



**Organization for Security and Co-operation in Europe  
The Representative on Freedom of the Media  
Miklós Haraszi**

**13 November 2008**

## **The State of Media Freedom in Montenegro**

### **Observations and Recommendations**

The OSCE Representative on Freedom of the Media (RFOM), Miklós Haraszi, visited Montenegro on 16-18 July 2008. He had been invited by the Minister of Culture, Sport and Media on behalf of the Government of Montenegro, in order to assess the current state of media freedom in the OSCE's newest participating State. He was accompanied by Arnaud Amouroux, Project Officer<sup>1</sup>.

The RFOM met with government officials, media authorities, journalists and representatives of non-governmental organizations.

Officials of the Republic of Montenegro with whom he met included:

Filip Vujanovic, President of the Republic of Montenegro;  
Ranko Krivokapic, Speaker of Parliament;  
Milo Djukanovic, Prime Minister;  
Milan Rocen, Minister for Foreign Affairs;  
Andrija Lompar, Minister of Transport, Maritime Affairs and Telecommunications;  
Branislav Micunovic, Minister of Culture, Sport and Media;  
Miras Radovic, Minister of Justice.

Others with whom he held meetings included:

Abaz-Beli Dzafic, Director of the Broadcasting Agency (BA);  
Jadranka Vojvodic, Deputy Director of the BA;  
Djordje Vujnovic, Adviser to the Director of the BA;

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<sup>1</sup> Previously, on 7-8 July, he also participated in the roundtable "Broadcasting Parliament Sessions – International Practices and Experiences," convened in Podgorica by the Parliament of Montenegro and the OSCE Mission to Montenegro.

Branislav Calic, Chairman of the Council of Radio and Television of Montenegro (RTCG);  
Budimir Raicevic, Director of Radio CG;  
Radojka Rutovic, Chief Editor of Television CG;  
Valentina Scekic, Marketing Director, RTCG.

Radojica Bulatovic, Executive Director, Montenegro Media Institute (MMI);  
Daniela Seferovic, Program Director, MMI;

Mihailo Jovovic, Newsroom manager, *Vijesti*;  
Lisa C. McLean, Senior Resident Director, NDI;  
Mladen Milutinovic, Director, *Dan*;  
Mirsad Rastoder, Chairman of the Journalists' Self-Regulatory Body (JSRB);  
Milka Tadic-Mijovic, Editor, *Monitor*;  
Ranko Vujovic, Executive Director, Union of Independent Electronic Media of Montenegro (UNEM).

The RFOM also met with foreign diplomats posted in Podgorica, as well as with representatives of the European Commission and the Council of Europe.

The RFOM wishes to extend his gratitude to Ambassador Vesko Garcevic, Permanent Representative of Montenegro to the OSCE, and Ambassador Paraschiva Badescu, Head of the OSCE Mission to Montenegro, and her staff, for their crucial support.

Recommendations on how to further strengthen freedom of the media in Montenegro can be found at the end of each chapter and in the conclusions of this report.

## **I. General Overview**

***In general, the media situation in Montenegro is largely commendable.***

There is a high degree of media pluralism in the country, in terms of both the quantity of media outlets and the different views that are represented.

***Montenegro has an exemplary ban on state ownership of the media. The privatization of the press is almost complete.***

Montenegro's 2003 Media Law bans State ownership of the press. Article 7 states: "The Republic, local authorities or legal entities, the majority share of which is owned by the state, or completely or in a greater part funded from the public revenues, shall not be the founder of media, except under the conditions prescribed by the Broadcasting Law."

The mere existence of this piece of legislation is praiseworthy, and could serve as a ‘best practice’ model for OSCE participating States with preserved or even bolstered state ownership of media.

The Government strives to finalize the privatization of *Pobjeda*, the one remaining State-owned daily. At the end of 2007, at a public tender for a majority stake in the publisher of *Pobjeda*, no company expressed interest, because of the high debts swamping the paper. The State has recently launched another tender whose results remain to be seen.

Montenegro has an exceptionally high number of electronic and print media outlets – roughly 70 in a country of an estimated 680,000 inhabitants. Considering the abundance of outlets, many observers foresee that a healthy collapse of the market will come in the future. The Government is right to refrain from unduly interfering in this process.

