

Montenegro (Federal Republic of Yugoslavia)

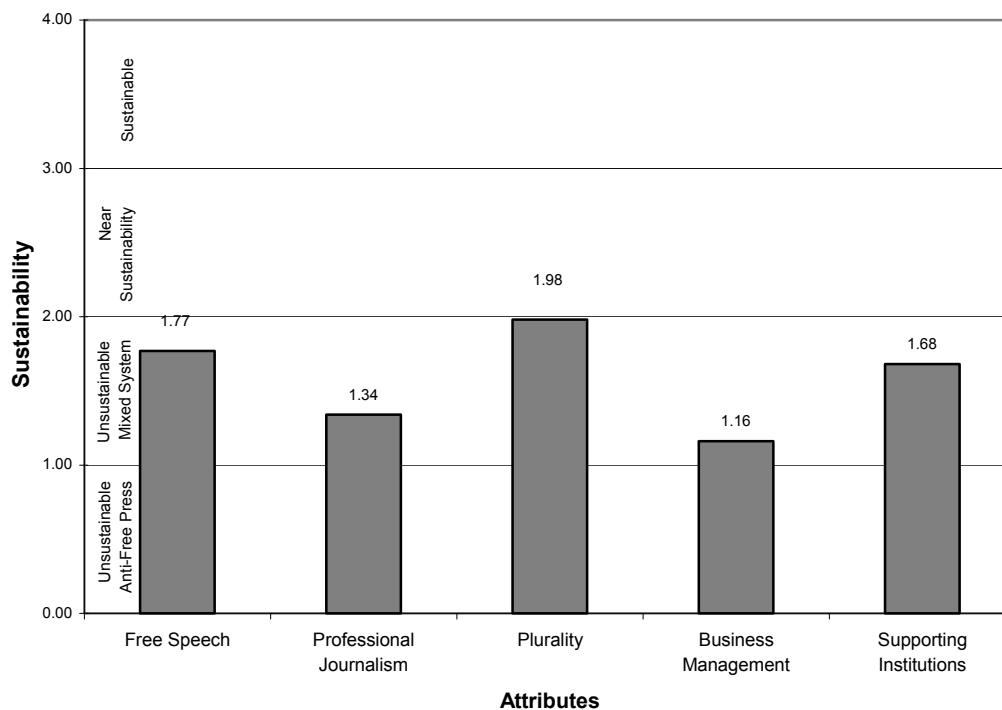
Introduction

Although the parliamentary elections of April 22, 2001 resulted in a serious setback for Montenegrin pro-independence forces, their battle to break away from Serbia is far from over. The campaign, which did not refrain from hate speech but stopped short of violence, has cemented the deep societal split in the Yugoslav Federation's junior partner. Media organizations, along with the population at large, have become more polarized into clear pro-Montenegro and pro-Serbia camps. At the same time, the economic situation remains poor with little improvement on key economic reforms.

The Djukanovic government is said to have miscalculated the election agenda by failing to put market reform before statehood; even its tight grip on state media did little to change things in their electoral favor. Efforts by private press and broadcasters to broaden debate on all relevant secession subjects may have contributed to the administration's near defeat, and may mean that independent media will be increasingly important in deciding political futures.

Independent media, however, are far from playing the powerful part of the fourth estate. Editors do not appear ready to test the boundaries of the state's media tolerance by, for example, featuring investigative reporting, which the relatively liberal legal framework makes room for. For its part, the government is moving slowly on its stated willingness to transform the official broadcaster into a public service provider, and to cooperate on a new broadcasting law (drafted by independent broadcasters with international support).

Media Sustainability Index - FRY-Montenegro



Scoring System

- 0 = Country does not meet indicator; government or social forces may be actively opposed to its implementation.
- 1 = Country minimally meets aspects of the indicator; forces may not be actively opposed to its implementation but business environment may not support it and government or profession not fully and actively supporting change.
- 2 = Country has begun to meet many aspects of indicator but progress may be too recent to judge or still dependent on current government or political forces.
- 3 = Country meets most aspects of indicator and implementation of indicator has occurred over several years and/or change in government, indicating likely sustainability.
- 4 = Country meets the aspects of the indicator; has remained intact over multiple changes in government, economic fluctuations, changes in public opinion and/or changing social conventions.

The scores for all indicators are totaled and averaged for each objective.

