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MONTENEGRO

Local elections held in 14 Montenegrin municipalities in May 2010 confirmed, once again, the dominance of the ruling party, the Democratic Party of Socialists. Since Montenegro regained independence in 2006, with a political scene marked by a dominant ruling party and feeble opposition, the will to advance democratic progress and stimulate critical discourse has shifted in the direction of the civil society.

Aside from the elections, the pace of Montenegrin accession to the EU and NATO dominated headlines. For the first time, Montenegro sent a military mission to Afghanistan, reiterating its strategic Euro-Atlantic orientation. However, Montenegrin society is still significantly divided regarding NATO accession. On the other hand, more than three quarters of all citizens support EU accession, and, unlike the divide among political classes when it comes to joining NATO, all the relevant political parties support EU accession. In November 2010, the European Commission issued a positive opinion on Montenegro's aspirations to become a candidate country, bringing Montenegro closer to NATO and EU membership.

There is no doubt that Montenegro's economy is stagnating, threatening the long-term financial viability of most media. Investments in the media sector have frozen, and aside from sporadic online media projects, it is quite obvious that the economic capacity of the local media market is quite limited—thus providing practically no space for new media entrants. At the same time, from a commercial point of view, the state-owned media sport a number of advantages over the private media, including direct budgetary support. It is commonly accepted that running a media business in Montenegro is very hard, that politics and big capital interfere too heavily in editorial and professional freedom of journalists.

Other major problems facing the media include the clear lack of investigative journalism, insufficient commitment to professionalism among journalists, and the absence of efficient collaboration. Media owners proved unable to reach any kind of productive agreement regarding their mutual interests, and journalists proved incapable of establishing strong associations to protect their professional and trade union interests. There are few common institutions and organizations trying to promote the interests of media community. On top of these difficulties, the media face political pressure and courts lack independence—leaving journalists legally and socially unprotected.

Overall, Montenegro's score remained more or less static. In fact, three Objectives scored almost identically to last year. However, Objective 1 (freedom of speech) and Objective 3 (plurality of news) did show modest improvement in their scores.

MONTENEGRO AT A GLANCE

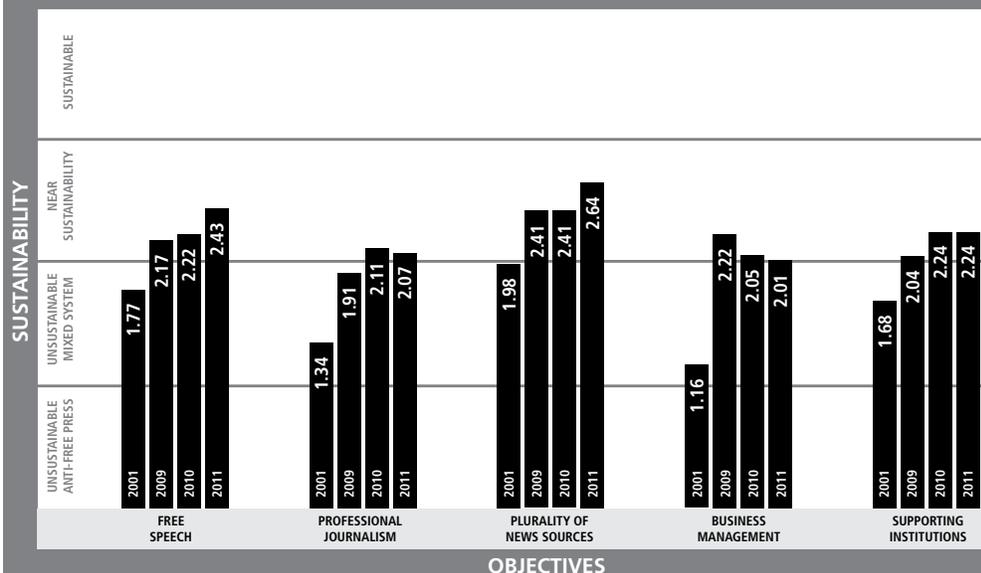
GENERAL

- > **Population:** 666,730 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Podgorica
- > **Ethnic groups (% of population):** Montenegrin 43%, Serbian 32%, Bosniak 8%, Albanian 5%, other (Muslims, Croats, Roma (Gypsy)) 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 (2009-Atlas):** \$4.149 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$13,320 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 97.6% (MONSTAT, 2003)
- > **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: 49; Television Stations: 18
- > **Newspaper circulation statistics:** Top three by circulation *Vijesti* (circulation 26,000, private), *Dan*, (circulation 25,000, private), *Pobjeda*, (circulation 8,000, state-owned)
- > **Broadcast ratings:** N/A
- > **News agencies:** Mina News Agency
- > **Annual advertising revenue in media sector:** \$7-\$8 million (2010 est., MEDIA Ltd.)
- > **Internet usage:** 280,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: MONTENEGRO



Scores for all years may be found online at http://www.irex.org/system/files/EE_mscores.xls

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.

OBJECTIVE 1: FREEDOM OF SPEECH

Montenegro Objective Score: 2.43

Eight years ago, Montenegro reformed its media legislation, defining new rules within the media industry and promoting a modern concept of free press protection. In general, media legislation is aligned with international standards and represents a good legal framework for media operations. The real problem in Montenegro, the panelists agreed, is enforcement of the law. Although free speech is protected legally, and the laws promote freedom of expression, selective and slow enforcement of laws threatens legal principles and adherence to media standards.