Commercial broadcasters are to a great extent independent, but poor finances jeopardize their activity, professionalism and prospects.

***The legal framework for a free media is generally in line with OSCE commitments.***

The Constitution of Montenegro, adopted in October 2007, guarantees freedom of expression “through speech, the written word, pictures or any other way” (article 47), as well as freedom of the press (article 49), prohibition of censorship (article 50) and access to information (article 51).

Most key laws were adopted in 2002 (i.e. the Media Law, Broadcasting Law, and Law on Public Broadcasting Services). These provide a solid basis for the development of the media community and the protection of free speech. The inconsistent implementation of regulations, however, has remained a problem.

Following a legal reform in 2003, libel and insult are not punished anymore with incarceration. This is a positive development, albeit ‘libel’ (or ‘defamation’) and ‘insult’ remain crimes punished with a fine (Articles 195 and 196 of the Criminal Code).

***Montenegro’s unarguably pluralistic scene is still accompanied by certain unresolved shortcomings and disputed issues.***

At the time of the RFOM visits in July, two draft laws that undoubtedly will have great implications on the free media environment were under heated debate.

One of these was the then-draft Law On Electronic Communications, which was under debate when the RFOM visited Montenegro. Unfortunately, this law was passed after the RFOM's visit without any substantial improvements in its provisions that practically

downgrade the competences and autonomy of the Broadcasting Agency (BA). (See Chapter II).

The other major controversy involves the law regulating the Public-Service Broadcaster of Montenegro (RTCG). The amendments to the RTCG law are still under consideration at the time when this report is published. Also, earlier, the decision by RTCG not to provide live coverage of all parliamentary sessions had prompted opposition parties to boycott plenary sessions of Parliament. (For RTCG-related issues, see Chapter III.)

The RFOM took part in a special roundtable on the topic of parliamentary broadcasting, held on 7-8 July in Podgorica, and made the point that the crisis, though politicized, had its roots in RTCG's insecure sources of financing, due in part to a poorly functioning system of fee collection. As a result of the OSCE Mission's mediating efforts and the personal engagement of its head, Ambassador Paraschiva Badescu, a temporary solution to the parliamentary broadcast coverage issue was reached in October 2008.

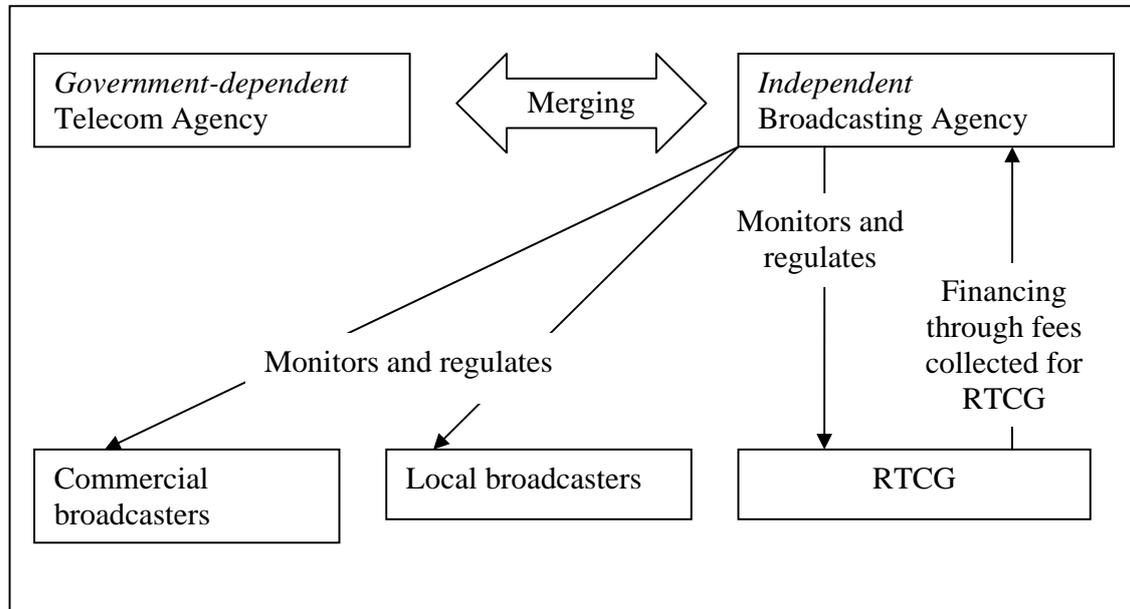
The lack of progress in investigating some of the cases of violence against journalists provides another source of tension in Montenegro's record of media freedom (see Chapter IV).