Each of the objectives can receive a score from 0 to 4:

- Above 3: Sustainable and free independent media
- 2-3: Independent media approaching sustainability
- 1-2: Significant progress remains to be made; society or government not fully supportive
- 0-1: Country meets few of indicators and government/society actively opposing changes

A newly created media institute, awaiting government-provided premises, will be the first Montenegrin journalism school. It will aim to improve the editorial and management skills of some 400 media professionals in a country with a population of about 650,000. The input is badly needed because Montenegro’s five dailies, a handful of weeklies, and some 30 electronic media not only lack editorial inspiration, but are also hindered by lackluster presentation and management that lacks the training and experience needed to lead publications and programs.

Attribute #1: Legal and social norms protect and promote free speech and access to public information

Indicators
1. Legal/social protections of free speech exist and are enforced
2. Licensing of broadcast media is fair, competitive, and apolitical
3. Market entry and tax structure for media are fair and comparable to other industries
4. Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare
5. State or public media do not receive preferential legal treatment, and law guarantees editorial independence
6. Libel is a civil law issue, public officials are held to higher standards, offended party must prove falsity and malice.
7. Public information is easily accessible; right of access to information is equally enforced for all media and journalists
8. Media outlets have unrestricted access to information; this is equally enforced for all media and journalists
9. Entry into journalism profession is free and government imposes no licensing, restrictions, or special rights for journalists

The Constitution of the Federal Republic of Yugoslavia (FRY) provides for freedom of expression (Article 35), freedom of the press, and other forms of public information (Article 36). Citizens have the right to express and publish opinions in the mass media (Article 36) and “the public dissemination of information by other media shall be accessible to all, after registration with the competent bodies” (Article 36). The only specific mention of radio and television states that “Radio and television stations shall be set up in accordance with the law” (Article 36). Censorship of media is prohibited (Article 38). The only restrictions that can be imposed on media are those enacted by court orders when the information to be disseminated calls for government overthrow, violation of the territorial integrity of FRY, or incites national, racial, or religious intolerance (Article 38).

The Montenegrin constitution provides identical guarantees of freedoms. Freedom of press and other public information media is guaranteed (Article 35) and the “dissemination of information by other media

shall be accessible to everyone without prior permission, subject to registration with the competent authority” (Article 35). The Montenegrin constitutional provision for broadcasting is the same as the federal: “Radio and television broadcasting organizations shall be established in accordance with the law” (Article 35). It guarantees freedom of public expression of opinion (Article 34) and freedom of speech and public appearance (Article 38). The Montenegrin constitution goes one step further to provide for the freedom to use one’s own language and alphabet (Article 34). Censorship of media is also prohibited, except in the cases mentioned in the FRY Constitution (Article 37).

A survey of Yugoslav human rights in the year 2000—“Legal Provisions, Practice and Legal Consciousness in the Federal Republic of Yugoslavia”—concluded that guarantees of freedom of speech in both Yugoslav and Montenegrin constitutions are generally in accordance with international standards. “However,” the survey continues, “these constitutions do not follow international treaties in their entirety and do not refer to the freedom to seek and receive information irrespective of frontiers or the medium of transmission.” The survey elaborates on restrictions to freedom of expression, notably in the operation of broadcast outlets. It states that the confluence of federal and Montenegrin laws and regulations on the operation and activity of electronic media create a situation where it is “practically impossible to legally establish and manage a private radio or television station.” The report claims, though, that the situation in Montenegro is better than in Serbia.

The 1998 Montenegrin Public Information Law (referred to as the “media law”) reiterates the constitutional right to free speech and guarantees free access to all sources of information and the freedom to set up media enterprises. Most observers would probably agree that Montenegro currently enjoys an unprecedented degree of press freedom. One example of this new thinking is in the area of libel. A former government minister, now a private citizen, sued the author of an editorial in the *Monitor* weekly for libel; he was unsuccessful. Compare this to the earlier post-1999 NATO bombardment environment, when military prosecutors often indicted journalists on charges of “acts weakening the defense of the country.”

The Media Sustainability Index (MSI) panel agreed that even though there has been progress in the last couple of years in efforts to fairly regulate the legal environment for media, there have also been failures in both substance and enforcement of these regulations. This is especially the case with the laws on public information and telecommunications. The general opinion during the discussion was that political parties greatly interfere in the work of the state media, in that they are mouthpieces for politicians rather than public service organizations. Media experts stressed that better laws to regulate the state media sector are particularly needed.

