order to come up with the best solutions.

The Law on Media should be amended in order to regulate and ensure transparent financing of media from public sources, including state institutions, local self-governments and all other organisations that are wholly or partly financed from the public budget.

Further, to achieve transparency it should be mandatory for all public bodies to publish information on their advertising in the media for a given period, on a form prepared by the line ministry. The complete information on payments of public money to the media in exchange for advertising, specialised services, or on other grounds, should be available to the public and published on the websites of public sector bodies.

It is necessary to collect independent and reliable information on viewership/readership/listeners of individual media outlets, which could serve as a basis for fair and impartial distribution of advertising payments by public sector bodies. Without such information, there is always space for the potential misuse of these funds by public officials and employees, in terms of discretionary allocation of public money and consequent interference with the media market.

Financing of local public services from the taxpayers' money must be brought under strict rules of transparency, openness and tangible criteria of merit and effectiveness in spending. The financial reports of local public broadcasters must be publicly available and published on the official websites of local self-governments or local public broadcasters as users of these funds.

All activities that can lead to interference by political structures, public institutions and officials on the media market must be carefully regulated, through amendments to the Law on media.



Annexes

Annex 1

Proposals of amendments of CCE to the set of media laws, Law on Public Procurement and the Law on State Aid

Proposal of amendments to the Law on Media ("Off. Gazette of Montenegro", no. 51/02 of 23/9/2002, 62/02 of 15/11/2002, and "Off. Gazette of Montenegro", no. 46/10 of 6/8/2010, 73/10 of 10/12 /2010, 40/11 of 8/8/2011)

Amendment 1

A new paragraph 2 is added to Article 6, which states:


In terms of this Law, media shall be deemed editorial-designed websites or portals containing electronic versions of printed media or information from media, in a publically available manner.

Paragraphs 2 and 3 of Article 6 shall become paragraphs 3 and 4.

Explanation:

Research "Equal opportunities for all media", which Centre for Civic Education (CCE) has been conducting from 2011, indicated that Montenegrin media legislation does not recognise thus consequently is lacking the normative definition of portals as forms of media.

This deficiency in media legislation must be overcome in order to protect the public interest and acknowledge the undisputed significance and popularity that portals



have in media space of Montenegro, as well as the significant amount of financial resources that they acquire from public funds for advertising services, marketing services or on the basis of contracting services, specialised services or on other grounds.

Amendment 2

After Article 49, new Article 49a is added, which states:

Media defined by Article 6 of this Law, are obliged to keep records of every payment of public sector organs on all grounds, and especially segregate payments for advertising services, marketing and contracting services as well as specialised services.

Model of record keeping form, which provides a detailed and concise overview of structure of payments from public funds on all grounds, shall be determined by the Ministry of Culture within 30 days from the day the new Law comes into force.

Record keeping is done in two identical copies, whereby one is submitted to relevant Ministry, and the other remains with a record-keeping officer.

Relevant ministry shall publish all records on its internet page no later than 8 days after the submission of records.

Media must submit their records to relevant organ during January of the current year for previous year, and no later than 31 January of the current year.

Explanation:

Financing of media in Montenegro from public funds remains unregulated, uncontrolled and non-transparent, and in this regard authorities failed to invest effort to improve this area, even though this matter has been the subject of discussion for more than four years now, and presents a matter of growing concern of relevant international organisations.

Authorities exert inappropriate pressure on media market, through non-transparent and selective financial allocations of public funds allocated on various grounds to media. In addition to existing challenging economic situation and reduction of marketing budgets of companies operating on Montenegrin media market, accompanied by simultaneous increase of participation of public funds and their expenditure without clear criteria, soft censorship of media in Montenegro is exercised.

This article determines the obligation of media to keep records of deposited funds from public sources, as well as the basis of payment for all payments. Therefore, this shall contribute to transparency of media financing by public sector organs, and enable a continued insight of public into amounts, type and basis of these affairs.



Amendment 3

After Article 49b, new Article 49c is added, which states:

All state organs are obliged to publish records of advertising in media once a month, for the previous month, on a form prescribed by relevant ministry.

These records also include funds placed through marketing agencies, whereby advertising in individual media or other services paid to media are clearly distinguished. Total cross section of advertising of public organs in media shall be conducted by relevant ministry, in the form of annual report.

Ministry is obliged to put the report on a public discussion no later than 31 March of current year for the previous reporting year.

Report is adopted in Government and published no later than 1 June of current year.