Montenegro is one of the OSCE participating states that have done away with prison sentences for libel. However, civil courts continue to award disproportionately high compensation for cases of defamation. These exert an overall chilling effect on journalists and media outlets (see Chapter V).

In this respect, bolstering the Montenegrin media's self-regulatory mechanisms would help decrease the number of complaints and boost investigative journalism (see Chapter VI).

## II. The new Law on Electronic Communications and the independence of the Broadcasting Agency

Chart: The Broadcasting Problem Fields in Montenegro



### ***A well-performing regulator with an uncertain future***

Unfortunately, the institutional solutions pursued by the new Law on Electronic Communications put the independence of Montenegro's otherwise well-functioning Broadcasting Agency (BA) into question.

The new law merges the technical sector of the BA, which decides on the allocation of frequencies when it licenses the broadcasters of the country, with the Government-dependent Agency for Telecommunications to create a new body, the Agency for Electronic Communications and Postal Activity, which will be established and controlled by the Government.

The BA had won praise throughout Europe as an exemplary institution, both for the autonomy it has enjoyed and for the professionalism of its staff.

The BA and the Agency for Telecommunications have cooperated well in the past. The Ministry of Transport and Telecommunications, which prepared the new Law, offered no clear reasoning for merging the two regulators in a way that puts the licensing body's important functions under Government control.

The now-defunct Broadcasting Law, adopted in September 2002, established a best practice model for the appointment of the BA, which is responsible for licensing broadcasters and other key regulatory functions. A number of stakeholders nominated

members of an oversight Agency Council, and these appointments were then submitted to Parliament for ratification.

In stark contrast, the new Law provides that members of the proposed Council of the Agency for Electronic Communications and Postal Services "shall be appointed by the Government, upon the Ministry proposal."

The precise relationship between the old BA and the new Agency is still not clear. Among other things, the Law provides for the new Agency to take over assets and staff of the BA, although it does not appear to formally abolish the latter.

### ***A hasty procedure***

During his visit, the RFOM held a roundtable discussion between various institutions and state mechanisms involved in the proposed legal change. He recommended a longer period of negotiation so that objections could be addressed and a satisfactory solution found before the law was passed. It was his position that such a solution would preserve the independence of the oversight of the broadcast licensing decisions presently managed by the BA, and at the same time care for the unified technical oversight of telecommunications, brought in by the new law as necessary in the times of convergence of all platforms into digital ones.

Unfortunately such a result was not achieved, neither were assurances from state officials regarding the negotiation process upheld.

During his visits, the RFOM received assurances from government officials, including the Prime Minister, the Speaker of Parliament and the Minister of Transport and Telecommunications, that a longer consultation period would take place.

Despite this, on July 29, only days after the RFOM's visit, Parliament approved the draft law in an unchanged shape and form, together with some 30 other laws. Amendments proposed to improve the draft law, including those brought by the BA, were not given the study they deserved. What's more, the vote took place in the absence of opposition MPs, who were still boycotting Parliamentary sessions to protest the lack of live TV coverage.

With the draft now enacted as law, the RFOM recommends that Parliament amends the law to correct the omissions. There are several compelling reasons for this:

-- One, for constitutional reasons: The Government must provide pro-active care for media pluralism. A key guarantee of this is the independence of the licensing process. Unfortunately, under the new law, some indispensable elements of the licensing functions of the BA will be carried out by Government-appointed officials. It is not clear what BA's role in the licensing process will be, and how it will be represented in the bodies that decide on tenders.

It is a well-established principle under international law that bodies that exercise regulatory or other decisive powers over the media should be protected against political interference. A body whose members are appointed by the government does not meet the required standard.