The understanding of the constitutional good of free speech appears little developed in Montenegrin society. There is generally little understanding of the role of media in civil society, no doubt due to poor acquaintance with the principles of free speech in the communist past. This attitude may change with the further development of independent media and civil society.

The December 2000 Telecommunications Act regulates broadcast licensing through the newly established Agency for Telecommunications, whose top members are government appointees. This has caused public criticism, and efforts are underway to rectify the situation by creating a new broadcasting law in line with broadcasting and licensing principles adopted by the Council of Europe. The government has reacted to the criticism by stating that no law is cast in stone.

Licensing procedures at present are not considered fair and competitive because of the absence of transparency or public involvement in the process. Elmag TV claims that its repeated applications for a nationwide expansion have been turned down, while Montena TV has succeeded in expanding through fiber-optic technology without any public oversight. The case of YU Info TV is special: they were operating (illegally, according to Montenegro) from Yugoslav military barracks in Montenegro, and it is not known whether the station will get a license.

The MSI panel discussed the importance of the new draft law on radio broadcasting prepared by the Union of Independent Electronic Media of Montenegro (UNEM), the electronic media association, with help from international experts. The draft was mentioned as the first attempt to transform state broadcasters into a public information service. Participants placed great hopes on the inclusion of more democratic procedures for obtaining broadcast licenses. The new draft was viewed as an attempt to eliminate state interference and arbitrariness both in public and private broadcasting. The government announced that state broadcasters have started reforming and will continue service as public media soon, whereas the government mouthpiece *Pobjeda* might be altogether privatized.

The media law (Article 2) guarantees the freedom to set up media enterprises without any restriction. Media outlets must be registered with the government's Information Secretariat, which is obliged to process any application within 15 days. So far, no applications have been turned down. Tax obligations for media enterprises are no different from other businesses.

Panel discussants could not think of any recent incidents when journalists have been attacked, and in general journalists in Montenegro have not been subject to violence. But they are cautious in exposing themselves to potential risks, and the experts agreed that self-censorship has a strong impact on the quality of the few reports on crimes. Reporters usually abstain from tough investigative reporting on alleged corruption, crime, and feuds, even though there are repeated requests for training on investigative reporting. Libel is a criminal offense, and in recent years convicted journalists have been imprisoned. Since courts have a reputation for being slow, many plaintiffs refrain from suing. Some NGOs recently launched an initiative to decriminalize libel.

Although media law favors neither state nor independent media, the fact that the state operates media suggests the absence of evenhandedness. The state media are well above the rest of the press in terms of access to top news developments, and particularly so in the case of state TV. The independent *Vijesti* newspaper also appears to receive preferential access, and it is not clear whether this is because of its flagship status or because the government has influence over it.

State journalists receive fringe benefits in terms of housing, transport (e.g. reduction in airfares and train tickets) and so forth, but similar privileges are also granted to independent journalists who are members of the Organization of Professional Journalists of Montenegro. Licensing does not go beyond normal accreditation procedures when major events, such as elections, are covered. Government will have no say in the access to the newly-formed Montenegrin Media Institute (MMI).

MSI experts clarified the reality behind the theoretical equality of status between state and private media. Most agreed that legal equality does not obtain in daily practice. Political parties have substantial control over state media, which is best reflected in the selection of management bodies—solely on the basis of party criteria. State media enjoy financial privileges—their budgets are heavily subsidized—giving them an unfair competitive advantage over the private media sector. Even state media representatives admit that state media function as a party service and that reporters are biased supporters of government policy. The financial benefits enjoyed by state media contribute to its inertness and inefficiency, which is a huge stumbling block on the way to public service reform.

Although the 1998 Montenegrin media law stipulates that editorial policy is entirely up to the publishers, there appear to be ways and means for the state to influence independent media. Government, political parties, companies, and organizations have their lobbying groups among journalists, and are said to release key information exclusively to their inner circles rather than openly announce news at press conferences. It might be fair to assume that very few top positions, even within the independent media, are not influenced by political considerations. The discussion group pointed out that even though their political stances are clearly indicated, most of the independent media are more willing to present the opposing view. Most agreed also that problems within independent media are not overwhelmingly related

to editorial policies, but rather result from limitations in the technical and financial spheres, as well as in the lack of qualified staff.

