

**INITIATIVE AGAINST AMENDMENTS TO MEDIA LAWS
IN THE PART RELATED TO THE APPOINTMENT OF MEMBERS OF THE RTCG COUNCIL AND THE
AVM SERVICES AGENCY**

We, the undersigned civil society organizations, submit this initiative to all parliamentary clubs in the Parliament of Montenegro, calling for the media laws not to be amended in the part related to the appointment procedures for members of the Council of the Public Service RTCG, the Council of the Agency for Audiovisual Media Services, and the councils of local public broadcasters.

This initiative is prompted by information reported in the media, and confirmed by certain MPs of the ruling majority, that a group of around thirty NGOs submitted an initiative earlier this year requesting changes to the media laws to allow for the appointment of NGO representatives to these key governing bodies to be made by political parties, rather than by NGOs themselves, which are currently required to meet clearly defined legal criteria.

Without going into the motives of those NGOs, which are calling for these changes right before the selection of new council members, we underline that the proposed changes would be a step backward from the so-called IBAR laws, adopted in June 2024 to accelerate Montenegro's EU integration process. Such changes would open the door to even greater political influence over the RTCG Council, local public broadcasters, and the regulator – Agency for AVM services.

We also remind MPs that **representatives of civil society organizations within the working group for drafting the media laws supported the current legal provisions** regarding the selection process for NGO representatives in the councils.

We believe that the provisions in the Law on the National Public Broadcaster – Public Media Service of Montenegro and the Law on Audiovisual Media Services should not be amended, as they clearly define the criteria for selecting members of the Councils of these institutions, requiring a VII-1 level of professional qualifications and at least 10 years of work experience. Additionally, the new media laws prescribe a procedure for selecting members of the RTCG Council and the Council of the Agency for AVM Services that limits undue influence by political parties in the appointment process, by ensuring that NGO representatives in these bodies are not appointed by MPs through the Parliamentary Administrative Committee, but rather elected by NGOs that meet demanding criteria proving their active engagement in the areas defined by law. The current legal framework, which has tightened the eligibility criteria for Council membership, is designed to ensure greater independence of the RTCG Council and the Council of the AVM Agency, and consequently, greater autonomy of the RTCG and AVM Agency management. This is also a requirement and obligation that the state of Montenegro must fulfil on its path toward EU membership.

We strongly oppose the lowering of the prescribed criteria, as the management of these important institutions must be entrusted to individuals with proven experience, education, and both

professional and personal integrity. There is no sustainable argument for amending the so-called IBAR laws to allow individuals with only a bachelor's degree (three-year studies) and just five years of work experience to become members of the councils, instead of those holding a Level VII1 qualification and at least ten years of professional experience.

The legal provisions cited by that group of NGOs advocating for amendments to the so-called IBAR laws, which were in effect until June 2024, **were inadequate, which is precisely why they were changed. The new, current legal solutions have been endorsed by European institutions,** being recognized as a step forward in ensuring greater autonomy in the governance and oversight of public broadcasters and the Agency for AVM Services. **It is not in the public interest that representatives of CSOs in the RTCG Council and the AVM Agency Council are selected by majority MPs in the Administrative Committee, regardless of who holds the majority, as the objective is autonomous governance, independent from political power.**

Since the adoption of the first Law on RTCG, which was aligned with European standards and practices (in 2002), the right to nominate representatives from civil society has belonged exclusively to NGOs within specific categories (human rights, media, environmental protection, culture, etc.), **and never to MPs - precisely to prevent undue political influence over the RTCG Council and the broadcaster's editorial policy.**

The provisions contained in the current media laws stipulate that only NGOs meeting strict criteria may participate in the appointment process: they must be registered at least three years prior to the announcement of the call for Council member selection, and must have had annual budgets of at least €3,000 in the previous three years, of which at least €2,000 must have been allocated to projects in the field in which they are proposing a candidate. Therefore, it is a **disgraceful manipulation to suggest that Council members from the NGO sector should be selected based merely on the number of "signatures and stamps" from NGOs.** These new legal provisions exactly ensure that **only active NGOs can participate in nominating** their representatives to the RTCG Council. **App. 1,000 registered NGOs meet these conditions across various fields and are qualified to take part in the selection process for members of the RTCG Council, local public broadcaster councils, and the Council of the AVM Agency.**

Political parties in the Administrative Committee should not decide on NGO representatives in these councils, just as they do not intervene in nominations from the Chamber of Commerce, Montenegrin Academy of Sciences and Arts (CANU), or the Olympic Committee - all of which nominate their own representatives.