-- Two, for practical reasons: The amendments suggested by the BA and supported by the RFOM would have precluded a double-headed, two-stop licensing, where the decision about licensing is preceded by a decision about the available frequency, made by a different body.

-- Thirdly, for political reasons: A legal setup that theoretically allows for arbitrary or biased decision-making (and the double-headed mechanism falls into this category) leads to a lack of public trust.

### **Recommendations:**

- Montenegrin authorities should continue their efforts to comply with the Media Law, which bans State ownership of the press, and complete the privatization of *Pobjeda*, the only remaining State-owned daily.
- The Montenegrin authorities should start work on new amendments to the Law on Electronic Communications. The new provisions should avoid a double-headed, two-stop licensing setup, in order to provide transparency and accountability in decision-making. They should guarantee the independence of the oversight of the licensing process, in order to provide due care for media pluralism. At least the appeals against the licensing decisions should be placed with a fully independent body empowered to cancel the disputed decisions if found faulty or at variance with the interests of a pluralistic media scene.
- Successful solutions of merging telecommunications and broadcasting authorities, such as at Ofcom in the United Kingdom or at FCC in the U.S., could be studied.
- Before passing such new amendments, the authorities of Montenegro are urged to submit the draft to a review by international experts, such as the competent services of the Council of Europe. Obviously, the RFOM also stands ready to lend expertise.

### **III. Amendments to the RTCG law**

Another source of discussion and concern that was raised by the RFOM during his visits was the fate of the Public-Service Broadcaster of Montenegro (RTCG). At the time this report was being written, the Draft Law on modifications and amendments to the Law on Public-Service Broadcasting was still under discussion.

Although the hitherto tabled amendments contain some improvements, such as the downsizing of RTCG staff, they also introduce novelties that are questionable from the point of view of the overall independence of the public-service broadcaster. These include a new method for electing Council members, who will now be appointed by a majority of votes in Parliament, and the failure to resolve the RTCG's ongoing financing problems. (See the discussion below.)

### ***Undue political influence in the proposed appointment procedure***

The RFOM subscribes to recommendations spelled out by the freedom of expression watchdog *Article 19* in its own analysis of the Montenegro broadcasting law.<sup>2</sup>

- The list of those empowered to nominate members for the RTCG Council should be restricted to single entities, or very small groups of entities; large composite bodies should not be nominators.
- Nominators either should nominate a single candidate for parliamentary ratification, or a framework of rules should ensure that parliamentary decision-making regarding Council members is open and participatory.
- The law should include more detail as to the content of the reports that the RTCG Council is required to provide, along with a requirement to make these reports public.
- Greater detail on the complaints system should be added to the law, such as a requirement to adopt a code of conduct, and basic rules on the processing of complaints and remedies.

Under the current law, RTCG is supervised by civil society -- not by the Government or political parties. A total of 11 organizations, ranging from cultural institutions to trade unions and NGOs, nominate representatives to the Council. Parliament then verifies whether the nomination procedure complied with the RTCG Law. If the civil society organizations do not reach consensus on the nominees, the candidate with most signatures wins the nomination. Parliament merely ratifies the nominations with a simple majority; it has no right to change or add candidates.

However, in the proposed draft, Parliament does not only approve the board members but actually selects out of the two candidates which had received the largest support from authorized nominators.

The present process of appointment to the Council and the Managing Board was deliberately made complex in order to ensure that the nominators be immune to any pressure. Such practice should be continued in the future.

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<sup>2</sup> <http://www.article19.org/pdfs/analysis/montenegro-broadcasting-law.pdf>

### ***The license fee and the sustainable financing of RTCG***

Under the current distribution of license fees, RTCG is responsible for the fee collection. It can though contract out the collection. Itself then gets 75% of the total collected fee, 5% goes to the Broadcasting Agency, and local public services and commercial media receive 10% each.

But RTCG (or any public-service broadcaster) should not be pushed or even allowed to worry about the taxpayer-paid part of its revenues. The procedure should be automated, and the RTCG should receive its share of the collected license fees directly. Only this will result in a financially sustainable -- and politically independent -- RTCG.

Under the current system of collecting license fees from the public, they are paid as part of normal electricity bills. Under this system, introduced this year, the first reports indicated that RTCG may receive only 30 per cent of its full income. This is because the license fee part of the electricity bill is optional (detachable), meaning that anyone can choose not to pay it.

