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MONTENEGRO

The pace of EU and NATO accession, Montenegro's ties with Russia amid political and military conflict in Ukraine, and local elections in 12 Montenegrin municipalities drove Montenegrin political debate in the past year. The Annual Progress Report on Montenegro's EU accession noted limited success. However, it criticized the slow pace and mistakes in establishing the rule of law, sustainability of public finances, and inherited and new problems in the media sector. Brussels urged the authorities to resolve cases of violence against journalists and alleviate pressures on press freedom. It also encouraged local journalists to honor professional accountability and their adopted ethical rules.

The same negative trends persist in the media sector. Media heavily influenced by the ruling DPS (*Pobjeda*, Montenegrin Radio, and TV-RTCG) clashed openly with the most influential private print media (*Vijesti* and *Dan*). Just as in previous years, local elections made their relationship even worse, and the systemic inequality of the public (state-owned) and private media sector continues. Numerous public services (two national and dozens of local outlets) enjoy government support while still enjoying advantages on the advertising market, thus threatening private media's survival.

With Montenegro's economy still reeling from recession, economic inequality is growing, and the country must implement deep structural reforms in this area to create a more enabling environment for businesses, including media businesses—long a risky and unprofitable investment. The bankruptcy of the oldest Montenegrin daily, *Pobjeda* (in circulation since 1945), serves as a telling illustration of this negative trend. The last state-owned print media company, *Pobjeda* went bankrupt despite constant financial support from the government, leaving 200 employees jobless.

An incident involving libel accusations against one of the leaders of Montenegro's NGO sector led many media professionals to question their stance against the criminalization of libel. The private daily *Informer* targeted Vanja Čalović, the head of Network for NGO Sector Affirmation and a strong critic of the government, by publishing fuzzy, dimly lit photos and attempting to implicate her for zoophilia. The case stirred fierce political and public debate regarding abuse of press freedom and the boundaries of decency. The campaign, obviously intended to discredit Čalović, did not result in a clear court decision. However, on the request of the Supreme Prosecutor's Office, some of the issues were subsequently withdrawn from circulation.

It is clear that media sustainability in Montenegro is still fragile, and the media community is still highly politicized, prone to internal conflicts, and lacking solidarity to address threats to the freedom of speech. Furthermore, the media still suffer from a lack of professionalism, displayed in tendentious editorial policies, hate speech, and poor protection of personal data.