The selection process of governance and oversight structures for public broadcasters and the Agency for AVM Services determines the management of key media institutions. Greater political involvement in the selection process increases political influence over management structures and undermines the autonomy of public broadcasters and regulator. **Only representatives of NGOs appointed by the NGOs themselves have the legitimacy to represent the interests of the public, because if they are appointed by political parties, they will inevitably be accountable to and represent the interests of those parties.**

A return to the previous legal framework would reaffirm a model for appointing members of the Council whose clearest example is the current RTCG Council, where political party representatives sit under the guise of NGO delegates. **This same Council unlawfully appointed the Director General of RTCG on two occasions - decisions that were overturned by final court rulings and are now subject to**

further legal proceedings. This has caused **significant damage to the state of Montenegro**, as highlighted in international reports.

We urge MPs to be aware that **Chapter 10 (Information Society and Media)**, although provisionally closed, could be reopened if the amendments to media legislation reintroduce or formalize political influence over RTCG and the Agency for AVM Services. We remind that the **second closing benchmark under Chapter 10** requires the **Agency for AVM Services to function in a professional and independent manner, which is impossible if it is under political control.**

We draw the attention of MPs to the fact that, **in 2024, the European Union adopted the binding Media Freedom Act, which requires harmonization of our national legislation.** This Act emphasizes the **independence of public media services and the prevention of political or any other influence on their work, as well as the independence of media regulators (such as the Agency for AVM Services).**

We call on MPs to reject the proposed legal amendments that would undermine the governance autonomy of public broadcasters and the media regulator, as such changes would represent a step backward from the current framework aimed at promoting the professionalization of public media and the Agency for AVM Services, a violation of the so-called IBAR laws, and a direct threat to Montenegro's European integration path.

We, the undersigned civil society organizations, along with many other NGOs that operate independently, want to retain the right to select our own representatives through a process that allows only active and credible NGOs to contribute to the development and professionalization of institutions, while genuinely representing the diversity and entirety of society.

The initiative is submitted by:

1. Media Center, Goran Đurović
2. Trade Union of Media of Montenegro, Radimir Kračković
3. Union of Free Trade Unions of Montenegro, Srđa Keković
4. Center for Investigative Journalism of Montenegro (CIN-CG), Milka Tadić Mijović
5. Human Rights Action (HRA), Tea Gorjanc Prelević
6. Montenegrin Media Institute, Olivera Nikolić
7. NGO Juventas, Ivana Vujović
8. Centre for Civic Education (CCE), Daliborka Uljarević
9. NGO Prima, Aida Perović
10. Association of Lawyers of Montenegro, Branislav Radulović
11. BIRN, Vuk Maraš
12. Center for Women's and Peace Education ANIMA, Ljupka Kovačević
13. NGO 35mm, Darko Ivanović
14. Association SPEKTRA, Jovan Ulićević
15. Montenegrin PEN Center, Adnan Čirgić
16. Center for Monitoring and Research (CeMI), Zlatko Vujović
17. Faculty for Montenegrin Language and Literature (FCKJ), Aleksandar Radoman
18. Equal Rights Association for LGBTI Persons (ERA), Danijel Kalezić
19. Montenegrin Women's Lobby, Aida Petrović
20. Montenegrin LGBTIQ Association Queer Montenegro, Staša Baštrica
21. Women's Rights Center (WRC), Maja Raičević
22. Centre for Development of Non-Governmental Organizations (CRNVO), Zorana Marković