Making license fee collection automatic (or, alternatively, designating a specific percentage of state or tax revenues that will be automatically transferred to the public-service broadcaster) would avoid such uncertainties and at the same time make RTCG independent from arbitrary governmental decisions.

Legislators are urged to study the successful automation methods implemented in the United Kingdom, Georgia and Latvia. These prove that both fee collection and budget transfers can be automated.

If they choose to automate fee collection, the British method of making it defined several years in advance can be a model. Of course, a result-oriented fee collection method is another key element of success. The payment should not be made optional on the payee side.

Alternatively, given that low-income households of Montenegro may find it difficult to pay broadcast fees, the Georgian and Latvian methods of automated budget transfers could be the solution. Under this scheme, the law defines a constant percentage of the national income or of the overall income tax revenues, and this sum is automatically transferred to the public broadcasting system and all other recipients of the fee. (In Montenegro's case, for example, the BA also receives a share of the fee. .

Whatever model is chosen, the key factor in assessing its success will be the extent to which it contributes to the sustainability of the RTCG while at the same time precluding possibilities for political interference.

### ***The dispute over broadcasting of parliamentary sessions, and the opposition boycott***

The RFOM participated in the roundtable "Live Coverage of Parliament Sessions - International Practices and Experiences", organized on 7-8 July 2008 by the OSCE Mission in Podgorica.

In 2003, opposition parties walked out of Parliament after RTCG decided to end its live broadcasts of parliamentary sessions on the ground that such broadcasts would entail large expenses and obligations rather than earn income. The same scenario repeated itself in June 2008.

On 6 October 2008, with the help of mediation from the OSCE Mission, Parliament and RTCG reached agreement that some parliamentary sessions should be broadcast live.

#### **Recommendations:**

- The adoption of the Draft Law on modifications and amendments to the Law on RTCG should be preceded by a broad public and parliamentary discussion.
  - The present complex process of appointment to the Council and the Managing Board was designed to make the nominators immune to any pressure. Such practice should be continued in the future.
  - Article 19's detailed recommendations should be embraced:
    - The list of those empowered to nominate members for the RTCG Council should be restricted to single entities, or very small groups of entities; large composite bodies should not be nominators.
    - Nominators either should nominate a single candidate for parliamentary ratification, or a framework of rules should ensure that parliamentary decision-making regarding Council members is open and participatory.
    - The law should include more detail as to the content of the reports that the RTCG Council is required to provide, along with a requirement to make these reports public.
    - Greater detail on the complaints system should be added to the law, such as a requirement to adopt a code of conduct, and basic rules on the processing of complaints and remedies.
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- A de-commercialization reform of RTCG should be given proper consideration.
  - Greater independence for RTCG can only be achieved if its dependence on collection rates of fees or other taxpayer-paid revenues decreases.
  - Guaranteeing these revenues for a longer period of time – in other words, automating them – would be a substantial contribution to RTCG's financial, and therefore political, independence.

- Automation of income for RTCG can be carried out either through fee collection alone or through State financing. Both methods may be compatible with “automation”. It is advisable to study the British method of advance fee setting, or the Georgian and Latvian solutions, whereby a certain pre-set percentage of the state’s tax revenues is mechanically transferred to the fee recipients.

#### **IV. Unresolved cases of violence against media professionals**

In recent years, Montenegro has witnessed a disturbing series of violent acts against journalists. Some serious cases are still unresolved. OSCE media freedom commitments demand enhanced governmental concern for safe working conditions for journalists. A crime against a journalist is not a “normal” crime, but an attack against one of the foundations of a democratic society.

The unresolved cases include:

##### **The murder of *Dan*’s owner and editor-in-chief, Dusko Jovanovic**

Dusko Jovanovic, editor-in-chief of the opposition daily *Dan*, was shot dead in a drive-by killing in 2004. His murder has not yet been solved. Although suspects in this crime have been identified, they remain at large.

##### **The attack on journalist Mladen Stojovic**

On 23 May, 2008, Mladen Stojovic, a journalist with the daily *Danas* and Belgrade correspondent of the Podgorica-based daily *Vijesti*, was assaulted in his apartment in Bar. Beaten unconscious, he sustained severe injuries. The attack came five months after Stojovic had appeared on "Insider," an investigative series on B92 Television.