Explanation:

Necessity to achieve the full transparency and determine the expediency of advertising of state organs has been acknowledged, whereby the mechanism prescribed by this amendment provides broad insight of public into the advertising processes. This manner opens up space for the public to influence passing of assessment on expediency, and thus the character of future advertising of state organs, and other forms of investment in media.


Reason for introduction of money flow tracking that is placed through marketing agencies lies in the fact that CCE's researches indicated a tendency of centralisation of funds allocated for services of marketing and advertising in media, based on agreement on provision of services, specialised services or on other grounds. This aggravates tracking of further transfer to media or related subjects, thus leaving ample space for misuse, since public sector organs can non-transparently distribute funds to those media which they independently, without clearly determined procedures and criteria, deem most expedient. Currently, there is no legal possibility of further research in this case, nor the insight into information regarding further allocation of these funds to media, which is directly addressed in accordance of the said solution.

Amendment 4

After Article 49c, new Article 49d is added, which states:

All organs of a local self-government unit and companies founded by local self-governments are obliged to submit their records of advertising in media to Chief Administrator once a month, for the previous month.

Form in which every organ of local self-government unit and company founded by



local self-government will keep records on advertising in media shall be prescribed by relevant ministry.

Chief Administrator will conduct the cross section of advertising of organs of local self-government unit, in the form of annual report. Local self-government unit is obliged to put the report on public discussion no later than 31 March of current year.

Report is adopted in the Parliament of a local self-government unit and published no later than 1 June of current year for previous reporting year.

Explanation:

Explanation of this amendment is identical to the previous one, since the provision has the same purpose, only this one is related to implementation at the level of local self-government.

Case amendment entirely respects the autonomy of local self-governments and principle of decentralisation.

Amendment 5

After Article 49d, Article 49e is added, which states:

State organs, public services, organs of a local self-government unit and companies with majority of state ownership shall pass the decision on media advertisement based on the criteria of readership, listenership, viewership and trust.

Exception is advertising related to local topics, ethnical communities and marginalised groups, wherein the basic decision-making criteria does not have to be implemented, or it can be modified with the accompanying explanation.

The rest of the criteria shall be regulated in detail with a bylaw act, proposed to Government by the relevant ministry within 60 days from the day new Law on amendments to the Law on Media comes into force.

Explanation:

It is necessary to determine criteria that would serve as a basis for decision-making as to which media will be used to advertise state organs, public services, organs of local self-government unit and companies with majority of state ownership.

Law shall regulate the basic criteria with the exception, and the basis must include readership, listenership, viewership and trust that the media enjoys.

Bylaw act shall further regulate the rest of the criteria that will contribute to



introduction of clear rules on media market.

Amendment 6

Article 45a is added, which states:

A fine of 10,000 euros to 20,000 euros shall be imposed on media defined in Article 6 of this Law, if they fail to deliver records specified in Article 49a by 31 January of current year for the previous year, on a form prescribed by the Ministry of Culture.

Media that fail to submit this form ending with 31 January cannot receive funds during that year from public funds for services of advertising, marketing or on the basis of contracting services, specialised services or on other basis.

Explanation:

In order to secure the full respect of law, it is necessary to prescribe precise misdemeanour liability of subjects obliged under case law, and introduce the according punitive provisions.

In addition, those who do not respect provisions under which they have to render the information on expenditure of those funds available to tax payers, should be deprived of their further use.

Proposal of amendments to the Law on Control of State Aid ("Off. Gazette of Montenegro", no. 74/09 from 13/11/2009, 57/11 of 30/11/2011)

Amendment 1

After Article 17, Article 17a is added, which states:

State aid allocated to media is submitted only as a state aid scheme.

Proposer of scheme of state aid is obliged to submit the draft, i.e. the act proposal, to the Commission, in order to assess the harmonisation with this law.

Commission is obliged to publish the act proposal on its website no later than 24 after it receives the act.

All media have the right to file request for re-evaluation of scheme within 15 days from the day of publication.



Commission is obliged to decide upon request within 8 days.

Proposer of scheme of state aid can remove the scheme from procedure, or accept the resulting changes, if the request is adopted.

Submitted state aid shall not be allocated until the Commission passes decision on harmonisation of state aid with this law.

Explanation:

It is important and necessary to distinguish the media as separate category in Law on Control of State Aid.

Practice indicates unequal conditions on media market through various forms of emphasised discretion based decision-making on allocation of state aid to media. In order to regulate this situation legally, and disable the dominant discretion based decision-making with deficit of transparency, it is necessary to intervene in this part of the case Law.

