

Delegation of the European Union to Montenegro

H.E. Johann Sattler, Head of the Delegation

Podgorica, 30 January 2025

Subject: Obstruction of the implementation of the Law on Audiovisual Media Services in the Parliament of Montenegro and the blocking of the functioning of the Agency for Audiovisual Media Services

Dear Mr. Sattler,

We take this opportunity to inform you that, on 24 January 2025, the **President of the Parliament of Montenegro, Mr. Andrija Mandić, annulled the public call for the appointment of two members of the Council of the Agency for Audiovisual Media Services** and to this day he has **not offered a substantive explanation for his decision.**

The **Law on Audiovisual Media Services was adopted in June 2024 within the so-called IBAR law package** and it was one of the conditions for obtaining a positive IBAR assessment. Furthermore, **the adoption of media laws (especially the Law on Audiovisual Media Services) was one of the conditions for fulfilling the final benchmarks to provisionally close Chapter 10 - Information Society and Media.** The **second final benchmark** in Chapter 10 relates to the functional and independent operation of the regulatory body for electronic media, i.e., the **Agency for Audiovisual Media Services.** Acting of the President of the Parliament and the Administrative Committee is **in contradiction with this** and poses a **serious risk to Montenegro's commitments in the EU accession process.**

The **President of the Parliament and the Administrative Committee continuously obstructed the implementation of this law.** Instead of launching the public call in June, as required, it was only announced on 10 December, following repeated inquiries from non-governmental organizations and the EU Delegation.

The public call invited NGOs from the media sector to nominate one member of the Agency's Council. Additionally, the Montenegrin Academy of Sciences and Arts (CANU) and the Montenegrin P.E.N. Center were invited to nominate another member. Under the new Law on Audiovisual Media Services, NGOs from the media sector were required to provide extensive documentation proving their engagement in media-related work over the past three years. The deadline for submission was 45 days, expiring on 24 January 2025. However, **on the last day of this deadline, the call was annulled for reasons that remain unclear to the public.** The purported justification for annulling the public call was a **"technical error that could have caused confusion."**

We would like to point out that two NGO candidates from the media sector applied. One of them, Dragoljub Vuković, had the support of 14 NGOs that met the criteria, while the other candidate, Nikola Vujanović, was supported by one NGO. Additionally, the Montenegrin P.E.N. Center nominated its representative for the second vacant Council position. These facts clearly demonstrate **that there was neither confusion nor a technical error, but rather a politically motivated obstruction of the process.**

As a **direct consequence** of the annulment of the public call and the halting of the appointment process for two Council members, the **Agency's Council currently consists of only three out of five members.** This means that **all decisions must be made unanimously** for the Agency to function. If just one member is absent from the Council sessions or votes against the other two members, the Agency will be unable to perform its legally mandated functions (e.g. issuing second-instance decisions on appeals from legal and natural persons). Moreover, if any other Council member were to leave, the Council would be entirely blocked from making decisions. Conducting a new appointment process for

the two missing Council members will take **at least two months**, rendering the **Agency non-functional** for the entire period.

In light of these developments, we **kindly urge you to use your authority to remind the leadership of the Montenegrin Parliament that implementation of this law is part of the negotiation process** and hence and support our efforts to ensure the uninterrupted functioning of the Agency for Audiovisual Media Services.

We greatly appreciate your attention to this matter and look forward to your response.

Respectfully,



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Milka Tadić Mijović, Center for Investigative Journalism (CIN-CG)
Tea Gorjanc Prelević, Human Rights Action (HRA)
Olivera Nikolić, Montenegro Media Institute (IMCG)
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