Although Stojovic himself has stated that the attack was not related to his journalistic work, I believe that the lack of progress in its investigation adds up to the chilling effect exerted on the professional media community.

The authorities must address lengthy police investigations and other obstacles in administering justice in cases of attacks against media professionals. Swift investigations and judicial proceedings will boost trust between citizens and the government.

##### **Recommendations:**

- All cases of threats, violence or even murders of journalists must be duly investigated in a timely and forthcoming manner, whose results are made clear to the public.

## **V. Defamation: a lack of full decriminalization and a chilling effect from disproportionate civil fines**

No one can be imprisoned for libel and insult in Montenegro due to the legal reform in 2003. This is very positive. However, 'libel' (or 'defamation') and 'insult' remain crimes albeit punished with a fine (Articles 195 and 196 of the Criminal Code).

Preferably, the adjudication of all verbal offences against honor and dignity should be placed into the domain of the civil law.

But two recent court cases show that civil law combined with disproportionately high fines can also endanger journalism in Montenegro:

### **Monitor vs. Emir Kusturica**

In November 2007, Andrej Nikolaidis, a writer and journalist from the weekly *Monitor*, was fined €5,000 after film director Emir Kusturica was found to have been defamed by an article published in June 2004. On appeal, the Higher Court in Podgorica increased the fine to €12,000.

### **Milo Djukanovic vs. Zeljko Ivanovic**

On the night of 1 September, 2007, three assailants wielding baseball bats and metal rods attacked Zeljko Ivanovic, the founder and director of the independent daily *Vijesti*, in downtown Podgorica. The perpetrators of this crime have been identified and convicted. They are currently serving prison terms.

In his comment immediately afterwards, Ivanovic called the attack "a greeting card" from Milo Djukanovic (at that time a former Prime Minister). As a result of this statement, in September 2007, (at the time of this report Prime Minister) Milo Djukanovic sued the independent daily *Vijesti* and its director Zeljko Ivanovic for €1 million, claiming damage to his reputation after statements saying Djukanovic and his "family" were responsible for an assault on Ivanovic.

Most media outlets had reported the comments made by Ivanovic that were ruled to be defamatory, but *Vijesti* was the only one Djukanovic chose to sue.

On 19 May 2008, a court in Podgorica ordered *Vijesti* and Ivanovic to pay Djukanovic €20,000.

In order to ensure safe working conditions for journalists, changes in both the law and in the mindsets of public officials are needed.

Both "libel/defamation" and "insult" should be decriminalized, and the system of punitive fines should be reformed according the international free speech standards stemming from the jurisdiction of the European Court of Human Rights:

- Proportionality: Fines should be proportionality commensurate with the gravity of the offence;
- Ceiling: maximum fines should not be “killing” for the media outlets;
- Public interest: High officials should come under a different system of scrutiny from ordinary citizens. To ensure free discussion of public issues, only reckless libel should be the basis for high officials to claim infringement of personality rights. Criticism intended in good faith to be in the public interest may contain factual inaccuracy.

**Recommendations:**

- The elimination of imprisonment as a punishment for libel is a positive development. This should go further, however. Libel and insult should be decriminalized completely. Journalists’ mistakes should be handled according to the existing provisions of the Civil Code.
- Such reforms should go hand in hand with the implementation of both a ceiling on civil fines and a determination that such fines should be calculated in a proportion that reflects the gravity of the offense.
- For the sake of uninhibited media discussion of important public issues, the law should make clear that public officials must show a greater degree of tolerance towards criticism, even when it contains factual inaccuracy, than average citizens can be expected to display (See the relevant case law of the European Court of Human Rights).

**VI. Media self-regulation**

The deficiencies of decriminalization, and the chilling effect from the practice of imposing high fines, have contributed to the limited progress of investigative journalism in Montenegro, especially in cases of corruption. But these deficiencies do not eliminate the necessity for the media community to develop stronger means of self-regulation.

The Journalists’ Self-Regulatory Body (JSRB) was established in 2003. Its signal achievement so far has been the almost complete elimination of hate speech in the media -- a very welcome development so soon after the post-Yugoslav wars.

