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MONTENEGRO

In March 2009, Montenegro held its second parliamentary elections since regaining independence.¹ The ruling coalition (DPS/SDP), led by Prime Minister Milo Đukanović, again won the elections—and relatively easily, with 52 percent of the votes. The results allowed the independence party’s policies to continue, and once again demonstrated the utter weakness of parties fighting against Montenegrin independence. Other key political events related to Euro-Atlantic integration. Montenegro is drafting comprehensive answers to the EU questionnaire—an important step in gaining candidate country status. In addition, Montenegro’s accession to the Membership Action Plan program marked a huge step toward NATO membership. By the end of 2009, Montenegrin foreign policy managed to bring the country closer to membership in the EU and NATO.

Although the political environment in 2009 was stable, socio-economic conditions deteriorated significantly from last year. After several years of strong economic growth, the Montenegrin economy declined. The GDP fell about four percent, salaries decreased, and employment suffered. Industries hit especially hard include construction, the metal industry, and trading. The economic woes contributed to the rise of social problems, and impacted the local media sector and its financial viability. Most private media outlets are struggling, while the state-owned public media enjoy state subsidies and other perks. Given that unfair competition, combined with the media sector’s poor organization and intensive competition for modest advertising resources, many media companies might fail over the long run.

According to the Montenegro MSI panelists, a new model of financing for the public media negatively affected the whole concept of public service. The government canceled its subscription for electronic media, and at the same time, supported operations of the national public service (Montenegrin Radio and TV-RTCG) with some €10 million. While accepted as the only solution to ensure the survival of the national radio and television broadcasters, the decision raised concerns over the dominant influence of ruling politics and protection of the public interest in broadcasting. On the other hand, the government used legislative and bureaucratic excuses to obstruct allocation of national television frequencies, thus directly jeopardizing the business and media position of TV Vijesti (a private company in which the Media Development Loan Fund [MDLF] owns a majority of shares, along with some private Montenegrin media investors).

The panel underlined the Montenegrin media’s three major problems: Authorities restrict freedom of the press, and violations against journalists persist, limiting the democratic development of Montenegro as a whole; the media industry operates unsustainably from a business perspective; and media members display weak professional standards, social accountability, and commitment to developing investigative journalism.

¹ Montenegro regained its independence on a democratic referendum, May 21, 2006.