Proposal of amendment to the Law on Public Procurement ("Off. Gazette of Montenegro", no. 42/11 of 15/8/2011, 57/14 of 26/12/2014, 28/15 of 03.06.2015)

Amendment 1

Article 3, paragraph 1, item 10, is amended and states:

Advertising services, information on public procurement procedures in media, but they must be published in at least two printed media with largest circulation.

Explanation:

With regard to the fact that Law on Public Procurement does not prescribe obligation of publishing the announcement on public procurement procedures, and that this obligation of publishing exists solely for the portal of public procurement, it is necessary to intervene by amending Article 3, paragraph 1, item 10 of the Law.

Namely, there is no ban on publication of public procurement procedures, and the same is exempted from application of the case Law, hence it is necessary to regulate this in a manner in which all obligatory subjects to implementation of Law on Public Procurement will oblige themselves to conduct advertising in at least two printed media with largest circulation.

Annex 2

Central Bank's decision on financial assistance to the media: the case of New Pobjeda

CENTRALNA BANKA CRNE GORE

O.br. 0102-2/175-2

Podgorica, 25.06.2015 godine

Na osnovu člana 45 i člana 65 Zakona o Centralnoj banci Crne Gore (Službeni list CG, br. 40/10,46/10 i 6/13), Guverner Centralne banke Crne Gore donio je,

O D L U K U

o odobravanju finansijske pomoći

„Nova Pobjeda“, društvo za proizvodnju, promet i usluge, export-import, odobravaju se finansijska sredstva u iznosu od po 2.000,00 €, na ime finansijske pomoći za pokriće dijela troškova za nastavak i razvitak medijske funkcije, shodno Zahtjevu broj 0102-2/175-1 od 18.06.2015 godine.

Isplata će se izvršiti na teret sredstava predviđenih Finansijskim planom Centralne banke Crne Gore za 2015 godinu, za humanitarne aktivnosti fizičkim i pravnim licima.

O izvršenju ove Odluke staraće se Direkcija za finansije, računovodstvo i kontroling.

GUVERNER,
Milojica Dakić
mr Milojica Dakić



Annex 3

List of all public sector bodies analysed by the CCE

Ministries

Secretariat-General of the Government
Ministry of Justice
Ministry of Interior
Ministry of Defence
Ministry of Finances
Commission for Allocation of Part of Revenue from Games of Chance
Ministry of Foreign Affairs and European Integration
Ministry of Education and Sports
Ministry of Science
Ministry of Culture
Ministry for Information Society and Telecommunications
Ministry of Economy
Ministry of Transport and Maritime
Ministry of Agriculture and Rural Development
Ministry of Sustainable Development and Tourism
Ministry of Health
Ministry for Human and Minority Rights
Ministry of Labour and Social Affairs
Cabinet of minister without portfolio

Administrative organs

Administration for Anticorruption Initiative
Institute for Enforcement of Criminal Sanctions
Police Department (spending is included in the budget of the Ministry of Interior)
Tax Administration
Customs Administration
Administration for Games of Chance
Property Administration
Real Property Management
Directorate for Diaspora
Department for Protection of Cultural Property
Directorate for Development of Small and Medium-sized Enterprises (information received as part of the documentation submitted by Ministry of Economy)
Port Authority
Maritime Safety Department
Directorate of Traffic
Directorate for Railways



Phytosanitary Administration
Veterinary Administration
Forest Administration
Water Administration
Directorate of Public Works
Directorate for Refugees
Human Resources Administration
Directorate for Prevention of Money Laundering and Financing of Terrorism
Public Procurement Administration (unable to access information at the website portal.ujn.gov.me)
Agency for Protection of Competition
Directorate for Inspection Affairs
Directorate for Youth and Sports
Secretariat for Legislation
Secretariat for Development Projects
Statistical Office MONSTAT
Department of Hydrometeorology and Seismology
Department of Education
Office of Intellectual Property
Department of Metrology
Labour Fund of Montenegro
Investment and Development Fund
Pension Fund
Fund for Protection and Realization of Minority Rights
Deposit Protection Fund
Health Insurance Fund
State Archives
Directorate for Protection of Classified Information
Agency for Environmental Protection

Agencies

Civil Aviation Agency
Agency for Electronic Communications and Postal Services
Agency for Electronic Media
Agency for Management of City Port Herceg Novi
Real Estate Agency Bar
Agency for Construction and Development Herceg Novi
Agency for Construction and Development Podgorica
Agency for Medicines and Medical Devices CALIMS (financial report for 2013 still unavailable)
Agency for National Security
Insurance Supervision Agency
Agency for Design and Planning Nikšić