Mirsad Rastoder, a journalist and chair of the Ethics Committee of Montenegro, commented on the existing legislative framework: “We have good laws, but in practice we are faced with a lot of problems. The real need is to harmonize the legal norms with reality, and reevaluate the quality of related bylaws. Sonja Drobac, a journalist with the state-owned *Pobjeda*, agreed in general with previous speakers regarding the quality of the legislation, adding, “I think that we have a good legislative framework, which provides a solid basis for media sustainability. The biggest problem is in the area of education, as there are no specialized skills, no quality legal experts in court

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 or registration of media protects a public interest and is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against media professionals, citizen reporters, and media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > The law protects the editorial independence of state or public media.
- > Libel is a civil law issue, public officials are held to higher standards, offended party must prove falsity and malice.
- > Public information is easily available; right of access to information is equally enforced for all media, journalists, and citizens.
- > Media outlets’ access to and use of local and international news and news sources is not restricted by law.
- > Entry into the journalism profession is free and government imposes no licensing, restrictions, or special rights for journalists.

Lalić argued, “Libel should be decriminalized. In practice, there are only three media outlets that face libel lawsuits [Vjesti, Monitor, and Dan].”

cases. Whenever you have ignorance, there is a space for manipulation.” Regarding the courts, Draško Đuranović, the editor of the web-portal *Analitika*, noted, “The majority of claims against the media are libel charges. For litigation cases, it would be better if the Supreme Court would practice consistent compliance with international standards.”

The panelists all emphasized the problems regarding the enforcement of the laws, and socio-political limitations affecting the freedom of press. Ranko Vujović, president of the Association of Independent Electronic Media (known by its Montenegrin acronym, UNEM) said that Montenegrin society does not cherish free speech—and that not only the government, but some media professionals as well, oppose freedom of the press.

Regarding licensing procedures, Vujović pointed out changes brought by the adoption of the new Law on Electronic Media. He explained that the former Broadcasting Agency, now called the Electronic Media Agency, oversees the licensing process for electronic media; the law implements the EU Directive on Audio-Visual Media.

The licensing application process is generally transparent, but big broadcasters have a clear advantage—simply because they have lot of employees, pay more taxes, etc., and thus the licensing agency is more cooperative. Dino Ramović, editor-in-chief of the Albanian-language TV *Teuta* in Ulcinj, shared his opinion that, “The licensing process is not overly complicated, although there are some problems regarding frequencies in certain areas. Another problem is money, because it takes a lot of money to prepare the necessary documentation—and this is significant burden for the majority of small media.”

The panelists also reported that TV *Vijesti* finally won a national frequency license, following drawn-out political obstruction. Now, this national television station is in a position to broadcast over the entire territory of Montenegro (one of six stations total with that capacity). Maja Lalić, a TV Montenegro journalist, said however that the length of time it took TV *Vijesti* to obtain the license shows that broadcast licensing procedures are under political interference.

In principle, media enjoy free access to the market, and in that respect media are treated essentially the same as any

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other company. With recent reforms, media do not need to be registered with public authorities, thus avoiding the need to have special administrative operating licenses. Of course, electronic media have to meet prescribed technical requirements. In terms of taxation, media are treated as all other companies, although print media enjoy a lower tax rate.

According to Zoran Radulović, a journalist with *Monitor*, “From a legal-technical point of view, media business is absolutely equal to all other types of businesses in Montenegro. However, there are certain limitations—but they are the result more from the small and insufficiently developed market, rather than bad intentions or legal restrictions.” Đuranović pointed out another aspect of the issue: “The problem is that one television station [TV Pink], which is registered and has a seat in Serbia, holds a share of the advertising market in Montenegro—although it produces only the legally required minimum [50 percent] of programs in its Montenegrin studio. In this way, TV Pink is privileged, because the regulatory agency takes no action to force this television to maintain a certain level of its production in Montenegro.” Another panelist commented that market access is unequal for private outlets.

Although the panelists reported no serious cases of violence against journalists this year, they did discuss the troubling lack of concern for journalists’ safety among the public, and unresolved crimes from previous years—including a disputable court verdict following an attack on Željko Ivanović, the CEO of *Vijesti*; the unresolved case of an attack on Jevrem Brković, a publicist and author whose bodyguard was murdered; the most famous unresolved murder case of Duško Jovanović editor-in-chief of *Dan*; and; the controversial court proceedings revolving around the personal clash between the mayor of Podgorica and *Vijesti* editor, Mihailo Jovović.

Lalić emphasized that journalists are not the only targets. “Journalists are often targets of court processes, but civil society representatives suffer as well. Court cases are usually instigated against journalists of those media who are critical of the authorities or big business.” Neđeljko Rudović, a *Vijesti* journalist, added that the Jovović case, along with several

others, demonstrates clearly that independent journalists are discriminated against in Montenegro.

Although the panelists could not say that the law favors public/state media, in practice political patronage of public media is quite visible. Ruling political parties secure their control over public media managers. Lalić said that the national public service (television and radio) is in a privileged position. Public services are cushioned financially by a state-supported budget, while their private counterparts are exposed to market forces. For example, Đuranović said, “The election of RTCG [national state-owned radio and television] council members is legally well-regulated, and formally it is not possible for parties to elect their own members directly into the Council. Of course, there is a lot of lobbying going on, and there is always the possibility to indirectly impact the election.”

Dragana Unković, a TV *Vijesti* journalist, added, “The political impact on the selection of public service management is constant, as are the decisions that management are making. Also, when it comes to covering certain government or parliamentary activities abroad, private media are mostly cut off. In the last couple months the situation has slightly changed with respect to this, although I think this is done purely for promotional purposes.” Jadranka Kovačević-Đuranović, editor-in-chief of culture at Montenegrin TV, agreed that there are no problems in the legislative framework, but she commented on how subtle political influences affect the end product. “The editors are still ‘politically obedient,’ and in public media, self-censorship is a much bigger problem than outright censorship.”