MONTENEGRO AT A GLANCE

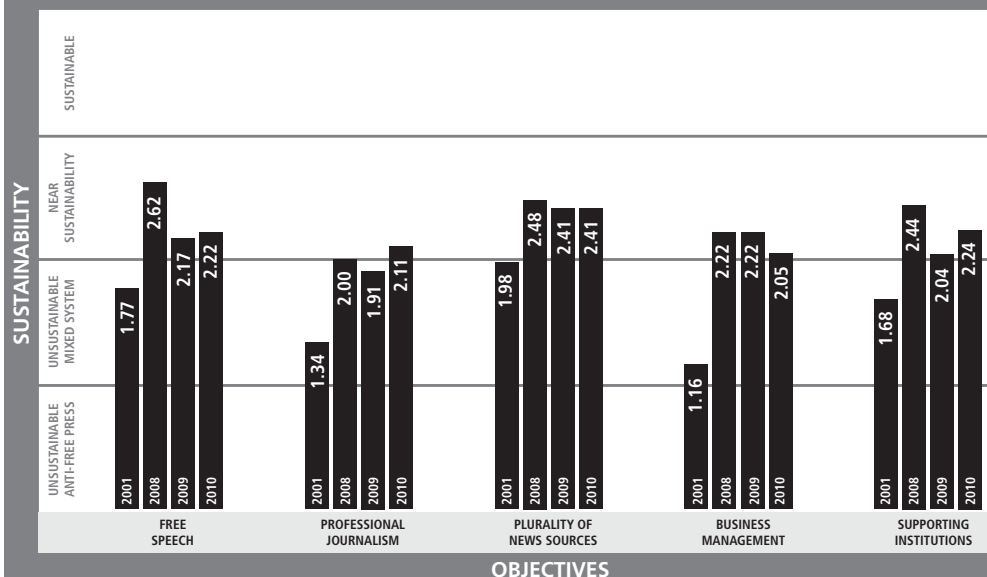
GENERAL

- > **Population:** 672,180 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Podgorica
- > **Ethnic groups (% of population):** Montenegrin 43%, Serbian 32%, Bosniak 8%, Albanian 5%, other (Muslims, Croats, Roma) 12% (2003 census)
- > **Religions (% of population):** Orthodox 74.2%, Muslim 17.7%, Catholic 3.5%, other 0.6%, unspecified 3%, atheist 1% (2003 census)
- > **Languages (% of population):** Serbian 63.6%, Montenegrin (official) 22%, Bosnian 5.5%, Albanian 5.3%, unspecified 3.7% (2003 census)
- > **GNI (2008-Atlas):** \$4.008billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2008-PPP):** \$13,920 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 99.5% (male 99.8%, female 99.3%) (1999 est., *CIA World Factbook*)
- > **President or top authority:** President Filip Vujanovic (since April 6, 2008)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 3 dailies, 4 weeklies, 40 monthlies; Radio stations: 38 (5 nationwide); Television stations: 37 (9 nationwide)
- > **Newspaper circulation statistics:** Top 4: *Vijesti*: 26,000 (private), *Dan*: 25,000 (private), *Pobjeda*: 8,000 (state), *Monitor* 2,500 (private) (Direct Media Ltd., Podgorica)
- > **Broadcast ratings:** N/A
- > **News agencies:** Mina News Agency (private)
- > **Annual advertising revenue in media sector:** estimated at \$12-14 million (Direct Media Ltd., Podgorica)
- > **Internet usage:** 294,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: MONTENEGRO



Annual scores for 2002 through 2006/2007 are available online at http://www.irex.org/programs/MSI_EUR/archive.asp

Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

On a positive note, journalism schools have improved, so the formal education of Montenegrin journalists is more advanced compared to previous years. Journalism students need more opportunities to build practical skills, however.

OBJECTIVE 1: FREEDOM OF SPEECH

Montenegro Objective Score: 2.22

Montenegro's reformed media laws have been in effect for seven years now, and media legislation is harmonized with international standards. In general, according to the panelists, the media community views the legislation as a solid legal framework, although the law always has space to improve and correct some instruments. Sub-par legislation is not what threatens freedom of the media, however; the problem lies in implementation. "Media laws from 2002 were among the best in the region. However, just as in previous years, they are still poorly enforced," said Slavko Mandić, editor-in-chief of Radio Skala.

Law enforcement is a general problem in Montenegro, not just for media law. While all the panelists agreed that enforcement remains the biggest obstacle, some panelists referred to problems with specific legislation. Mirsad Rastoder, president of the Journalistic Self-Regulatory Body, said, "Some pieces of legislation negatively affect operations in the media sector, like some controversial provisions within the Law on Electronic Communications and the Law on Electronic Media." Dusko Vuković, editor-in-chief of the online news outlet PCNEN, said that the newly adopted Law on Electronic Communications has thrown electronic media into utter chaos. Mandić noted that currently, the government is drafting a new law on electronic media. He said, "...[J]udging by the draft, this should be a step forward with respect to the current regulation. It is yet to be seen what will happen when the law is to be implemented."

Generally, society values free speech, and the public reacts strongly to violations against journalists and politically motivated litigation. These events are usually met with strong protests from political parties, NGOs, and journalists' associations as well. Still, in Vuković's view, the media needs to be more proactive about defending free speech regularly and stimulating public debate over press freedom.

Drasko Đuranović, an independent media analyst, brought up the judiciary's shortcomings in dealing independently with free speech issues. "The lack of harmonized judicial practice is also a problem, because very often conflicting sentences are passed," he said. "In that regard, the Supreme Court has a huge responsibility to give its legal opinion

regarding verdicts against journalists and media. Judicial practice must find the right balance between sanctioning yellow press and more accountable media. I would point to practice of the Administrative Court, within its range of competence [disputes regarding the free access to information] as a good example."