As noted above, state media journalists have the edge when it comes to accessing information. The MSI panel discussion group agreed that not all media can access the government, and that the freedom of journalists does not really mitigate the preference given to state media. Montenegrin parliamentary sessions are publicly broadcast and political activities are publicly covered, but special accreditations are still needed for some high-caliber political events. On the other hand, participants agreed that independent journalists do not respond to the lack of access in a persistent way, although some organizations (like UNEM and the Association of Young Journalists) help with training and encourage their members to make sources aware of the need and importance of free access. Reporters need more training in the techniques of accessing public information through records and computerized databases.

The language barrier appears to be the most significant impediment to accessing news through the Internet, with cost of access a lesser factor. Few broadcasters have signed agreements with foreign stations to rebroadcast programs. Piracy is accepted as normal: there is very little respect for intellectual property.

Attribute #2: Journalism meets professional standards of quality

Indicators
1. Reporting is fair, objective, and well sourced
2. Journalists follow recognized and accepted ethical standards
3. Journalists and editors do not practice self-censorship
4. Journalists cover key events and issues
5. Pay levels for journalists and other media professionals are sufficiently high to discourage corruption
6. Entertainment programming does not eclipse news and information programming
7. Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient
8. Quality niche reporting and programming exists (investigative, economics/business, local, political)

Balance, diversity of sourcing, and verification are not strong traits of Montenegrin journalism. Lack of professionalism is aggravated by the fact that most reporters stand either in the pro-Montenegrin or the pro-Serbian camp, making fair presentation quite difficult. Reports are often one-sided and inaccurate, and often based on press releases rather than fact finding; even at press conferences questions are seldom asked. With the exception of a few professional media organizations such as *Monitor* and *Onogost*, reporting is in a poor state and extensive training to improve professional skills is required.

The MSI panel discussants agreed that journalistic professional standards are low and need to be addressed as a priority in the very near future. Lack of professionalism and responsibility, and the partiality of reporters, are some of the most painful problems in the sector. Although the Organization of Professional Journalists (open to all journalists with no membership fee) accepted internationally recognized ethical standards some ten years ago, they are not enforced. Violations of these standards can be noticed almost daily in the state media and in papers such as *Dan*, *Glas Crnogoraca*, and even the independent *Vijesti*. There are cases when journalists readily accept payment for favors in terms of coverage.

Self-censorship does exist, but is a habit rather than a necessity. The media law provides for journalist independence and mentions fines that can be imposed on editors who go against this provision. The law also guarantees that journalists cannot lose their jobs because of an opinion they may hold. In reality, however, some editors exert pressure on subordinates, especially in cases of reporting on alleged corruption or crimes.

There are a number of topics that have repercussions on the journalists who cover them: corruption, smuggling, mismanagement, and abuse of power resulting from the lack of transparency in Montenegrin society. One way to obstruct undesired reporting is to prevent investigative coverage for reasons of cost,

lack of manpower, or uncertain results. *Monitor* provides, with moderate success, an insight into economic crime, but it does not have the resources (staff and funds) to pursue this in a consistently professional way.

The MSI panel agreed that self-censorship is one of the factors most severely damaging the quality of reporting and programming. They stressed that it is a legacy of previous regimes, but also a consequence of low incomes. Also, concerns about personal safety very often cause journalists to avoid thoroughly researching topics related to corruption and abuse of power. They mentioned that the poorly functioning legal system allows for a certain tolerance of the abuse of power, and journalists often yield to the old habits of not reporting on hot topics.

Minority media are underdeveloped in Montenegro. All discussants agreed that certain media outlets use improper language when referring to ethnic minorities (Muslims, Albanians, etc.), which discredits the journalistic profession. The newly established Council for the Protection of the Freedom of Public Information attempts to promote an ethics code to discourage discrimination, but it has not yet managed to have any visible social impact and is slow in transforming itself into a fully operational body.

Pay levels for journalists are very poor, ranging from an average figure for the media sector of DM 400 per month to a deputy editor's salary of DM 500 at *Pobjeda* and an average salary at *Monitor* of DM 700. All panel members agreed that low incomes open the door to corruption; but more important, they result in poor journalistic quality because many reporters are less than enthusiastic about their work for a salary of DM 500 per month. To make matters worse, the anachronistic system of social and medical insurance does not allow freelance journalists to purchase their own benefits separately.