Taking the example of *Pobjeda*, several panelists questioned its failure to privatize, despite Montenegrin laws requiring this transition, and continued state support for the daily despite this failure. Radulović charged that *Pobjeda* “failed to transform itself under the law that requires this daily to be privatized” and is now on direct government support. However, he said, “When private media (for example, *Vijesti*, *Monitor*, *Dan*) ask for a tax loan, they are refused—allegedly because that would disrupt the competition. It is quite obvious that laws are being violated.” Drobac conceded that it is quite clear how *Pobjeda* is financed, but she defended her newspaper, saying, “I do not think that *Pobjeda* is illegal media, because privatization has not been carried through. The government complied with the legal procedures, but there were simply no buyers.” Editor-in-chief of Antena M, Darko Šuković, said that *Pobjeda* was unable to be privatized, because at that moment the authorities favored *Vijesti*—so *Pobjeda* was marginalized.

For his part, Slavko Mandić, editor-in-chief of Radio Skala, said that he does not believe in the objectivity of *Vijesti*,

adding, "Citizens are not afraid of the current regime, but they are driven by their own interests." They expect to gain some personal benefits from the regime if they do not criticize it.

The panelists expressed strong views on the question of libel, and in particular, the debate over decriminalization. According to Montenegrin Penal Code, the fine for the criminal offense of libel ranges from €5 to €14,000 or imprisonment if the guilty party does not pay the fine. The whole issue is particularly problematic because a libel conviction does not exclude a parallel civil dispute, and since the courts are not applying balanced penal policy, the rulings for compensation of non-material damages range from symbolic amounts to up to €30,000. It is especially problematic because of divided opinions—on both the public and political scene—regarding de-criminalization of libel.

Lalić argued, "Libel should be decriminalized. In practice, there are only three media outlets that face libel lawsuits [*Vjesti*, *Monitor*, and *Dan*]." Vujović agreed, and commented, "I also do not think that media should be relieved from their responsibility, but there must be a fair balance between the freedom of the press and political aspirations to discipline certain media. I think that the proposal to decriminalize of libel is the right thing. Alternatively, we might have sanctions obligating media proven guilty of libel to publish a court verdict describing their offense... for media, that would be a harsher penalty than the fine." Rastoder shared his view that the public would welcome decriminalization of libel. Others underlined problems in the judiciary standards, and questions about what constitutes appropriate fines in civil cases.

Đuranović presented a different perspective. He agreed that most of the regulations are aligned with international standards, but said that the Supreme Court must finally harmonize the judicial practice. Noting that the main problems are court verdicts for libel, he said, "However, I am against the idea of full de-criminalization of libel. Damage compensation represents a far bigger problem—it cannot be used as mechanism for pressuring the media. Damage compensation claims, at the moment, amount to in excess of €13 million. Still, I am against low fines as well because that would favor tabloidization of the media scene. Simply, the courts must find the right balance."

Šuković also raised questions about decriminalizing libel, saying, "I do not think that our society is mature enough for its decriminalization. Of course we have problems with the judiciary. On the same issue, we see different verdicts. Yet the sanctions should never threaten media survival. Unković said, "Fines for libel are extremely high, and much more would be achieved with denials or apologies. However, we

are also faced with the problems of professionalism and media polarization."

Vujović added, "As far as the courts are concerned, it should be pointed out that judges are finally beginning to apply the standards of the European Court for Human Rights. Still, this refers to criminal proceedings, and we are still faced with the problem of civil disputes with possible high fines. I think the courts need to be educated on the matter, although even within the EU there are examples of drastic fines in civil disputes—for example, in the UK, which is famous for high fines." Rudović brought up one example of an especially harsh fine: "...the first court verdict against *Vijesti*, (filed by the president of the opposition party, 'Movement for Change') involving a €33,000 fine. In comparative terms, this would amount to a €15 million fine for some media in Germany."

Unković also pointed out how the question of libel plays a role in Montenegro's EU aspirations. She remarked, "Only a couple of days prior to publication of the European Commission's Opinion on Montenegrin application for EU membership, the High Court overruled the ruling of the Basic Court by which journalist Petar Komnenić was sentenced to pay, on account of libel, €2,000 to the controversial businessman from Rožaje, Safet Kalić. At the same time, we witnessed several acquittals in cases involving representatives of civil society—so our impression is that all that is posturing to answer pressure coming from Brussels." Likewise, Radojica Bulatović, director of the Media Institute of Montenegro, said, "Montenegro's bad image in the past few years is just a warning to those in power that they have to change their ways when it comes to media. Likewise, the journalists must take care not to enter the area of sensational journalism, which impacts negatively readers and viewers alike."

Radulović warned, "When sanctioning libel, the problem is not in the amount of the fine. For example, *Monitor* was fined for publishing other people's statements, which tells us something about the incompetence of the courts. It is particularly problematic that courts issue guilty verdicts even when journalists act in compliance with the Code of Ethics.

Montenegro has a Freedom of Information Act to facilitate journalists' and citizens' access to public information, but the media still experiences difficulties in this respect. Kovačević-Đuranović pointed out, "There are no legal regulations limiting media access to information." Yet in practice, government bodies often simply refuse to submit requested information within the legally prescribed timeframe.

Kovačević-Đuranović added, "Media polarization is simply a reflection of the social divide. Journalist associations and self-regulatory bodies are not sanctioning the media for incorrect reporting; society is also not critical. That is why the debate on self-regulation is of crucial importance."