MONTENEGRO at a glance

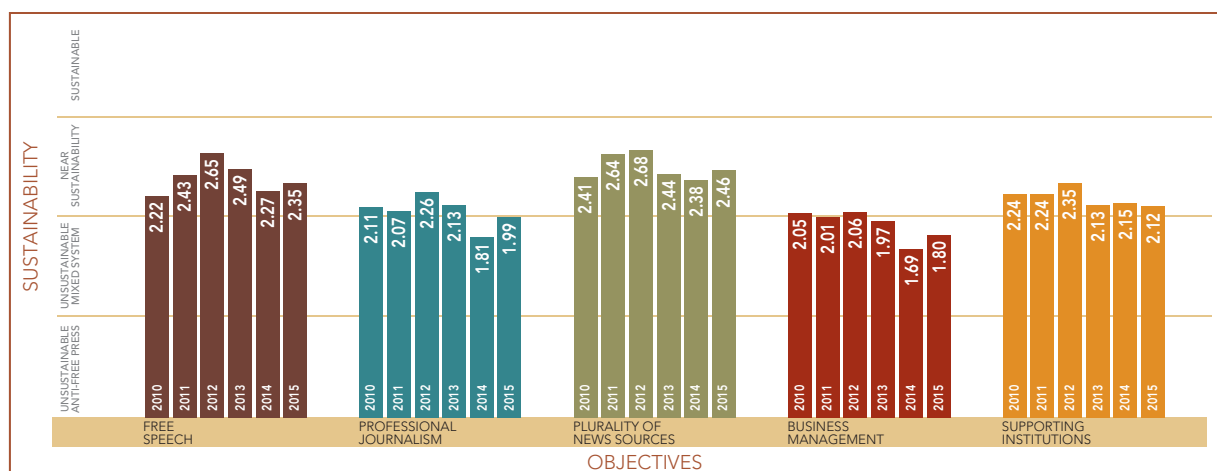
GENERAL

- > Population: 650,036 (July 2014 est. *CIA World Factbook*)
- > Capital city: Podgorica
- > Ethnic groups (% of population): Montenegrin 45%, Serbian 28.7%, Bosniak 8.7%, Albanian 4.9%, Muslim 3.3%, Roma 1%, Croat 1%, other 2.6%, unspecified 4.9% (2011 est. *CIA World Factbook*)
- > Religions (% of population): Orthodox 72.1%, Muslim 19.1%, Catholic 3.4%, atheist 1.2%, other 1.5%, unspecified 2.6% (2011 est. *CIA World Factbook*)
- > Languages (% of population): Serbian 42.9%, Montenegrin 37%, Bosnian 5.3%, Albanian 5.3%, Serbo-Croat 2%, other 3.5%, unspecified 4% (2011 est. *CIA World Factbook*)
- > GNI (2013-Atlas): \$4.505 billion (World Bank Development Indicators, 2014)
- > GNI per capita (2013-PPP): \$14,410 (World Bank Development Indicators, 2014)
- > Literacy rate: 98.5%; Male 99.4%, Female 97.6% (2011 est. *CIA World Factbook*)
- > President or top authority: President Filip Vujanović (since April, 2013)

MEDIA-SPECIFIC

- > Number of active print outlets, radio stations, television stations: Print: 5 dailies, 3 weeklies, 30 monthlies; Radio Stations: 52; Television Stations: 23; Cable operators: 10 (2014, Agency for Electronic Media of Montenegro)
- > Newspaper circulation statistics: *Vijesti* (circulation 6,500, private), *Dan*, (circulation 8,000, private), *Dnevne Novine* (circulation: 6,500, private), *Pobjeda*, (circulation 2,000, state-owned), *Informer* (circulation 2,000, private), (2014 est., Direct Media Ltd.)
- > Broadcast ratings: N/A
- > News agencies: Mina News Agency (private)
- > Annual advertising revenue in media sector: €9–€9.5 million (2014 est., Direct Media Ltd.)
- > Internet usage: 369,220 (56.8% of population) (June, 30. 2014, Internet World Stats)

MEDIA SUSTAINABILITY INDEX: MONTENEGRO



MEDIA SUSTAINABILITY INDEX 2015: OVERALL AVERAGE SCORES



CHANGE SINCE 2014

▲ (increase greater than .10) □ (little or no change) ▼ (.10 decrease greater than .10)

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.

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

OBJECTIVE 1: FREEDOM OF SPEECH

Montenegro Objective Score: 2.35

For years now, the panelists have agreed that media legislation in Montenegro is quite acceptable, legally solid, and largely aligned with international standards. Montenegrin media legislation (Media Law, Electronic Media Law, Digital Radio Broadcasting Law, Law on Public Radio-Broadcasting Services) protects and promotes freedom of the press, and its normative framework is aligned with international standards for both print and electronic media. The panelists agree that media laws and regulations are generally good and pose no obstacles to professional, free, and accountable work by the media companies. However, every year the panelists describe serious concerns when it comes to implementation of rights and compliance with media rules, underlining in particular the status of media within our society, the realistic impact of a free press, and practical obstacles. As Duško Vuković, an independent media analyst and researcher, pointed out, “The whole society is in the throes of a partycratic and clientelistic system that functions largely contrary to the public interest, and as such blocks the enforcement of laws and the constitution. The question is whether or not we have the right atmosphere within our society to support the legislative framework. Montenegrin society does not have the potential to develop

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 of public media.
- > 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 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.

itself as a free and open society, and the ruling class is unwilling to take that path—as seen by recent political and public initiatives for adoption of legal norms that would enable banning of media, which I oppose.”