23. Association of Youth with Disabilities of Montenegro (UMHCG), Marina Vujačić
24. Green Home, Azra Vuković
25. CAZAS, Mišo Pejković
26. SOS Phone for Women and Children Victims of Violence Podgorica, Biljana Zeković
27. SOS Phone for Women and Children Victims of Violence Berane, Radmila Anđić
28. SOS Phone for Women and Children Victims of Violence Plav, Esmeralda Šuvahić
29. Sociological Centre of Montenegro (SOCEN), Nikoleta Đukanović
30. Center for Civil Liberties (CEGAS), Marija Popović Kalezić
31. Union of Young Entrepreneurs of Montenegro (UMPCG), Uroš Bulatović
32. NGO NADA - Herceg Novi, Marina Vuksanović
33. NGO Natura, Mikan Medenica
34. Open Centre Bona fide, Sabina Talović
35. Media Team, Duško Marković
36. NGO Ikre, Velida Hodžić
37. NGO Gradionica, Goran Janković
38. NGO Association of Parents of Children with Disabilities – Podgorica, Milisav Korać
39. Network for European Policies MASTER, Andrea Popović
40. NGO Association for Affirmation and Support to Youth – Podgorica, Savo Jovović
41. NGO Association for Support to Children with Disabilities and Their Families of Montenegro – Podgorica, Dragana Pešikan
42. NGO Vuča – Berane, Vučeta Korać
43. NGO Vunov lom, Branislav Šekularac
44. NGO SOS Phone for Women and Children Victims of Violence Bijelo Polje, Nada Ristanović
45. NGO Manifest, Mirsad Lukač
46. Bijelo Polje Network of NGOs, Uglješa Prebiračević
47. NGO European Youth Centre of Montenegro, Mladen Španjević
48. NGO Agro Centre, Ljubomir Radović
49. Centre for Roma Initiatives (CRI), Fana Delija
50. NGO Bijelo Polje Democratic Centre, Zdravko Janjušević
51. Defendology – Centre for Security, Sociological and Criminological Research of Montenegro, Slavko Milić
52. Association for the Protection of Workers' and Unemployed Persons' Rights of the Municipality of Bijelo Polje, Drago Zeković
53. NGO E-Roma, Ismet Selimović
54. Roma Association "New Path", Safet Selimović
55. NGO Democratic Progress, Mirko Rakonjac
56. NGO Green Action, Božidar Rogović
57. NGO Ecological Society Breznica Pljevlja, Miloran Mitrović
58. NGO Youth Association Alternative Pljevlja, Alija Šljulka
59. Association for the Development of Democracy and Civil Society, Stefan Fušić
60. NGO Wheel of Life Mojkovac, Miodrag Kalezić
61. NGO Centre for Information and Survey Research – BP Megafon, Svetislav Perišić
62. Centre for the Development of Democracy and Human Rights, Snežana Konatar
63. NGO Centre for Advancement and Development Mioče, Momčilo Sarić
64. NGO Super Stars A1 Plav, Milorad Vuković
65. NGO Fight for the Inclusion of Persons with Disabilities – BIOS, Miroslav Božović
66. Multimedia Studio Bijelo Polje, Ruzmir Osmanović
67. NGO Green Valley, Zihno Omerović

68. Association of Pensioners and Labor Invalids with the Lowest Incomes, Marko Hajduković
69. Association for the Development of Civil Society, Mirsala Tomić
70. NGO Bihor Parliament, Safet Adžibulić
71. NGO Multimedial Montenegro, Željko Đukić
72. NGO Bonum Pljevlja, Ruždija Strujić
73. Centre for the Development of Durmitor, Darko Stijepović
74. NGO Wave of Bihor, Samir Rastoder
75. NGO Giacomo Adriatic, Azra Hrapović
76. Association of Deaf and Hard-of-Hearing Veterans, Velibor Tomović
77. Association of Persons with Disabilities Petnjica, Denis Ramdedović
78. Association of Voluntary Blood Donors Petnjica, Enver Rastoder
79. Cultural and Artistic Society BIHOR, Sinan Tiganj
80. NGO BEHAR – Centre for the Study of the Cultural Heritage of Muslims-Bosniaks in Montenegro, Rifat Vesković
81. NGO Knowledge Attitude Behaviour – Began, Beća Čoković
82. Local Youth Council – Pljevlja, Ljubiša Lečić
83. NGO Green Action Herceg Novi, Dragomir Mitrović
84. NGO Tourist Information Centre Herceg Novi, Ivan Savchenko
85. NEW HORIZON, Nazif Velić
86. SOS Phone for Women and Children Victims of Violence Ulcinj, Hatixhe Nelaj
87. EDUCO PLUS, Almedina Dodić
88. NGO UL INFO, Mustafa Canka
89. NGO Our Voice:UL, Enes Uković
90. Animal Protection Society – FENIX Cetinje, Julija Milanović
91. NGO Optimists, Boško Milović
92. Women’s Action, Slavica Striković
93. NOVA – Centre for Feminist Culture, Nataša Nelević
94. Association Centre of the North, Boris Nedović
95. Association Sua Sponte Bar, Radomir Petrić
96. NGO Active Zone, Miloš Marković
97. NGO Association of Local Broadcasters from the North, Buljana Rudić
98. NGO Life with Diabetes LIFE, Miranda Ćurčija
99. NGO Ray of Sun (Zrak sunca), Ljiljana Krstić
100. Association Herceg Novi Initiative, Mladen Rostović
101. NGO Ksena, Sanja Crnić