Bulatović said, "Although every third request to access information is rejected (according to NGO data on access),¹ we can say that pressure from the public has improved the overall situation." Mandić added, "It all depends what documents we are talking about. There are definitely cases when some public officials are trying to deprive the public of certain pieces of information. However, by complying with procedures and being insistent, one can obtain requested information." Journalists are not addressing the lack of access to information in a consistent or organized way, as far as the panelists are aware.

There are no limitations to access international news. Internet is widespread in Montenegro and relatively cheap, with close to 200,000 users. All media use online sources, foreign publications are also accessible online, and a majority of private electronic media have modern, digital equipment. All in all, there are no limitations in that respect, and when it comes to tapping online sources, the Montenegrin media market is quite liberalized.

Mandić said, "Media are not limited in terms of access and use of news and sources. Journalists and editors are free to use the Internet without any censorship. Furthermore, media are allowed to broadcast foreign or local news programs or information of news agencies. However, he has seen troubling cases regarding failures to protect intellectual property that went unpunished.

There are no legal limitations regarding entry into the journalism profession, or any administrative barriers to obstruct journalists from working. Also, the government is neither implementing any restrictions regarding the journalism profession, nor posing legal limitations that could be interpreted as an attack on freedom of the press. Unković said, "Becoming a journalist is unrestricted; there is no control over who can enroll in journalism schools or

¹ "Free Access to Information & Secrecy of Data in Montenegro." MANS. Download report here: <http://www.mans.co.me/en/about-mans/publications/free-access-to-information-secrecy-of-data-in-montenegro/>

political interference when recruiting journalists. However, certain political structures favor some journalists." Vujović added, "Becoming a journalist is absolutely a matter of individual choice, and the authorities do not impose any kind of licenses, restrictions or special rules for the journalist profession."

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Montenegro Objective Score: 2.07

The panelists were unanimous that Montenegro faces a huge problem regarding professional standards in journalism. Journalists are often biased in their reporting, and very often they publish unconfirmed information or otherwise neglect to observe accepted standards. Rastoder said that when it comes to professionalism, Montenegrin media is perfunctory, lacking in creativity and quality.

Numerous court cases initiated against journalists on the grounds of poor professionalism illustrate this challenge. Vujović pointed out, "UNEM, within its Journalists Protection Project, supported journalist defense teams in 30 court cases in the last couple of years." Đuranović, however, noted that cases are decreasing, compared to the peak of verdicts against journalists in 2008: "However, while now we do not have explicit hate speech—that simmered down alongside the political cycle—tabloidization is now a major problem. The journalists' self-regulatory body definitely does not exist anymore, but the journalists still have to self-regulate. Journalists are not admitting their own mistakes, and that is a huge 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 and retain qualified personnel within the media profession.
- > Entertainment programming does not eclipse news and information programming.
- > Facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exist (investigative, economics/business, local, political).

Mandić countered that hate speech persists, and gave examples on Radio Bum and Radio Svetigora. He added, "The Regulatory Agency is not doing its job, in terms of preventing unprofessional journalism. Simply, the rule of law is not functioning." Thus, Rudović said that the media community must prioritize reaffirming the journalists' self-regulatory body. He said, "We implement different editorial policies, but we should all comply with the Code of Ethics. Yet, this can happen only when the authorities give up the attempt to discipline the free media." Kovačević-Đuranović added, "Media polarization is simply a reflection of the social divide. Journalist associations and self-regulatory bodies are not sanctioning the media for incorrect reporting; society is also not critical. That is why the debate on self-regulation is of crucial importance."

An Ethical Code, drafted by the journalists' self-regulatory body in the spirit of international professional standards, has existed for a number of years in Montenegro. However, the panelists generally agree that compliance is poor. The most commonly seen violation is publishing irresponsible information. In that respect, the activities of the journalists' self-regulatory body, regardless of its commitment and good intentions, failed to produce necessary results, because the majority of media simply ignore its conclusions and recommendations.

However, Rastoder said, "We must make a decisive step in order to gather the media around minimal common interests. Although a lot has been said regarding the functioning of the Self-regulatory Body as well as regarding its opinions and recommendations, I would like to say that we also had positive results in the seven years of its operations. Šuković, in response, explained his skepticism over the enthusiasm about reviving a self-regulatory body in the media community; in his view, the problem is rather the deep divide over understanding of media professionalism, and widespread corruption in the media.

Radulović ended discussion of this point on a pessimistic note. "It is impossible to revive self-regulation in a meaningful way," he said. "Journalists are poorly paid, government provides no guarantees for their salaries, and even in state-owned media, wages are paid up to three months late." In his view, all of these hardships erode journalists' will to uphold the professional code.

The panelists are convinced that self-censorship is also widespread in Montenegrin journalism. Journalists are inclined to skillfully avoid the toughest topics (especially stories about organized crime or corruption), and fearing for their social or existential safety, they cast aside their professional ideals to protect their jobs.

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Lalić commented, "Self-censorship in journalism is disappointingly widespread. I have been working as a journalist for three years, and I have witnessed self-censorship. Although we have more overt censorship in terms of editors' involvement in news as well, self-censorship remains the main problem." Kovačević-Đuranović agreed, and said that the degree of self-censorship practiced is directly proportional to the quality of journalists. Drobac believes that self-censorship stems from poor skills, and said that media lack professionally qualified editors.

Regarding the media's coverage of key events, the general assessment of the panelists is that journalists cover all the important events, both at local and national level. Furthermore, private and state-owned media focus equally on the most important events. Mandić commented, "There are no events or information that, if published, would cause negative consequences for editors, journalists, bloggers, and photographers. It is possible that we have cases when some editors prevent journalists from covering certain events. But the level of freedom in Montenegro is sufficient that everybody can cover events related to security, whether they are of national or international importance." Unković noted, however, that while most journalists cover all key events and issues, some go into more depth than others, and the quality of reporting varies.