A media brain drain was created when NGOs and foreign companies started arriving in Montenegro, offering high salaries to competitive journalists. The bulk of independent media in Montenegro appear to pay less to their employees compared to the public sector, and independent reporters also lack insurance, regular payment of salaries, proper working hours, and good working conditions.

Entertainment programs dominate the electronic media by far. There is an urgent need for inclusion of more news programs, especially in the independent TV sector, in order to achieve a balance among entertainment, education, and news/current affairs shows. The intensely political nature of the times has turned Montenegrins into "political animals," as evidenced in the high-circulation *Vijesti*, which puts political stories at the forefront every day. National news towers above international news, with foreign events rarely making it to the front page except when they affect Montenegro. Usually there is no follow-up on issues; this was the case for example when a police officer was killed, allegedly the victim of infighting in the police department over corruption. Many Montenegrin journalists also fail to feed editors with nonpolitical stories since they themselves either discount information from outside the political arena, or self-censor since editors give little or no credit to this kind of coverage. Journalists do not want to be considered "reporters"; they would rather be associated with "serious" journalism, particularly commentary.

Technical facilities and equipment for gathering, producing, and distributing news are neither modern nor efficient in Montenegro. Most TV stations are not in a position to cover more than one event at the same time because of lack of equipment, as well as poor editorial judgment and resource allocation. Also, print media lack the equipment to make a more appealing presentation of content that would benefit readers and advertisers. Networking is only beginning, hampering newsgathering from the field. The overall result is a serious impediment to quality journalism.

MSI media experts discussed the fact much technical equipment has been donated by foreign foundations or NGOs, since domestic media lack the financial means to update equipment. The situation, it was mentioned, is worsened by the overwhelmingly high rents paid by private outlets.

Niche reporting and programming have been grossly neglected, though several media are planning dedicated economic, technology, and business reporting programs. A business news agency has just begun functioning, and the weekly and biweekly press is making inroads. Although basic news writing training is needed, advanced business reporting training is more urgent to help citizens understand the process of market reform. If journalists better understand this process themselves they will seek and provide more information to citizens. Although there is a comprehensive coverage of issues related to political life and governance, state media have the edge since government tends to favor them in terms of background and speed of information access. However, private and state media alike rarely question the merit of government information and even less often employ other sources to shed light on more than just one aspect of an issue and inform people in an unbiased, diverse, and reliable way. Coverage of the Montenegro/Serbia conflict tends to be biased according to the partisan affiliation of media outlets.

The panel stressed again that investigative journalism is in its infancy, and that experts in this area are few. Most of the discussants agreed that the lack of formal journalistic education is a huge handicap, but they thought that the newly set up Media Institute would gradually fill that gap.

Attribute #3: Multiple news sources provide citizens with reliable and objective news

Indicators
1. Plurality of public and private news sources (e.g. print, broadcast, Internet) exist and are affordable
2. Citizens' access to domestic or international media is not restricted
3. State or public media reflect the views of the entire political spectrum, are non-partisan, and serve the public interest
4. Independent news agencies gather and distribute news for print and broadcast media
5. Independent broadcast media produce their own news programs
6. Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates
7. A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources

The media market in Montenegro could be described as saturated for a tiny country with a population of just over 600,000 people. Some 30 radio and TV stations, more than half of them private, compete for market share, and five daily papers as well as three weekly or biweekly magazines keep citizens posted on developments. In addition, there is a sizeable circulation of Serbian press in Montenegro, contributing to the variety of information sources by not only quoting from the Tiker, Fonet, Beta, and Tanjug news agencies, but by offering international news coverage as well. For the most part, media in Montenegro cover local, national, and international issues and events. MSI panel participants stated that regions have a poorer choice and are mostly confined to radio broadcasting and state television. The group stressed that recent political crises and confrontations impacted the content of state media programming; it now deals overwhelmingly with political and governance issues of national importance. Thus cultural, educational, and local news are often treated as topics of marginal importance, to be picked up by independent media.

More than 30,000 people are estimated to have access to computers in Montenegro, with half of them having readily available Internet access costing DM 2.2 per minute, an amount which buys five loaves of bread. With the number of telephone subscribers being 180,000 the market could expand rapidly if more service providers were permitted. There is only one Internet café in Montenegro, in Kotor.