Montenegro's Agency for Telecommunications is responsible for allocating broadcast licenses. Generally the process is transparent, but some media complain about the slowness of the procedure and the fact that tenders are not published often. During 2009, the allocation of national broadcasting frequencies to television stations proved particularly controversial. TV Fox gave up its plans to join the Montenegrin market after it had already received a working license, thus freeing up a broadcasting frequency. But media authorities, relying on legal confusion, prevented TV Vijesti from obtaining a frequency. The entire year was marked by public disputes between media authorities and the editorial team of TV Vijesti, which is currently broadcasting through cable operators. The panelists' overall impression was that the denial was politically motivated. Mihailo Jovović, news editor of *Vijesti*, said, "...[T]he issue of frequencies has become politicized, so the broadcasters are getting frequencies depending on their political profile."

Vladan Mićunović, TV Vijesti's editor-in-chief, and Rajko Sebek, editor-in-chief of TV IN, also criticized the Broadcasting Agency of Montenegro for failing to react to violations of copyright laws in broadcasting. Sebek described heavy losses incurred by his station and charged, "In this respect, the broadcasting agency is not doing its job properly." According to Mićunović, the broadcasting agency fails to uphold its responsibility to monitor the media and control programming quality.

Media companies have free access to the market, and in this respect, the legal frameworks for media companies and other businesses do not differ greatly. Media are not required to have a special license or registration, although electronic media must meet certain technological and technical conditions. Regarding taxes, media companies are treated the same as other companies, although printed media enjoy certain tax benefits (dailies and periodicals pay a lower tax rate of 7 percent). However, Mandić mentioned some unique obstacles that media face entering the market, noting the price of broadcasting frequencies in particular. "A competent agency should have more understanding of the economic hardship the media sector endures. Montenegrin media are among the most taxed in the region. That is why we have only a few private media committed to news and cultural programs," he said.

In the last couple of years, Montenegro has seen many cases of journalists being victimized by violence, including serious

beatings. A number of cases from the past remain unresolved, which discourages the media community and continues to undermine the freedom of press. The most famous cases include the attacks on Željko Ivanović from *Vijesti*; Tufik Softić, a journalist from *Republika*; publicist and author Jevrem Brković and his bodyguard; and the still unresolved murder of Duško Jovanović, editor-in-chief of *Dan*. Jovović shared his own story of being attacked this year. Jovović and a photographer were assaulted by the mayor of Podgorica, his son, and their driver after attempting to photograph the mayor's illegally parked car. The related court case is still pending.

All these cases indicate that Montenegrin journalists cannot easily develop investigative and critical journalism. Numerous ongoing trials against journalists and the media (particularly famous cases include *Monitor* journalists Petar Komnenić and Andrej Nikolaidis) support this statement. Some cases involving physical violence point to journalist and editor irresponsibility, including publishing false information and unfounded public insults against citizens. But the state has proven to be utterly inefficient and incompetent in the trial process.

The legal framework does not favor promoting public media, but in practice, it provides political protection of state-run media and public services, the panelists noted. With regard to their economic status, private media are unequal to public media, because losses of public media are covered by the budget at a time when the private media are facing potential bankruptcy. Mandić noted also the disadvantages that private media face in the realm of advertising. "...[T]he local public

services set dumping prices in advertising, so it is very difficult to run a private media outlet within the framework of current legislation. I think it would be only fair to ban public services to make revenues from advertising," he said.

Politics play a direct role in selecting public service managers, the panelists said, so talking about independent editorial policies of local or national public services is impossible. Mićunović noted, "Even the legal status of some media is disputable, such as the state-run daily, *Pobjede*. This paper is a clear example of an illegal state of affairs. Public media are privileged, enjoying support from the authorities, while private ones are in dire financial straits."

Dino Ramović, the owner of TV Teuta, said that local public broadcasters no longer serve Montenegrins. "Regarding regulation, I want to say that local public services are total systemic failure. They just represent an extended arm of the ruling parties, both at national and local levels. In Ulcinj, contrary to law, only after five years of delay, a public service has been formed. Although it is not functioning, the public service still receives some €150,000 from the local budget. Obviously, politics have destroyed the idea of public service. Government and local authorities cover the losses of unproductive and overstaffed public services, while commercial broadcasters are going down, although very often they are more committed to the public interest than public services."