Đuranović commented that salaries that are barely sufficient to cover basic living costs are contributing to the decreased quality of journalism. Journalism in Montenegro is, on average, a poorly paid profession. Very few journalists earn more than €1,000 per month, while the average journalist earns a salary of €500 per month. At the moment average net-salary in Montenegro is approximately €460, inflation does not exceed one percent, the unemployment rate is around 13 percent, and almost half of the employed work in the public sector (paid from the budget or working in state owned companies). The differences between pay for private and state-owned media are very small, although in

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some more financially viable private media journalists earn better salaries.

Unković said, "Depending on the media they are working in, some journalists can make enough money for a normal life-style—but that is a very small number of individuals. Most journalists work for more than one media outlet, or for foreign media, because that is the only way to make a decent living." She added that as a result, there is a trend of people leaving journalism and starting work as public relations officers within government institutions." Kovačević-Đuranović added that the low salaries for journalists also explain why journalism is becoming a women's profession.

In terms of the balance between entertainment and news, commercial entertainment programs dominate most private electronic media. Electronic media ratings indicate that the most popular programs are those with 'light' content—and that television stations promoting this kind of material enjoy greater financial success. On some private media outlets, the ratio of entertainment to informative content is approximately 80:20. On public services, the ratio is closer to 50:50. Rudović added, "In the majority of Montenegrin media, the focus is on the news programs, but the best ratings go to those television stations promoting entertainment programs; proved by the success of Pink TV on our market."

In print media, however, news content prevails, while electronic outlets are shifting more to entertainment, sports, and other commercial programs. Furthermore, the panelists expressed concern that the majority of entertainment programs display cultural standards below acceptable, and promote disputable social messages and unacceptable values.

All the relevant private electronic media with national coverage (example, TV IN, TV Vijesti, TV Pink, PRO TV) use modern digital equipment. However, planned digitalization of the media system by 2012 remains a problem, because in the harsh financial climate it is questionable whether that timeframe is realistic. This goes for the national public service as well, because RTCG still operates on an analog system. Nevertheless, the existing technical equipment, regardless of the quality of produced images, is enabling electronic

media to function in a stable manner. All the media have access to the Internet, so journalists have access to all online information as well.

In general, the panelists believe that there is little investigative and specialized journalism in Montenegro. As Ramović pointed out, "Specialization of journalists for certain areas exists, but this is just a characteristic of the big media companies. Local media are not capable of investing in specialization; each journalist usually covers several areas." Šuković commented, "In several larger media companies, there are programs for the specialization of journalists, while investigative journalism is on the margins. This is a big gap in the Montenegrin media community." Lalić said that specialization is almost exclusively seen in print media. She explained, "On television, in 90 percent of the cases, journalists cover several areas, especially those working on news desks. State-owned media, due to their legal obligations, address some social issues—including poverty, people with disabilities, labor issues, and unemployment—but the quality of their reporting is not very high." Radulović agreed, and added, "We still do not have enough journalists who are specialized for important social areas," thus making the development of expert journalism one of the priorities and biggest challenges for Montenegrin media. This directly affects the overall quality (and quantity) of investigative journalism, although all the panelists agreed that serious investigative journalism requires financial means that most of the media simply do not have.

OBJECTIVE 3: PLURALITY OF NEWS

Montenegro Objective Score: 2.64

In Montenegro, there are approximately 70 print and electronic media outlets. That is roughly one media outlet for every 9,000 residents. Some 90 percent of media companies are privately owned. This number is even bigger if you add up on-line newspapers (portals, blogs), and the country is also feeling the impact of social networks (Facebook, You Tube). However, due to the economic crisis, the total number of media has been decreasing over the last few years.

Šuković pointed out that "Pluralism is enormous, but the quality is often minimal." Unković said, "Citizens have a sufficient number of media to choose from in terms of information—maybe even too much. However, the choice is there and it is up to the citizens to choose."

Multiple viewpoints are available, including a range across the political spectrum. The only new entrant onto the media scene mentioned this year that has contributed to

better quality and pluralism on the local media scene is the launching of private online daily (a political portal, Analitika). However, the healthy number of media companies does not necessarily mean that professional standards in Montenegrin journalism meet a high standard.

Access to local and foreign media is not restricted, and in that respect Montenegro has quite liberal and open media space. Citizens are able to access different media sources in virtually every corner of the nation, thanks primarily to easy Internet access. However, cost is a prohibitive factor for some, and people in large cities enjoy greater access to media compared to their rural counterparts. Television and radio prevail as the most accessible media for rural audiences. Internet access is low outside urban areas.

The panelists concurred that public media rely upon the government and ruling parties for funding, marginalizing the public interest and promotion of certain political interests not necessarily in line with those of the ruling party. Unković commented, "Public service is not independent from structures in power, and its openness to alternate views is a charade. Likewise, people from public media think that they are doing their jobs very professionally and accept no criticism." Đuranović pointed out that "although they should represent the public, state-owned media reflect the structures in power more than those critical of the ruling party. Although they are not censored, it would be good to hear such voices more often in the programs of public service RTCG (Radio TV Montenegro) or in the state-owned daily *Pobjeda*."

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE, OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > Plurality of public and private news sources (e.g., print, broadcast, internet, mobile) exists and offer multiple viewpoints.
- > Citizens' access to domestic or international media is not restricted by law, economics, or other means.
- > State or public media reflect the views of the political spectrum, are non-partisan, and serve the public interest.
- > Independent news agencies gather and distribute news for media outlets.
- > Private media produce their own news.
- > Transparency of media ownership allows consumers to judge the 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.
- > The media provide news coverage and information about local, national, and international issues.