Along those same lines, Jadranka Rabrenović, a journalist for *Pobjeda*, said, “We have a constitution protecting media freedom, but there is also a tendency for regression. The opposition is now asking for criminalization of libel and the reintroduction of censorship. I am against criminalization of libel. I think that these initiatives, coming from part of the opposition and NGO sector, are directed at suppressing media freedoms and introducing media bans.” Sonja Drobac, editor-in-chief of national TV Prva, added, “The constitution guarantees media freedoms. Therefore, the initiatives to change the Media Law in the direction of media censorship are unacceptable. It is astonishing that since the decriminalization of libel we haven’t gotten a single court verdict in this area. There is simply no effective litigation procedure. Several civil suits are still ongoing, but no case has resulted in a verdict yet, to my knowledge.”

Complementing these views, Rajka Raičević, a journalist for *Dan*, said, “Bearing in mind numerous court verdicts against *Dan*, the daily with the biggest circulation in Montenegro, but also verdicts against independent media, such as *Vijesti* and *Monitor*—where the courts were adjudicating in favor of the plaintiffs with links to authorities—it is obvious that in Montenegro we have a problem with independence of the judiciary.”

Mihailo Jovović, editor-in-chief of *Vijesti*, agrees that while the legislation is acceptable, law enforcement is questionable: “In many cases, laws are being used as a cover-up to suppress media freedom. There are legal gaps enabling media abuse. On the other hand, we practically have no guilty verdicts in any of the cases involving violence against journalists.”

The panelists’ comments point to an obvious discrepancy between sound legal and institutional solutions and problems in practice, and they emphasized that constitutionally proclaimed freedom of speech is often deformed, abused, and limited in practice. They feel that private media sometimes write about people without respect for personal privacy. On the other hand, state-owned media often are not open to offering a platform to opposition ideas or critics of the government.

Furthermore, the panelists said that depending on editorial policies, as well as corporative and political interests, media are prone to avoid covering certain issues and are often poorly dedicated to issues of public interest. For example, pro-government media sometimes avoid writing

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about corruption cases in governmental institutions, while independent media avoid writing about a lack of transparency regarding funding for some opposition parties. The dominant opinion of the panelists is that press freedom is being limited in practice, compounded by a shortage of accountable and professional journalists.

The panelists feel that any obstacles with regard to media licensing are a relic of the past. Nevertheless, institutional complexity and overly onerous procedures are still a problem in this arena, as two national regulators (the Media Agency and the Agency for Electronic Telecommunications) must be involved. Still, Drobac commented, “The main problems are high license prices, as well as prices of services related to the broadcasting of television programs.”

Media have free access to the market, and from a legal standpoint, media business is not a privileged form of business in Montenegro in any way. Valid business legislation is equally applied to both media companies and companies operating in other economic sectors. The same goes for tax treatment of media companies, which are treated just like other companies, except for print media, which for years now have paid a lower value-added tax (VAT) rate of seven percent. When it comes to media businesses, Vuković pointed out, “Government-friendly media—or those under its control, directly or indirectly—are often excused if they fail to meet legal requirements, such as paying taxes. However, that is not the case with media critical of the government.”

In the past couple of years, there have been physical attacks on journalists. The most recent incident occurred in Nikšić, where several young men physically attacked and badly injured a *Dan* journalist. The men were arrested and

punished with jail time. Court proceedings showed that a local businessman, angered by articles written about his alleged criminal activities, was behind the attack.

The attacks have been directed mainly at journalists who work for media that criticize the government or criminal activities, such as *Vijesti* and *Dan*. Vuković said, “Media do not feel free to investigate cases of organized crime and corruption, especially cases with apparent links between authorities and criminals. That fear is exacerbated because of all those cases of murder and beating of journalists and attacks on the assets of media companies in recent years that the authorities failed to investigate. Specifically, I am thinking about the murder of the director and editor-in-chief of *Dan*, the beating of journalists working for *Vijesti* and *Monitor*—Tufik Softić, journalist Mladen Stojović, *Vijesti* journalist Olivera Lakić, *Dan* journalist Nataša Nikčević, and the attack on *Vijesti*'s assets.”

