



OPERATING EUROVISION AND EURORADIO

DATE

15 November 2017

BY EMAIL

Mr. Ivan Brajović

President of the Parliament of
Montenegro

REFERENCE

DGO/rb/sg

Dear Mister President,

As Director General of the European Broadcasting Union, the professional association of Europe's public service broadcasters, I write to ask for your crucial support to ensure the decision-making capacity of the Supervisory Council of the Montenegrin public broadcaster RTCG.

The Supervisory Council is the strategic decision making body of RTCG and takes important decisions about investments and the financial plans and outputs of the broadcaster. RTCG is in a process of important reforms under the current management and disabling the Council to take decisions would have a detrimental effect not only on the current reforms, but even more important on the public broadcaster's capacity to fulfil its remit to the society.

RTCG is a valuable Member of the EBU. The EBU has been providing a long-term strategic, professional and legal assistance for the reforms and the transition of RTCG and has supported RTCG in the development of its current Strategy. The strategy document is based on the public service media principles of editorial independence and operational autonomy.

We are acknowledging the continuous efforts, which the RTCG management and its Supervisory Council are doing to fulfil the remit of public service broadcasting to inform, educate and entertain the citizens and all segments of the society in line with European standards and best practices. As an EBU Member, RTCG is strongly committed to implement in practice the values of PSM adopted unanimously by all EBU Members at the General Assembly in Strasbourg in 2012. These values are the backbones of PSM's credibility and trust in the society and they are independence, universality, diversity, accountability, innovation and excellence.

The EU Commissioner for Enlargement Johannes Hahn just recently mentioned at the EU Western Balkan Media Days in Tirana on 8-9 November, that the EU is working on a Strategy for the region and it is going to focus on assessment of EU candidates' embedment of the values of the European Union.

We would like also to acknowledge the fact that RTCG is the only Member in the Western Balkan region that has established its own investigative editorial unit; this stimulates and provides an excellent example to other broadcasters in the region.

In this situation, we are deeply concerned that procedures recently initiated against some Members of the RTCG Supervisory Council may lead to a paralysis of the work of the Council and thus obstruct the continuation of the positive development of RTCG.

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We understand that according to Article 46 of the Law on RTCG, the RTCG Council can no longer take valid decisions if, due to the termination of certain members' terms, the number of the members is less than seven. This means that if more than two Members resign, are forced to resign, or are recalled by Parliament, the Council loses its capacity to act, thus not only blocking further transformation of RTCG but also calling into question the effective fulfilment of its public service remit.

In view of this risk, we count on the Parliament to ensure the continued capacity of the RTCG Council to act, as the public service broadcaster's supreme decision-making body.

In particular, we appeal to the Parliament to refrain from any hasty decisions to recall Members of the Council. Such decisions should only be taken following the completion of an independent examination of all facts, and after giving Council Members concerned the opportunity to explain the circumstances. Where judicial proceedings are already pending, we would expect Parliament to suspend the procedure and wait for the Court's decision.

In any event, Parliament should take due care of maintaining the minimum level of seven Council Members at all times, which is of key importance for the proper functioning of the public service broadcaster, in particular in the run-up to elections next year.

The EBU is ready to share experience and best practices of Supervisory Councils within its membership.

Sincerely,

Noel Curran
Director-General

Copy to: Aivo Orav, Head of the EU Delegation to Montenegro

Zoran Pažin, Vice-President of the Government of Montenegro

Maryse Daviet, Head of the OSCE Mission in Montenegro

Vladimir Pavićević, President of the RTCG Council