Unković said, "Citizens have a sufficient number of media to choose from in terms of information—maybe even too much. However, the choice is there and it is up to the citizens to choose."

Mandić added, "National public service hasn't met the expectations yet, explained more by poor professionalism and journalists' fears about losing their job than pressure from the ruling structures. Although the majority of journalists and editors of the public service might claim to be independent, their performance is at odds with those claims."

Ruling political structures have unacceptably great influence on the editorial policies of the public media, thus compromising the primary purpose of professional public service. Public media select such topics that are unlikely to question or discredit the ruling parties. Furthermore, public media neither provide longer-form public affairs programs nor in-depth reporting, nor enough educational and cultural programming—especially high quality programming.

Montenegro offers the services of several independent news agencies. Mandić said, "These agencies provide information to all those willing to pay, regardless of the type of media company." For a number of years in Montenegro, however, there has only been one private news agency (MINA), while a similar state-owned agency does not and has never existed. Apart from foreign news agencies, such as Reuters, media often use news from Serbian news agencies, such as Beta, operating in Montenegro. The largest media outlets can afford news agency services, while local media mostly rely upon the local MINA agency.

The panelists agreed that private media produce their own programs, and discussed contrasts between public and private media productions. Đuranović said, "Private media produce their own programs, which often differ from the state-owned media programs in terms of priorities in news programs or criticism of certain social events or phenomena." In that respect, Mandić added, "The difference is in the style of reporting. Private media are more objective and they treat all sides equally." According to Šuković, "A few big private media companies have their own news editorial policies, which differ substantially from the state-owned media and public services. Truth be told, some private media are very good at what they produce, and others are very poor."

Private electronic media have their own production capabilities and news programs, which differ somewhat from public media. This applies mostly to media with national

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coverage, while the local media have poorly developed programs. Blogging is still poorly developed in Montenegro, and lags behind other types of media.

From a legal point of view, media companies are obliged to operate transparently so the public may know the registered owners of media companies. Essentially, the public is privy to the ownership structure of media companies, although there are doubts as to the authenticity of those owners. In that regard, Đuranović noted that "ownership in private media is not sufficiently transparent and there is hidden concentration of media ownership." Mandić added, "We allegedly have transparent media ownership. However, for some media we simply do not know the true owner. The public is likewise unaware of who controls the blogs and other online media."

In line with the law, media companies are obliged to register in public registries that are easily accessible by journalists or any citizen. The matter of ownership concentration is visible in at least one segment of the printed media, but perhaps less directly in the electronic media as well. The economic crisis and financial difficulties that followed for media businesses have caused a slowdown of foreign investments. One big foreign investor (PRO TV) still has not managed to develop its media project in Montenegro, for instance, and in the last two years has witnessed a number of foreign investors giving up on Montenegro altogether (Fox TV, WAZ). These facts lead to the conclusion that media in Montenegro are in dire economic straits.

Media address topics including inequality and discrimination in society. Mandić pointed out, "Media rarely report on different social problems such as gender issues, age groups, ethnicity, religion, sexual orientation. They are not rejecting the issues so much as they fail to express any interest in them whatsoever. Media in minority languages are accessible to citizens only in those areas able to receive public services, but there are legal print and broadcast media in minority languages." TV Teuta, for instance, broadcasts mostly in Albanian. No journalists are harassed for covering minority-related issues, as far as the panelists are aware.

Đuranović added, "We have a lot of minority language media. The government has special financing for them, and minority cultural institutions exist within the special Council

of National and Ethnic Groups." Ramović stressed, "Media are covering quite a wide spectrum, but the reporting in minority languages is only starting to get better. We have few programs in minority languages and this must change." Minorities most in need include the population known as RAE (Roma, Ashkali, Egyptian), although some media outlets (state radio and television and Radio Antena M, for example) provide special editions of certain programs in these languages.

Obviously there are no legal bans or government obstacles to promotion of relevant social issues in the media. The panel could not say that there has been an organized failure to cover the activities of certain social groups, though in certain cases the restraint of the media is visible (e.g., LGBT population).

Turning to exploring the extent to which media provide news coverage and information about local, national, and international issues, all the panelists agreed that media are covering all relevant local, national, and international issues, and Montenegrin citizens are well-informed about global events. In that respect the public is not isolated from any relevant information that is being placed on local, national or international news markets. Lalić said, "The combination of local and national media provides access to information from all areas." Unković added, "Through local or national media, citizens have the opportunity to get informed on local, regional, and international events. Citizens do not have to turn to international sources in order to learn about most important international events." Mandić agreed, and added, "National media usually report on events of national importance, focusing less on news from local communities."

OBJECTIVE 4: BUSINESS MANAGEMENT

Montenegro Objective Score: 2.01

Panelists agree that, as in previous years, media business in Montenegro is largely unprofitable. Mandić commented, "We do not have a single media company, which, despite being managed well, is producing a profit. Business is mostly done in line with international standards. I am not familiar about those media companies that are financed by corporations to achieve their own goals. Media founded by local councils are sustainable only because they are financed from the budget." Radulović added, "Only a few media companies are able to sustain themselves financially." Rastoder noted that Montenegro is a small market, not strong enough to sustain a great number of media.

Duranović remarked, “The fact is that, in Montenegro, we have too many media, most of which launched during the flush period of international community support. We are going to see a reduction in number of media companies, dictated by the market conditions.” Šuković said, “Before the crisis some media were profitable. Today, most are on the brink of survival, particularly those media companies that have donors, whether they are political or commercial ones.” Ramović added, “When it comes to media sustainability the situation is contradictory. I think that most media are not sustainable or are at the brink of business closure, especially small local media.”