Print reaches urban and rural areas alike, and state TV enjoys the best delivery of signal in this country of rugged, mountainous topography. Only a combination of local and regional independent TV stations can match the performance of state TV in reaching the entire country, as was demonstrated through the efforts of the independent public affairs producer, M-Production, to provide election campaign coverage.

In terms of citizen access to domestic and foreign information, there is a difference between broadcast and print media. Foreign TV satellite and radio programs are easily available, but foreign press is by and large unavailable to the average citizen due to prohibitive prices. While there is a total lack of non-Serbian-language newspapers, just a handful of international magazines like *Paris Match*, *Time*, and

Vogue are available from select street vendors. Discussion participants stressed that there are no legal barriers to the development of ethnic media, but they have limited coverage due to language difficulties and the financial, personnel, and technical obstacles common to all independent media. Cable TV is unknown except in Budva, where a small municipal network is operating free of charge.

Although state media are making inroads in improving coverage of the entire political spectrum, there is still a lot to be done to provide the public with unbiased information with which to shape an educated opinion. During the recent election campaign, state TV did indeed open its programs to alternative views, even though clumsily, and with a preference for the ruling block shining through. Editors may view their role as gatekeepers in a nonpartisan way but this is not always reflected in their output, which is biased towards officeholders rather than office seekers. Since the opposition is overwhelmingly pro-Serbian and only controls one major TV station and newspaper, most independent electronic media happen to be siding with the pro-Montenegrin government. State media do promote educational and cultural programming by special shows on cultural events and reform of the education system.

There is one private news agency in Montenegro, Montena-fax, which supplies media and other subscribers with chiefly political information. This agency has relied on press releases and the coverage of official news conferences, resulting in reactive rather than proactive reporting. The agency seldom offers analyses and stories that go beyond the political arena. All media use Montena-fax's affordable product, the chief reason being the lack of other agency sources. With donor support, a business news agency, Montena-business, has started and cooperates with Montena-fax. This has improved Montena-fax and led to a better variety of coverage.

Independent broadcast media produce their own news programs, but almost all news bulletins are based on agency material rather than own reporting. Although private radio stations (Radio Montena, Niksic, Antenna M) offer attractive news and current affairs programs with professional packages, reasonable sourcing, and live elements, these TV stations are clearly lagging behind state TV in terms of national and international coverage. This is chiefly because of lack of equipment and funding as well as poor professional skills. The content of publications and programs reflects partisan ownership, and journalists appear to accept it this kind of interference.

The mandatory imprints in the newspapers certainly do not help transparency of media ownership, though at least the name of the responsible editor is indicated. Commercial courts may hint as to who media owners are, but hardly anyone looks for that type of information there. On the other hand, Montenegro is such a small country that most interested parties seem to be aware of ownership, and papers are certainly read along partisan lines. In the TV business, however, apart from well-known figureheads, powerful financiers remain in the background.

The panel agreed that media ownership is nontransparent and that the public, for the most part, is unaware of the owners of independent or private media. That causes speculation about and reaction to information. Law on media ownership is subject to interpretation.

There is no media monopoly in the country, but apart from the powerful state broadcasters there is only one media house that is sometimes referred to as the Berlusconi of Montenegro: Vucinic's Prevalitana group, which owns Montena-fax, Montena TV, and Radio Montena. If Prevalitana were to become a strategic takeover target for a foreign media mogul, it might become a source of considerable influence.

There appears to be broad consensus among key stakeholders to sideline issues regarded as thorny, including crime, ethnicity, abuse of power, mismanagement, and so on. Only one (legal) media organization, radio Mir in Tuzi, broadcasts for the Albanian minority and covers all their territory along the border with Albania and Kosovo.

Attribute #4: Independent media are well-managed businesses, allowing editorial independence

Indicators
1. Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses
2. Media receive revenue from a multitude of sources
3. Advertising agencies and related industries support an advertising market
4. Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets
5. Independent media do not receive government subsidies
6. Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences
7. Broadcast ratings and circulation figures are reliably and independently produced

There is only one private distribution firm serving about 150 of some 500 existing newsstands in the country. They allow distributors a higher margin than state operators, and pay on time, unlike state-funded outlets. However, the company, BegaPress, has problems in obtaining the right selection of foreign newspapers and magazines from the sole monopoly Balkans distributor, Stampa Triestina. Since the northern parts of Montenegro are greatly dependent on state distributors, they suffer from a selection of media that is not representative of the whole available spectrum.