Dragan Klarić, editor-in-chief of the public service Radio Budva, had a different perspective. "Even public services are faced with huge problems regarding their status within the system. Public services are victims of politics. For example, members of the board have higher salaries than journalists in Radio Budva. Obviously, we have excessive institutionalization in the area of public media, and therefore we need to adjust our legal framework to this situation. In my view, we have serious problems in legislation, because we have excessive management bodies that are financially suffocating local services and do not contribute to stabilization of media."

Libel is still a criminal offense in Montenegro, punishable by fines ranging from €5,000 to €14,000 or imprisonment if fines are not paid. Jovović said, "We still have no campaign to reverse libel as a criminal offense. In Montenegro, we have media who are not criticizing anyone, so they see no problem when independent media are punished."

Although libel is criminally punishable, a libel sentence could include initiation of civil proceedings. The courts have a very imbalanced penal policy; fines for mental injury range from symbolic to €40,000. The inconsistency is especially problematic because of the number of libel cases related to politicians and government officials. Courts have shown

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

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

reluctance to implement the principle that public officials should face a greater level of public criticism. Mićunović noted, "...[T]he situation in the media sector has deteriorated in past years...libel is still a criminal offense, so we have a lot of convicted journalists. Courts are still ruling contrary to international practice and rules of the European Convention on Human Rights and Freedoms. Furthermore, fines issued by courts are excessive and directly threatening economic survival of media."

Darko Šuković, editor-in-chief of Radio Antena M, acknowledged the faults of the Montenegrin legal system but added that media members should hold themselves accountable as well. "When it comes to law enforcement, I think that libel sanction is questionable because it opens the issue of fines against media and journalists. The difference between the text of the law and practical implementation is obvious. However, aside from the fact that we have questionable penal policies, media cannot run away from responsibility. Therefore, we should not point just to controversial judicial practices, but also to irresponsibility on the side of media companies and journalists. I belong to a media outlet which so far has not been the subject of any claims, but in my view, that is the result of our conscientious treatment of information and the journalists' code. Therefore, the right question here is, 'how much have we, as members of the journalism community, violated our own profession?'"

Although Montenegro has a freedom of information act, journalists attempting to collect public information face serious obstacles. Government and public institutions often refuse to submit the requested information within the legally prescribed deadline. Various court disputes have been initiated because of this issue; more than 100 ongoing cases of violations of the freedom of information act are before the court currently.

Although most cases are decided in favor of the journalists, all the panelists said that the government does a terrible job enforcing this particular act. Mićunović said, "We have a huge problem with access to information, because many government institutions are obstructing the whole process. I would like to give the example of the State Prosecutors' Office, which denies practically any request for information." Marija Tomašević, a journalist from PRO TV, said that access to information has been a particular problem for her station. "In practice, what we often see is that public services enjoy special privileges regarding the access to important information," she said.

The government places no legal limitations to access international news, the panelists reported. The Internet is used widely in Montenegro, and all media have multiple connections to infinite Internet resources. Internet access

is becoming cheaper almost daily. While foreign media materials can be imported or bought without any problems in Montenegro, demand is smaller outside of main cities.

The journalism profession is not limited by legal restrictions or official administrative barriers. The government does not interfere or impose unacceptable limits in terms of journalism education, and journalists are free to organize in the way they see fit. In that sense, the media market is free and presents no legal obstacles for journalists.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Montenegro Objective Score: 2.11

The panelists generally agreed that journalism in Montenegro is far from meeting professional standards and objectivity. Journalists often fail to check the information they obtain, and very often they publish one-sided information. Media members try to obtain expert opinions when dealing with certain topics, but in practice, finding experts willing to speak publicly is challenging. Interviews are an exception; they are usually conducted and published in line with professional standards. Sebek commented, "I don't think we have a problem in terms of recognizable political leanings [in journalists], but rather in sticking to professional standards in their everyday work. It has been proven, time and again, that it is very difficult to achieve and maintain acceptable levels of professionalism in Montenegrin journalism." He added that the lack of professional solidarity and dialogue between journalists is a big part of the problem.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

According to Radojica Bulatović, director of the Montenegro Media Institute, "Safeguarding jobs, self-censorship, and poor professionalism are contributing to media lethargy."