Unlike commercial national media, which are sustaining themselves and occasionally show good operating results, the local media are indebted and at the brink of bankruptcy. Public media are surviving only because they are supported from government budgets. We are also witnessing unfair market competition, as public media are privileged over private ones. In these difficult conditions, the media business in Montenegro definitely cannot be seen as either profitable or challenging.

Contemplating on the revenue sources for the media, Šuković observed, “Public service is mostly financed by the state. In view of that fact, the political influence of the government on editorial policy of RTCG and *Pobjeda* is quite visible. On the other hand, most media are primarily just tools in the hands of their owners and big business.” In that regard, Đuranović noted, “Media are generating revenues from several sources, but the limited advertising market is forcing concessions in editorial policies. Sometimes the media fail to cover negative events affecting companies that advertise with

**MEDIA ARE WELL-MANAGED ENTERPRISES,
ALLOWING EDITORIAL INDEPENDENCE.**

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets operate as efficient and self-sustaining enterprises.
- > 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.
- > Government subsidies and advertising are distributed fairly, governed by law, and neither subvert editorial independence nor distort the market.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor the product to the needs and interests of the audience.
- > Broadcast ratings, circulation figures, and internet statistics are reliably and independently produced.

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them.” Mandić added, “Big media companies, and we have just a few of them, are running their editorial policies to suit their owners. State-owned national and local media, on the other hand, have guaranteed budgets. We have a problem in which our media accept money from the very people wishing to impact editorial policies. Generally speaking, media are susceptible to those who finance them.”

Advertising and direct owner/donor financing are the only relevant revenue streams for the media. Unković said, “Advertising revenues are not equal at all media companies, and this depends on their broadcast ratings and print circulation numbers.” Subscription financing does not exist anymore, so the media rely on the advertising money. Very few media use subscription, especially for online editions, although some printing outlets bundle distributions of famous books, offered at low prices, alongside newspapers and periodicals.

According to the panelists, the private media are more capable than the public outlets, but the public media enjoy secure sources of funding, thus are less exposed to market risk.

Regarding the advertising market, the panelists said that advertising agencies are definitely present in the market—although, according to Mandić, there are just a few, and most of them do not operate on market principles or produce their own ads. Most advertising business is done through these agencies, although some media negotiate with companies directly.

According to Unković, Montenegro has sufficient advertising agencies. She noted, “They represent the biggest advertisers and they cooperate with the media. The price of advertising space is left to the market, but very often, advertising agencies seek to take advantage of the bad financial position of media outlets and secure low prices for their advertising space.” Mandić added, “We also have a problem with unfair competition because the public service offer far lower advertising rates, damaging the private media. This raises the question of possible ban on advertising in the public media.”

On the question of state subsidies, Ramović commented, “Some people think that the authorities are promoting certain media, lobbying for their grants and even providing them with a piece of the budget funds. The law in this respect is not bad, but lobbying is always more productive than normative solutions and formal frameworks.”

However, the panelists are not aware of any lobbying by media groups around this issue.

Private media with national reach and the national public service (television) win the vast share of advertising business. According to the panelists’ estimates, however, the advertising market has shrunk significantly and now amounts to less than €8 million per year—bringing the media into the danger zone, Ramović said.

According to the Rule Book on Advertising and Sponsorship in Electronic Media, adopted by the Broadcasting Council, electronic media can allocate 12 minutes per hour for advertising. Most media comply with this regulation.

The general assessment is that private media depend on the circulation, advertising and support from donors and businesspersons. However, advertising money is insufficient to support profitable private media, yet the state-owned media are able to compete for advertising funds while enjoying the support from the government and local councils. Some of the panelists think that serious thought should be given to idea of banning state-owned media from advertising.

Duranović thinks that it is possible for the government to advertise in state-owned media or on the public service, but objected that public companies advertise extensively in private media as well. On the question of state subsidies, Ramović commented, “Some people think that the authorities are promoting certain media, lobbying for their grants and even providing them with a piece of the budget funds. The law in this respect is not bad, but lobbying is always more productive than normative solutions and formal frameworks.”

Unković added, “One may say that the government is the main advertiser during election years, but only in supportive media. There can’t be fairness when the government provides subsidies.” Bulatović commented, “We should pay attention to the status of *Pobjeda*. The national public service is under government influence and it is struggling with this financial

stability. And, the private radio station Antenna M is an example of a station that has had difficulty competing in the advertising and news markets.”

The broad sentiment among panelists is that advertising by governmental bodies, taking into account the great financial weight of those advertisements, is very important for private media. Herein lies the problem as the government favors pro-government, uncritical media.

Duranović stressed that market surveys are not being used enough to develop media companies’ development strategies. Mandić said, “Surveys in Montenegro are not adjusted to the needs and interests of the public. Surveys usually concentrate on bigger media, leaving out the vast majority of local media, so the question is: Do we really have realistic picture of the Montenegrin media community?”

There are few media market surveys in Montenegro. Media cannot afford to use marketing agencies often, so NGOs conduct the majority of surveys. For example, the Center for Democracy and Human Rights regularly conducts surveys about political public opinion in Montenegro, including items about media related issues.

Regarding ratings, Ramović noted, “We get sporadic information on the ratings and circulations of some national media, coming from various marketing agencies, but rarely with the local media. Furthermore, Šuković thinks that media rating surveys are unreliable; he said, “Usually the agencies are measuring the confidence in media. The highest ratings therefore go to music radio stations. More realistic are television station ratings, thanks to accurate data provided by the cable operators.”