The panel participants expressed a general dissatisfaction with the distribution networks for print media, stressing their inefficiency. Although there is a private network now, it suffers inherited weaknesses from the previous centralized system. The lack of distribution of evening editions was mentioned as a major shortcoming.

Montenegro has no shortage of printing facilities and there are private as well as state-owned printing houses. All of them generate good revenue and are reasonably managed. The group mentioned that the only state-owned press house, Pobjeda, renders services to independent media without discrimination, but its priority clients are still the state media.

The absence of efficient media management in the private sector results in deplorable levels of income and revenue. Managers are poorly trained to run businesses, as they are often drawn from the pool of former journalists who know only outdated principles of a command economy. For some of them, profit generation is either unnecessary or amounts to an indecent undertaking. Many are aware, though, that modern business administration know-how would help, and a recent survey has shown that news on marketing, business opportunities, and technology is considered required information for business management. Product appeal is underdeveloped and managers have a narrow focus on readers, listeners, and advertisers.

MSI panel participants agreed that media in Montenegro generate revenue from a mix of sources. In the case of private print media, advertising income is about 10 to 30 percent of revenue; in the case of partisan papers and magazines, founding organizations and/or donors provide the income. In the field of private broadcasting, revenue is generated exclusively through commercial advertising. However, advertising agencies are almost unknown and marketing as well as efforts to sell airtime are in their infancy. Organizations like UNEM are beginning to pool advertising efforts, thus benefiting from their large intake. Prime-time programming and marketing has improved but market research must be used in a more structured way to generate additional revenue. Discussants stressed the unfair competitive advantage enjoyed by state media, whose budget subsidies allow them to discount ad prices.

Funding from advertising in the independent electronic media is estimated at more than 60 percent; in the print media sector the percentage varies but is thought to be 50 percent retail and 50 percent advertising in the case of *Vijesti*, the high-circulation Podgorica daily. The rest are estimated to earn some 20 percent through advertising and the lion's share from retail and donor funding.

There is no advertising agency operating in the country and commercial spots look generally poor unless they are produced abroad. In state media, because their footprint attracts most advertising, the ad

percentage of total airtime is probably best expressed in low one-digit figures. In private station programming there is more advertising because of lower rates, but they still generate far less revenue from this income source than the state.

Media managers in the private industry often argue that they get less of the revenue cake than should be the case because of dumping prices offered by state TV. However, if private media really offered more attractive programs they could well make better profits; the same goes for sales efforts. Also there is a total lack of strategic partnership between editorial and marketing executives to spike quality programs with ads. Since this is not done, advertising revenue does not reach a percentage of total revenue comparable with commercial standards. Under those circumstances the authority of editors goes unchallenged and marketing does not appear to influence program making.

The question of independent media receiving government subsidies remains open to speculation. Although few outlets openly admit to state subsidies, most take them in one form or another, such as reduced line charges, high subscription rates invited by the state, and waiver of license fees. At present, it would appear that the state does not make use of subsidies as a potential leverage on program planning, but government openly pays for special programs like official activities, and advertising such as tender documents and job notices. Both state media and their independent competitors receive ads from political parties, with the lion's share going to the private sector. The discussants mentioned the idea that government could consider an impartial financial bid (similar to the financial help stimulating the NGO sector) to partially, at least, mitigate the independent media problems.

Media in general is not known to strategically order and apply audience surveys, ratings, or other market research tools. These kinds of business instruments are generally arranged by foreign NGOs. However, state TV has recently commissioned a rating survey with the local DAMAR research company. Results have not been made public. It may be that their cooperation with the German public broadcaster ZDF (advising them in transforming to a public service broadcaster) may be the reason for nondisclosure. Although private broadcasters try to apply survey results, they are not yet translated into adequate news and current affairs programming and slots. It did come as a total surprise to most radio programmers that radio's prime time is around 10–11 am, rather than in the afternoon as had been assumed. However, it will take donor-financed consultants to help change patterns.