Agency for Promotion of Foreign Investments MIPA
Housing Agency
Agency for Protection of Personal Data and Free Access to Information
Centre for Eco-Toxicological Research
Energy Regulatory Agency
Central Depository Agency
Tobacco Agency

Local self-governments

Andrijevica
Bar
Berane
Bijelo Polje
Budva
Danilovgrad
Žabljak
Kolašin
Kotor
Mojkovac
Nikšić
Petnjica
Plav
Plužine
Pljevlja
Podgorica
City Municipality of Tuzi
City Municipality of Golubovci
Rožaje
Tivat
Ulcinj
Herceg Novi
Cetinje
Šavnik

Parliament

Judiciary

Supreme State Prosecution
Supreme Court
Constitutional Court
Administrative Court
Court Council



Ombudsman

Central Bank of Montenegro

Public companies and institutions

Pharmacy Institution of MNE Montefarm
Institute for Standardization of MNE
Montenegro Airlines
Library for Visually Impaired of MNE
Institute of Public Health
Red Cross of Montenegro
National Theatre of MNE
Examination Centre of MNE
Montenegrin Heritage
Markets LLC
PI Centre for Social Work Podgorica, Danilovgrad and Kolašin
Centre for preservation and development of minority cultures of MNE
PI Komanski most
PI Ljubović
PI Montenegrin Cinematheque
National Museum of Montenegro
National Library of Montenegro
PI Resource Centre for Children and Youth Montenegro
National Tourism Organisation of Montenegro
Regional Diving Centre
PI Student Dormitory Podgorica
Roads LLC Podgorica
Parking Service BP
Parking Service
Cleanliness LLC Podgorica
Music Centre of Montenegro
PE National Parks of Montenegro
PE Regional Waterworks Montenegrin Coast
Airports of Montenegro
PE Coast Management
Centre for Mediation
Contemporary Art Centre
Plantations "13" July
Electro-Industry of Montenegro
Bussines Montenegro LLC
Možura LLC
Post Office of Montenegro




Railway Infrastructure of Montenegro
PI Centre for Culture – Berane
Centre for Social Work Plav
PI Centre for Social Work Rožaje
PI Centre for Social Work Bijelo Polje and Mojkovac
Utilities Lim LLC
Municipal Red Cross Organisation
Zeta Energy Danilovgrad
PE Breeding and Protection and Hunting of Wild Animals Danilovgrad
Kastel Montenegro Pljevlja
Centre for Conservation and Archaeology
Directorate of Traffic Danilovgrad
PE "Utilities" - Danilovgrad
PE Cleanliness Herceg Novi
PE Parking Service Herceg Novi
Public Utilities Herceg Novi
Specialist Veterinary Laboratory Podgorica
PI Daily Centre for Children with Disabilities and Developmental Difficulties Herceg Novi
PI City Library and Reading Room Herceg Novi
PI Culture Herceg fest Herceg Novi
Agency for Protection and Development of Orjen - Herceg Novi
Tourist Organization of Herceg Novi
Water and Sewerage LLC Herceg Novi
PE "Water and Sewerage" - Danilovgrad
PE Waterworks "Bistrica" Bijelo Polje
Institute of Seaside Biology Kotor
PI Centre for Social Work in Herceg Novi
PI Centre for Social Work Kotor, Tivat and Budva
Centre for Information System of UoM
PI Art Colony of Danilovgrad
PI Centre for Culture Andrijevica
Radio Television of Montenegro
Water Supply and Sewerage Cetinje
PIC for Housing – Utilities Activities - Andrijevica
Tourist Organization of Budva
Coast Management Budva
PE Utilities Ulcinj
PI Day Care Centre Sirena
Pension Fund LLC Ulcinj
Agency for Construction and Development of Ulcinj
Montenegrin Fund for Solidarity Housing Development LLC
Montenegrin Operator of Electricity Market - LLC Podgorica
Montenegrin Transmission System - JSC Podgorica