Blogging is still undeveloped, and, according to the panelists, reduced primarily to commentary on events, without an investigative component or real compliance with professional standards. Several panelists brought up problems with standards for Internet journalism. Sebek shared his concern that Internet media outlets are not self-regulated. "Internet media does not comply with professional standards valid for classic media. Therefore, we have a huge problem regarding transmission and interpretation of information at the Internet portals, which lack accountability," he said. Đuranović agreed, saying, "We have a big problem in terms of developing Internet journalism to comply with professional and ethical standards. This is directly linked to legal responsibility of web portals, blogs, and other forms of media activities over the Internet."

Montenegro has an ethical code for journalists, composed in line with international standards. The Journalists' Self-Regulatory Body, which aims to promote responsible journalism, often reacts to violations of the ethical code with public statements. However, many journalists fail to follow professional standards. Mandić gave an example: The hate speech broadcasted by some media, including Radio Bum, Radio Svetigora, and TV Pink, is tolerated. The panel noted the widespread perception that Montenegro has an unacceptable distinction between prescribed ethical standards and poor practice in reality. Rastoder noted, "I want to point out that the journalists' code, which was adopted back in 2002, represents a good text—it just needs to be upgraded. I think that observance of the code is necessary if the journalism profession wants to gain respect. Still, the journalists must be more responsible in their work, although it is unacceptable that journalists are fined with excessive penalties."

Šuković raised the argument that solidarity within the journalism community can sometimes interfere with professionalism. He said, "For example, Antena M, in the conflict between the mayor of Podgorica and *Vijesti*, expressed solidarity at the expense of professionalism. It is hard to stick to professional standards when the interests of the media community are violated, and that is exactly the reason why it is so important to strike the right balance between media solidarity and professional responsibility."

Tomašević mentioned the need to impress higher ethical standards upon young journalists. She said, "PRO TV is a young station, which, based on the current experience of others, is aware of how difficult it can be to uphold professional standards. Our media is concentrated on favoring the young journalists, because we feel they have to be given a chance to grow professionally in line with the ethics code."

Although few journalists would confess to self-censorship, panelists are convinced that it is more widespread than generally thought, driven partly by politics and partly by economics. Self-censorship is particularly visible in political and criminal cases, when journalists sometimes express unprofessional attitudes. According to Radojica Bulatović, director of the Montenegro Media Institute, "Safeguarding jobs, self-censorship, and poor professionalism are contributing to media lethargy."

Journalists report on key events in Montenegro; the panelists said that it would not be accurate to claim that the government suppresses coverage of important events. Furthermore, state and private media both cover all major events within the country. In this regard, the media have no barriers to prevent them from informing the public on key events in a timely manner.

The media sector has faced economic challenges for a number of years now. Media business is hardly profitable, and as a result, journalists are among the lowest paid professionals in Montenegro. A beginning journalist cannot expect to make more than €300 per month, while more experienced journalists might bring in €500-600. Salaries above €1000 are extremely rare. Some managers are paid better, but this rule applies to just a few established media companies. Public and private sector salaries have little difference. Noted Klarić, of the public service Radio Budva, "As the new regulations have canceled subscription fees [for Radio Budva, that meant a loss of some €20,000], local public services are now even worse off. [Radio Budva] employees have just [in fall 2009] received salaries for May—a clear indication of the hardships we are enduring. This is the consequence of the poor financial situation of the local government, which is unable to support us."

For all of these reasons, the panelists noted the trend of journalists leaving the field. Most former journalists turn to work in PR and communication services for state institutions and large firms.

The movement toward more entertainment and less news described in the last couple of years continued in 2009. This is especially true of electronic media, which enjoy the most influence in Montenegro. The ratio is about 80 percent entertainment to 20 percent news, except in state public service television, which is near 50:50. Entertainment

programs are often tasteless and promote immoral messages and questionable values, according to the panelists. In print media, news still dominates, but these outlets are facing tough times in the Montenegrin market.

Most large private electronic media outlets have advanced, modern technical equipment, (including TV IN, TV Vijesti, and PRO TV). The biggest problem for some electronic media (especially public media) is the upcoming digitalization of the media sector. Generally speaking, technical gaps do not represent an obstacle for developing free and independent journalism, even for local outlets.