Attribute #5: Supporting institutions function in the professional interests of independent media

Indicators
1. Trade associations represent the interests of private media owners and provide member services
2. Professional associations work to protect journalists' rights
3. NGOs support free speech and independent media
4. Quality journalism degree programs exist providing substantial practical experience
5. Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills
6. Sources of newsprint and printing facilities are in private hands, apolitical, and not restricted
7. Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted

Montenegro's private media have only recently started to address the question of lobbying for and protecting their interests. Montpress, the organization of publishers, and UNEM (Union of Independent Electronic Media of Montenegro), which is the organization of electronic broadcasters, provide services to their members mostly with the help of foreign donors. Whereas Montpress has not been very active since its efforts to supply newsprint to members during the late Milosevic period, UNEM has recently launched a public campaign to establish a new broadcasting law. It is seeking to liberalize the broadcasting sector by introducing an independent regulator and transmission system, as well as transforming state broadcasting into a public service broadcaster. The present legislation lacks a broadcasting law and cements the state's grip on licensing and frequencies. UNEM is also working on a professional marketing pool and new, competitive programming principles based on professional research.

There are a number of professional organizations assisting journalists with their work. The Organization of Professional Journalists, The Association of Young Journalists, and the newly formed Journalists' Trade Union command comparatively little influence, and it might be possible that some of them were established to tap donor money. On the other hand, media workers do not yet fully appreciate the impact of lobby groups in defending their interests against potential attacks from outside. The Young Journalists have carved out a niche by offering their experience in election monitoring. This association is also conducting a campaign against state monopoly and for state media to be reformed into public service outlets. Little legal advice is offered though, and only a handful of lawyers are beginning to specialize in this sector. Membership is not generally restricted, but entrance criteria are based on professional standards.

The general opinion expressed during the discussion was that relations between business associations and independent media are underdeveloped, fragile, and marginal. Media associations on the other hand are rather numerous, but still quite inefficient. There was a criticism that these associations are not very active in promoting the professional development of journalists through educational programs, exchanges, and consultations.

International organizations including IREX, the Open Society Institute (OSI), Media Consult, the Center for Democracy and Human Rights (CEDEM), Article IXX, the Friedrich Ebert Foundation, Norwegian's People's Aid, the Swedish Helsinki Committee, and Press Now act as watchdogs, help bring about legislative change, and provide training. They also have assisted in the formation of the Montenegrin Media Institute. The majority of these organizations have offices in Podgorica; some come from Belgrade.

During the last couple of years efforts have been undertaken to train journalists locally but only recently the Montenegrin Media Institute came into being. In the absence of university education for journalists, much hope has been placed in this new school, which may open degree courses at a later stage. Although various organizations offer academic education, such as degree courses abroad, one of the problems potential candidates are faced with is the lack of the necessary foreign languages. Because of the changing situation in Montenegro, most students are assumed to be willing to return after studies overseas. For the time being, the MMI and hands-on training will aim at alleviating problems. The state will soon have to decide on establishing a media faculty for which there is now a lack of funding and professional staff.

There is no newsprint production in Montenegro, and printing houses as well as media themselves are importing newsprint. If custom fees are properly paid there is little the state could do to restrict import. The panel did not know of any case in which printers may have refused a job for political reasons. State-owned printing outlets are known to also print private and independent publications including the Niksic-based independent *Onogost* weekly.

Most channels of media distribution appear apolitical, but individual sellers may refuse to openly offer certain print products that may not reflect their own political opinion. For the time being most transmission facilities are owned by the state-owned Telekom, but this company will be privatized shortly. Some broadcasters operate their own transmission equipment, although it may be fixed on Telekom's masts. It is probably fair to say that government has not controlled broadcast transmitters in any way recently.

Montenegro has one Internet service provider, allegedly owned by private capital, even though the state has some involvement in it. Discussants mentioned that distribution of information through the Internet is not limited in any way. The opinion was expressed that Internet media updates are not yet popular and that using the Internet as a source of information was precluded by insufficient foreign language skills.

List of panel participants

1. Miodrag Perovic, Founder and joint owner of *Monitor*
2. Ljubisa Mitrovic, Editor-in-chief of *Vijesti*
3. Momcilo Stojanovic, Editor-in-chief of Elmag TV
4. Vojislav Raonic, Director of the Montenegrin Media Institute
5. Velibor Covic, Editor-in-chief of State Television
6. Zoran Ljumovic, Director of Antena M Radio
7. Sasa Brajovic, Executive Director of the Open Society Institute
8. Milan Popovic, Professor at the Law School