

Press release on reply to the Ministry of Public Administration

The Council of the Agency for Electronic Media is surprised by the level of misconception of the essence of the media and the role they play in the society shown by the Ministry of Public Administration in its reply to our press release. We cannot help but notice that the Ministry does not understand why it is necessary for an authority regulating the work of electronic media to be independent from the government's influence on its work.

Therefore, we would like to remind the line ministry that media independence is *condition sine qua non* of objective media reporting. In order to prevent any political interference with the media activities and their objectivity, it is necessary to keep the authority regulating their work independent.

In the previous several decades, Europe has been actively dealing with this topic through different documents, mainly through the Council of Europe. All recommendations adopted by the Committee of Ministers of the Council of Europe related to the electronic media regulators underline the necessity to protect the operation these authorities from any political interference. This was not done for the sake of the regulators, but to prevent the political influence on the media and safeguard their independence. We hope it is not necessary to remind you of the role and importance of media for every democratic society.

It is true that you can find the European Union Member States in which the Government appoints the managing structures of the regulatory authorities. It is necessary to keep in mind, however, that these are the countries with long democratic traditions, that the remit of regulators in such systems is much more limited than in the case of Montenegro and that some countries have convergent regulators for media and telecommunications. However, the above is not true for Montenegro and its regulator.

The practice of certain European countries you invoke will become history as of the next month. As we mentioned in our press release, a new Audiovisual Media Services Directive has been prepared after a two-year harmonization period, demanding from the Member States in Article 30 to ensure absolute independence of the electronic media regulators from the Member States' governments. We would also like to remind you that adoption of the new directive by the European Parliament has been planned for the next month. The transposition of this directive to national legislation is binding for all EU Member States, as well as for candidate countries.

Finally, your argument that you have provided the independence of the Agency's work by the law is completely unsubstantiated. You failed to explain how the regulator whose management is appointed by the government will be independent from it. Montenegro used to have such a body during Communism, and it was called the Information Committee. Would you like to have such a solution in this day and age?

Moreover, you keep persisting in your replies that the European Commission has provided consent to such legal provisions. It would be good, for the sake of general public, if you could publish the document in which the European Commission allegedly supports the model according to which the electronic media regulator is under direct control of the government.