Montenegro lacks quality specialized journalism, and the panelists said that this is the perception within the media community and among the broader public. Most journalists adopt a more general and superficial approach, and panelists noted that the media should make a priority of developing specialized journalism. Investigative journalism is particularly weak, although the problem in this respect is the limited financial resources of media outlets, not just the skills or willingness of journalists.

OBJECTIVE 3: PLURALITY OF NEWS

Montenegro Objective Score: 2.41

The score for this objective held steady with last year's score, and continues to be Montenegro's highest scoring objective. None of the indicator scores changed dramatically from last year's MSI. Indicators 1 (plurality of news) and 2 (citizen access to media) scored the highest.

Montenegro has a plurality of news sources—more than 150 local and national print and electronic media outlets. In fact, Montenegro's media market is oversaturated, with one media outlet per 4,000 residents. The panel noted in particular the recent growth of Internet portals and blogs. The majority of these media are private, but Montenegro has about a dozen public services both at national and local level.

Montenegro has a number of public and private information sources and interest has increased in virtual social networks such as Facebook and YouTube. However, the abundant sources of electronic information have not necessarily translated into better professional standards or development of objective journalism. Šuković noted, "We are witnessing numerous obscenities and irregularities in Internet media. In that regard, we have so-called blogs, and chats, which often represent irresponsible, quasi-journalism. Therefore, it is necessary to open the issue of regulating and establishing responsibility for Internet journalism. Multiple information sources are definitely a strong democratic and media step

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forward, but it is still necessary to open a serious debate regarding overall standardization, professionalism, and responsibility of Montenegrin journalism."

Citizens have unrestricted access to local and foreign media, and in that respect, Montenegro is an open media space. People in all areas of the country have equal access to different media platforms, including the Internet, and they encounter no substantial limitations in accessing information sources. Of course, income levels do affect access to the Internet, satellite television, or other pay broadcast services, which are not cheap in Montenegro. For example, an ADSL package including Internet and cable television service is €20 monthly at a minimum.

Public and state media are dependent upon the government and ruling parties. In the panel's view, authorities' political interests often have an unacceptable influence on the editorial policies of public media, threatening the legal framework. Typically, public service editors adjust their editorial policies to the interests of the ruling parties, whether at national or local level, discrediting their own

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

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

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position and compromising professional journalism. Jovović noted, “When it comes to issues of embarrassment for authorities, state media are usually silent...Who is responsible for the public service’s failure to do its job? Is that the responsibility of the authorities, or journalists? There are clear examples proving that national public service ignores public interest. There is an obvious difference in professionalism in the public and private sectors.”

Generally, independent news agencies try to impartially collect and distribute information for the media sector. Montenegro has only one private news agency, MINA. Other agencies are network branches from neighboring Serbia. Media outlets use agency sources frequently, but only the biggest outlets can afford the services of foreign agencies such as Reuters, AP, FP, and BBC. When news agency resources are used, they are credited regularly.

Independent electronic media often produce their own news programs, which differ, in terms of exclusivity, from public media programming. This applies for national media in general, while local media have weaker programming. Private media programs are more provocative and interesting for the public than the news offered by the public service, according to the panelists. They said that bloggers cannot be compared yet to legacy media in terms of content originality.

In the last few years, media ownership transparency has improved as the government has introduced legal regulations. The public is now informed about the ownership structure of media, although suspicions linger regarding the authenticity of formal owners. All media companies are registered in the commercial court, so their reported ownership structure is readily available and confirmable. Regarding the threat of monopolies, the phenomenon is visible in print media, and sporadically in electronic media.

Foreign investment interest in the media sector has not picked up. Montenegrin media have just a few foreign investors (for TV IN, PRO TV, and *Vijesti* newspaper) at the moment. Problems in the media sector deter foreign investors. For example, as reported in last year’s MSI, Fox TV

withdrew from Montenegro; and after several attempts, WAZ gave up trying to buy *Pobjeda*.

The media address Montenegrins’ social interest topics, including equality and discrimination within society, gender, social convention, religion, and sexual orientation. The government places no limitations on subject matter, and the media face no legal obstacles in reporting on all major issues within society. However, the media do not cover these topics enough, in the panelists’ view. Sexual orientation, for example, is considered a sensitive issue in Montenegro’s traditional society and the media tends to approach the issue conservatively. Some panelists noted that editorial policies of both private and public national media are overly focused on political topics at the expense of other important areas, including poverty, science and research, cultural topics, the quality of the educational system, and health.