But the fact that that not all of Montenegro's leading dailies cooperate within the JSRB lends weakness to this structure.

*Dan*, for example, one of the most influential dailies, has decided not to participate in the JSRB, even though it faces more lawsuits than any other media outlet.

According to Human Rights Action (HRA), there are currently close to 30 civil cases against *Dan*, with claims totaling more than €1 million. Some 23 complaints, with claims approaching €2 million, have been lodged against the daily *Vijesti*. And there are nine cases against the weekly *Monitor*, with plaintiffs claiming more than €200,000 in damages.

Were *Dan*'s management to join the JSRB, it would be a powerful statement of its adherence to rules of ethical work. Additionally, self-regulation by news organizations, by providing quick correction to those with a legitimate complaint about mistakes committed, decreases the number of lawsuits, and deprives politicians of a moral pretext when they demand "tougher actions" against the media.

During his visit, the RFOM offered to finance a local translation of his office's *Media Self-Regulation Guidebook*, which was published in 2008.

#### **Recommendations:**

- In order to strengthen journalism's collective defense, all major outlets should participate in the nation's media self-regulation body.

#### **Summary of Recommendations**

- In line the Media Law, which bans State ownership of the press, Montenegrin authorities should complete the privatization of *Pobjeda*, the only remaining State-owned daily.
- The new Law on Electronic Communications is not satisfactory, and Montenegrin authorities should begin work on a new draft in order both to guarantee the independence of the licensing process – which is at the core of media pluralism, and to avoid a double-headed, two-stop licensing setup, which always and inevitably leads to arbitrariness in decision-making.
- Successful solutions of merging telecommunications and broadcasting authorities, such as at Ofcom in the United Kingdom or at FCC in the U.S., could be studied.
- The adoption of modifications and amendments to the Law on RTCG should be preceded by a broad public and parliamentary discussion.
- The present complex process of appointment to the Council and the Managing Board was designed to make the nominators immune to any pressure. Such practice should be continued in the future (instead of the selection between the two candidates who received the largest support from the authorized nominators, as proposed by the draft).

➤ Article 19's detailed recommendations should be embraced:

- Regarding the process of appointments to the governing board of the public-service broadcaster, the list of those who have the power to nominate members for the RTCG Council should be restricted to single entities, or very small groups of entities.
- Nominators should either be asked to nominate a single candidate for parliamentary ratification or a framework of rules should be put in place to ensure that parliamentary decision-making regarding Council members is open and participatory.
- The law should include more detail as to the content of the reports the RTCG Council is required to provide, along with a requirement to make these reports public.
- Greater detail on the complaints system should be added to the law, such as a requirement to adopt a code of conduct against which to measure complaints, a list of key issues which such a code should address, and basic rules on the processing of complaints and remedies.

- The de-commercialization reform of RTCG should be given proper consideration.
- Greater independence for RTCG can only be achieved if its dependence on collection rates of fees or other taxpayer-paid revenues decreases.
- Guaranteeing these revenues for a longer period of time – in other words, automating them – would be a substantial contribution to RTCG's financial, and therefore political, independence.
- Automation of income for RTCG can be carried out either purely through fee collection or through State financing. Both methods may be compatible with "automation". It is advisable to study the British method of advance fee setting, or the Georgian and Latvian solutions, whereby a certain pre-set percentage of the state's tax revenues are mechanically transferred to the fee recipients.
- All cases of threats, violence or even murders of journalists must be duly investigated in a timely and forthcoming manner whose results are made clear to the public.
- The elimination of imprisonment as a punishment for libel is a positive development. This should go further, however. Libel and insult should be decriminalized completely, and journalistic mistakes should not be criminalized. Such reforms should go hand in hand with the implementation of both a ceiling on civil fines and a determination that such fines should be calculated in a proportion that reflects the gravity of the offense.

- For the sake of uninhibited media discussion of important public issues, public officials should show a greater degree of tolerance towards criticism, even when it contains factual inaccuracy, than average citizens can be expected to display (see relevant ECtHR case law).
- In order to strengthen journalism's collective defense, all major media outlets should participate in the nation's media self-regulation body.