PI Centre for Social Work Bar and Ulcinj
Tourist Organization of Bar
Ulcinj Riviera - JSC Ulcinj
Tourist Organization of Cetinje
Tourist organization of Bijelo Polje
University of Montenegro
Broadcasting Centre of Montenegro - LLC Podgorica
Railway Transport of Montenegro
Maintenance of railway vehicles - JSC Podgorica
Montenegro Bonus – LLC Cetinje
Montecargo – JSC Podgorica
Monteput – LLC Podgorica
Centre for Culture and Sports Mihailo Lalić –Andrijevića
PE Utilities Berane
Municipal Public Institution "Museums" - Kotor
Port of Kotor – JSC Kotor
Tourist Organization of Kotor
PE "Waterworks and Sewerage" – Kotor
PI "Anderva" –Nikšić
PI Centre for Culture – Kolašin
PI Centre for Culture – Nikšić
PI Centre for Culture –Plužine
PI Centre for Culture – Plav
PI Centre for Culture – Ulcinj
PE "Waterworks and Sewerage" –Berane
PI Day Care Centre for Children with Special Needs – Nikšić
PI Day Care Centre for Children with Disabilities Nikšić
Institute of Marine Biology Kotor
PE Waterworks and Sewerage – Nikšić
PI Health Centre
PPI Eco Fairytale - Pljevlja
Clinical Centre of Montenegro
Medical Chamber of Montenegro
Institute for Textbooks and Teaching Aids
Montenegrin Academy of Sciences and Arts
Centre for Social Work Cetinje
JU Centar za kulturu Rožaje
PUC "Gradac" –Mojkovac
Tourist Organization of Žabljak
PE for Housing and Utility Services Žabljak
Tourist Organization of Mojkovac
Centre for Culture "Nenad Rakočević"
PI Centar za kulturu Žabljak
PI Waterworks and Sewerage Rožaje



PI Royal Theatre Zeta House Cetinje
PI Heritage Museum "Ganic tower" Rožaje
PE Utility Services Podgorica
PE Greenery Podgorica
PI "City Theatre" - Budva
PE Utilities Housing Public Company -Budva
PE "Waterworks and Sewerage" -Budva
PE "Funeral Services" -Budva
PE Utilities -Tivat
PE "Sports Centre" -Cetinje
PE "Waterworks and Sewerage" Kotor
Directorate for Planning and Construction of Kotor
PUC Kotor
PEC Berane
PI Centre for Social Work Berane, Andrijevisa and Petnjica
PE Maintenance of Local Roads - Pljevlja
PI Day Centre for Children and Youth with Disabilities and Developmental Difficulties - Pljevlja
PE "Waterworks and Sewerage"-Bar
PE Utility Services -Bar
New Tobacco Plant Podgorica
Funeral Services Podgorica
"Fruits of Montenegro" - JSC Podgorica
PI Centre for Social Work Pljevlja and Žabljak
Project Consulting
PE "Waterworks and Sewerage" - Ulcinj
Tourist Organization -Rožaje
PE Cleanliness - Pljevlja
PI Anderva Nikšić
Utilities Kotor LLC
Innovation and Entrepreneurship Centre
PE Sports Facilities Podgorica
Maritime Museum of Montenegro
Tourist Organization of Plav
PE for Housing Activity Plav
PE Sports and Recreation Centre Bar
Technopolis Nikšić
Tourist Organization of Plužine
Agency for Housing and Commercial Fund Pljevlja
PE "Waterworks and Sewerage" - Cetinje
PE "Waterworks and Sewerage" - Tivat
PI Centre for Culture -Tivat
PE "Heating" -Pljevlja
PI Centre for Culture -Bar



LLC "Academy of Knowledge" – Budva
PE "Mediterranean advertisements" – Budva
Sports Centre Igalo LLC
Sports Centre NK
PE Bus Station of Nikšić
PI "Museums, Gallery, and Library" - Budva
Parking Service Budva
PE Utility Services – Šavnik (Maintenance and Construction of Šavnik)
Foundation "Kotor Festival of Children's Theatre" – Kotor
Memorial Home Red Commune
PE Waterworks –Pljevlja
PI Day Care Centre Pljevlja
PI Centre for Vocational Education
PUC Nikšić
PUC Cetinje
PI Centre for Education and Training "1 June" Podgorica
PI Day Care Centre Lipa
Diaspora Centre
PE "Waterworks and Sewerage" Nikšić
PI Centre for Social Work Plužine, Nikšić and Šavnik
PE "Waterworks and Sewerage" Berane
PI Nikšić theatre
PI for Children Recreation Lovćen, Bečić and Cetinje
PI National Library and Reading Room "Njegoš" - Cetinje
PI Natural History Museum of Montenegro
LLC Eco Village "Štavna" –Andrijevića
PE "Waterworks and Sewerage" Kolašin
Tourist Organization of Kolašin
Utilities Kolašin
Chamber of Engineers of Montenegro
Centre for Culture -Danilovgrad
Utilities -Ulcinj
Sports Centre -Rožaje
PE Utilities -Rožaje
Library of Budva
PI Sports Hall Tivat
University Library
Tourist Organization of Podgorica
Budva Holding
PE Regional Waterworks, Coast - Budva
Sports and Recreation Centre – Budva
Sports and recreation centre Mediterranean – Budva
Tourist Organization of DG