Ramović pointed out weaknesses regarding quality reporting of minorities, in particular the lack of information for the Albanian nation in Montenegro. “I believe that even in the future, the issue of professional news programs on Albanian language will remain unresolved,” he said.

OBJECTIVE 4: BUSINESS MANAGEMENT

Montenegro Objective Score: 2.05

The score for this objective slipped slightly from last year’s 2.22. The only significant changes were noted in scores for indicator 1 (media outlets operate as efficient businesses) and indicator 2 (media receive revenue from a multitude of sources).

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

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

Just as in previous years, media outlets in Montenegro can hardly be described as profitable, viable businesses. Public media survive thanks to government support and funds from local councils, while private media are exposed to unfair competition coming from the public sector. Numerous local media are close to bankruptcy, while the national media hang on. Although media have quite solid logistical staff, the sheer number of outlets, the economic crisis, and the limited market all affect business results—which are modest. “It is not easy to run a media business in Montenegro,” Đuranović said. “Although private media try to set up their businesses to be profitable, they face big obstacles in terms of sheer survival on the market. We should not forget that Montenegro is a small market, and it is very difficult to bring in advertising revenue.”

Several panelists commented on the various ways in which business problems have affected media quality in Montenegro. Šuković described how economic strain has impacted media programming. “We have a lot of media in Montenegro [that] serve as clear examples of poor businesses. We have but a few that produce quality programs—perhaps not more than two or three radio stations—because most media simply cannot survive making public interest programs,” he said.

Rastoder noted the links between the lack of professionalism and business viability. “There are huge problems within the media community affecting the level of professional journalism. To a significant degree, the precarious financial position of journalists threatens their professionalism. The fact is that, from the business angle, it would be better for some media to go down than to continue operating in their current form,” he said.

“The Montenegrin media market is not a good example of fair business competition,” Sebek said. “For example, local media suffer from a severe disadvantage, competing with media that are essentially branch offices of media companies from neighboring countries—for example, TV Pink. The advertising market in Montenegro is relatively small—some €12 million annually—and there is a lot of competition for it. Combined with other business challenges, it is very difficult to run a profitable media business in Montenegro.”

Although many media companies place advertisements directly with media outlets, advertising agencies are present in the Montenegrin media market. They conduct the major share of marketing business with the media. Advertising revenues generally flow to national media with headquarters in Podgorica, while the rest of Montenegro gets crumbs when it comes to advertising. However, the advertising market in Montenegro is limited in its potential (circa €12 million annually), so advertising revenues cannot cover all the

expenses of even the media companies successful at pulling in advertisements.

Private media depend heavily on circulation and non-commercial support from donors and local owners, while the public media are dominantly financed by the state and local councils, although they also earn money from advertising. Local public media services are funded mostly by local governments. Public media services, using their privileged economic position, often appear on the advertising market as unfair competition. Some of the panelists said that public services should be prohibited from collecting advertising revenues.

Private electronic media get some support from the national budget, but these are minor sums that do not affect their operations greatly. In the view of the panelists, government grants are not large enough to raise fears that the government may pressure editorial policies. The government is much more important for media as a source of advertising. Some media outlets do contain examples of selective advertising, depending on how much the outlet favors and flatters the ruling politicians.

Montenegro has few media market surveys. Media outlets cannot afford to pay public opinion agencies, so NGOs conduct a majority of surveys. Some also conduct ratings surveys. However, even these surveys are sporadic and insufficient for drafting business plans or development strategies. This segment of media policy in Montenegro is insufficient and undeveloped. In Đuranović’s view, media are not putting enough effort into market research.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Montenegro Objective Score: 2.24

Media solidarity is developed poorly, and this is reflected in business results. Although Montenegro has a number of media associations (UNEM, AKEM, ULES) designed to protect member interests, their engagement is temporary and insufficient, and usually comes down to improvisation. Media do not invest funds in associations, so performance is usually limited to individual campaigns for legislative changes or financial assistance.