As in previous years, ratings of certain programs and surveys measuring confidence in certain media is usually done either by NGOs or specialized marketing agencies. However, there is a problem with media rating surveys that are insufficient and not performed within the context necessary to draft quality business plans and development strategies.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Montenegro Objective Score: 2.24

According to the panelists, the influence of trade associations is very minimal in Montenegro. Bulatović commented, “The media community is fragmented, and therefore we have several associations advocating more narrow interests.” Unković and Ramović added that few results are visible, for local or national media. As a group, the panelists generally believe that media trade associations are poorly

developed, with limited impact and credibility. There are several associations in Montenegro, formed to protect the interests of their members. UNEM, the Association of Commercial Broadcasters, and the Association of Local Electronic Broadcasters are all associations for the protection of electronic media interests, but their work is occasional, insufficient, and without professional foundations. Thus, the panelists believe that business interests are poorly protected within the Montenegrin media community.

Unković said that the situation for professional journalists' associations is even worse. There is no united journalists' association to protect the profession. Many fragmented associations exist, but that is just a reflection of the divide among the Montenegrin media community. Kovačević-Đuranović agreed that there are several associations, but said they are doing little. Ramović agreed, and noted that attempts to protect journalists are not synchronized—professional solidarity is very low. Furthermore, Bulatović added, "This year we witnessed additional confrontation between journalists' associations over the need to elect new leadership. Trade unions are passive, and the work of journalists' self-regulatory body has been blocked for some time now." To date, none of the media NGOs have made any effort to strengthen the professional associations.

There are several journalists' associations in Montenegro, but not a single one is able to meet integral needs and protect the interest of the journalism profession. Panelists were unanimous in their assessment of the poor quality of

Furthermore, Bulatović added, "This year we witnessed additional confrontation between journalists' associations over the need to elect new leadership. Trade unions are passive, and the work of journalists' self-regulatory body has been blocked for some time now."

journalists' associations, and view this void as confirmation of the declining state of the journalism profession.

Panelists agree that there are numerous NGOs dedicated to the free speech and providing support for the independent media and professional editorial policies, such as the Montenegro Media Institute, and they see positive and constructive cooperation between media and the NGO sector—although NGOs mostly focus on the largest cities. For all of its shortcomings, thanks to numerous projects and daily public activity, the NGO sector is still an important element in the development of a free press and professional journalism, including efforts to review legislative changes on the media, provide legal support to journalists or media outlets. From time to time, they work in cooperation with international free speech and human rights organizations.

Educational opportunities for journalists have improved greatly compared to previous years, the panelists said, and there is a much more educated pool of journalists. According to the panelists, colleges and other specialized programs (School of Political Sciences, Journalist School of the Media Institute) are enabling students to acquire solid theoretical knowledge and practical skills. However, the key question now is, how much will economic factors impact the ability of young journalists to find jobs within their profession. Bulatović stressed, "Now, the first generations educated at the School of Political Sciences are coming onto the media scene [the department opened in 2006]. Unfortunately, media companies cannot employ all of them, so we are running a real risk of educating people for the unemployment bureau."

However, Šuković said that conditions for practical training are still poor at the journalism department at the School of Political Science in Podgorica.

In terms of short-term training opportunities for journalists, Bulatović noted that the Media Institute has organized three journalists' schools in the last three years to meet the clear need for hands-on training. Unković agreed that only the Media Institute organizes short-term training for journalists, but she noted that it is intended for beginners or

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of media owners and managers and provide member services.
- > Professional associations work to protect journalists' rights and promote quality journalism.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs exist providing substantial practical experience.
- > Short-term training and in-service training institutions and programs allow journalists to upgrade skills or acquire new skills.
- > Sources of media equipment, newsprint, and printing facilities are apolitical, not monopolized, and not restricted.
- > Channels of media distribution (e.g., kiosks, transmitters, cable, internet, mobile) are apolitical, not monopolized, and not restricted.
- > Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

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inexperienced journalists. “There are no training programs that would cover all the aspects of the media profession,” she said. Bulatović added, “The Media Institute courses are dependent on donors, and the media do not have the money to support the training programs.”

Ramović commented that some media companies do organize short-term in-house training programs, notably with beginners. “Courses are often organized by journalists’ associations, or in the form of workshops organized by some editors. I think all this has proven to be useful and effective.”

Regarding whether or not sources of media equipment, newsprint, and printing facilities are apolitical, not monopolized, and unrestricted, Đuranović confirmed, “In this regard there are no limitations.” Mandić also pointed out that while there are no restrictions in terms of buying the media equipment, there are only one or two companies offering these items in Montenegro. Existing printing presses, used to print the leading dailies, are privately owned (*Vijesti, Dan*), except for the state-owned press, where *Pobjeda* is printed.

Ramović said that transmitters can be leased on the market. The only problem is the price of that lease, as the most powerful transmitters are very expensive and this limits the reach of financially less well-off media companies. In addition, he said, “The upcoming digitalization process will be hard to implement with small media due to high costs.” The panelists expressed concern over the limited funds for digitalization, and said that they hope the government or donors come to the rescue and purchase the necessary equipment. Currently, only a few private media are already running on digital technology.

Đuranović also commented that the economic crisis has threatened operations of some private companies, and this has affected development of press distribution channels—and now, monopolies are being created on the distribution market. All distribution companies are privately owned, but most of them are experiencing minor or more severe financial difficulties. However, the difficulties of many are favoring the few.

Although citizens have free access to all the media without any problems, Ramović added that the “... existing infrastructure is not of high quality due to obsolete equipment. The biggest problems are occasional weak signal reception and breakdowns due to weather conditions.” However, the panelists noted that Montenegro’s telecommunication network is one of the region’s more advanced, so it experiences few problems regarding access to cable media, mobile telephony, or Internet—even in rural areas, because there is an optic cable that connects all Montenegrin cities.

List of Panel Participants

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