The panel’s general assessment is that the business interests of Montenegrin media are not well protected, and that attempts to cooperate and organize have fallen short. Mandić noted, “There are a number of examples indicating that business associations are not functioning in the interest of the media community. For example, when the Law on Electronic Media was adopted, AKEM association was formed, aiming to

Klarić commented, “Montenegrin journalists are organized in two dysfunctional unions, which are certainly not contributing a great deal to the protection of [journalists’] rights.”

fill in the gaps of the previous association, UNEM. Yet efforts to protect the rights of media businesses and the media community’s professional interests have not helped.”

Montenegro has two professional journalists’ associations. While the associations exist formally, they lack any real influence within the media community or significant support from journalists and are practically useless, according to the panelists. Klarić commented, “Montenegrin journalists are organized in two dysfunctional unions, which are certainly not contributing a great deal to the protection of [journalists’] rights.” Mićunović agreed, saying, “We have institutions and organizations, which are, declaratively, protecting the interests of media community. However, it is an open question how much these numerous organizations genuinely articulate the interests of media and journalists. I still think that independent media are, more or less, without appropriate representation regarding their genuine needs and authentic interests.”

Rastoder presented a different view, defending his organization and others. “I want to say that the Journalists’ Self-Regulatory Body is functioning, and many efforts have been put into promotion of the journalists’ code and the need to protect adopted professional standards. Furthermore, there are numerous business associations and institutions that

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

are dedicated to protecting the interests of their members, including UNEM, ULES, AKEM, and IMCG.”

NGOs are very committed to protecting free speech and supporting the independent media. The panel pointed to positive examples of cooperation between the media sector and NGOs, especially those focused on human rights and the rule of law. Through numerous projects and daily activities, NGOs provide legal support and champion the development of independent and professional journalism and the right of public to be informed.

Panelists said that students can acquire solid practical skills through Montenegro’s higher education programs, including the Faculty of Political Sciences and the Montenegro Media Journalists’ School. MMI Director Bulatović commented, “I just want to underline the importance of MMI’s School of Journalism. This year, we produced our fifth generation of journalists, who were trained in practical skills and professional responsibility.” Sebek added, “I would point to the importance of Political Sciences Faculty [section for journalism], because this year it produced the fourth generation of students—which is of great importance for the future of Montenegrin journalism.”

As illustrated by these positive examples, the state of journalism education has improved compared to previous years, and the field is seeing more educated and qualified graduates. However, the panelists generally agreed that journalism education programs are falling short in terms of practical skills, which becomes apparent after even highly educated journalists are hired. The panelists also questioned how attractive the media sector will be to future journalists, given the current economic environment of the media, the low salaries for journalists, and the overall reputation within society of this challenging profession.

Despite the need for both basic and advanced courses for journalists, Montenegro has only one positive example of non-academic education of journalists: the training courses offered by MMI’s School of Journalism. It offers three-month courses for a fee.

Printing shops are mostly privately owned and linked to the media business of their respective companies (*Vijesti, Dan*), except for the state-owned printing shop linked to *Pobjeda*.

Distribution companies are privately owned, but they are also suffering economic hardship. A couple of years ago, the state-owned distribution network went bankrupt, while the remaining companies are operating with difficulties. Montenegro is facing the danger of monopolization of this particular market, which could have a negative impact on the business of print media and the free press.

List of Panel Participants

Radojica Bulatović, director, Media Institute of Montenegro, Podgorica

Dusko Vuković, editor-in-chief, on-line news PCNEN, Podgorica

Vladan Mićunović, editor-in-chief, Vijesti TV, Podgorica

Darko Šuković, editor-in-chief, Radio Antena M, Podgorica

Drasko Đuranović, independent media analyst, Podgorica

Mihailo Jovović, news editor, *Vijesti* newspaper, Podgorica

Marija Tomašević, journalist, PRO TV, Podgorica

Rajko Sebek, news editor, TV IN, Podgorica

Dino Ramović, media owner, TV Teuta, Ulcinj

Dragan Klarić, editor-in-chief, Radio Budva, Budva

Slavko Mandić, editor-in-chief, Radio Skala, Kotor

Mirsad Rastoder, president, Journalistic Self-Regulatory Body, Podgorica

Moderator and Author

Rade Bojović, executive director, Media Ltd., Podgorica

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