All the panelists concluded that court proceedings in cases of violence against journalists are slow and ineffective. Drobac noted that the cases are brought before the courts but that the pace of court proceedings is very slow. Samir Rastoder, director of *Dnevne Novine*, agreed and added, “There are several ongoing cases before the courts related to attacks on journalists, and the accused are mainly people with criminal records. These cases are intensively covered by the media, but the main objection is that they drag on too long.” Gordana Borović, a managing member of the Media Self-Regulatory Board, claims, “In Montenegro, we witnessed several attacks on journalists, and the general impression of the public is that investigations implemented were rather confusing and inadequate; additionally, we are not sure that the right people were criminally prosecuted for these attacks.” As Jovović concluded, “There are practically no final verdicts in cases of violence against journalists, and only journalists working for professional and critical media are exposed to this kind of pressure.” The panelists’ general impression, which ongoing court cases confirm, is that the Montenegrin judiciary is ineffective at solving cases of violence against journalists. This stimulates insecurity and frustration among the media community, putting at stake the credibility of our legal order and threatening press freedom.

The laws do not pose obstacles for the editorial independence of public national and local media services. Nevertheless, the general public, as well as political and NGO circles, are highly critical of the news and political programs of these services. Most people believe that public

media services are either under the influence or control of the ruling parties (i.e., that their editorial policies do not protect the public interest)—even though public media board members are appointed impartially, and funding of public media is transparent and distributed in a fair manner that does not undermine editorial independence. For example, Vuković claims, “State-owned public media are almost entirely dependent on the ruling structures, and their editorial independence can be detected only in traces.” Other panelists, such as Dragan Markešić, agreed: “There is little editorial independence in state-owned/public media, and quite often it is easy to see that they are one-sided. However, even in the private media we do not see much deviation from their general political directions.” Suzana Ganić, a journalist for the local television station, Teuta, said, “The difference between private and state media is quite visible. Public services are prone to censorship, primarily because of the way in which managerial structures select ‘suitable’ journalists.” However, some of the panelists think differently, such as Rastoder, who said, “When it comes to the editorial policy of the public service, it is definitely more balanced with respect to previous years and now comes very close to being considered professional.” Still, a majority of the panelists felt that public national and local services are politically manipulated and abused.

In Montenegro, libel and insult are not criminal offenses punishable with prison time. After the decriminalization of libel, these issues are now resolved in civil litigation cases. Some panelists objected, though, saying that in some cases of libel and insult, Montenegrin courts are too soft on libelers. That was the reason why political and NGO circles, regarding the case involving NGO activist Čalović, argued that a media ban could be justified in extreme circumstances. However, the problem with this demand is that it is contrary to the Montenegrin constitution, which prohibits censorship and guarantees press freedom. Still, it is evident that court verdicts in civil litigation cases are resulting in low fines, thus provoking a negative reaction from the public and opening the question of reforming the case law of Montenegrin courts. As Raičević said, “Libel is now in the domain of civil law, and that is why we have a situation where, due to the fact that there is no more criminal liability, basic constitutional principles and professional standards are being violated. Public insults and multiple incurred damages for libeled persons cannot be compensated with such small fines. That was the case with Čalović—one of the rare examples where criminalization of libel would actually make sense.”

The experiences with enforcement of the Freedom of Information Act since its adoption nine years ago are contradictory and subject to numerous public challenges—particularly from NGOs and the media community. The panelists described some of the problems they face communicating with the public relations officers of public institutions. Ivan Mijanović, director of Radio Cetinje, said, “Although a great deal has been done when it comes to accessing information from public institutions, some administrative bodies are still selectively releasing information to certain media, and often media or journalists representing the political opposition or simply critical of the government cannot obtain information.” Borović said, “Every public institution should have a PR officer. However, I think that existing PR officers hide more information than they release. One agency that does a particularly poor job communicating with the public is the Ministry of Health. That is why media rely on independent sources.” Sanja Novaković, a journalist with Radio Antena M, said, “The rules of the game are set, but we do not want to play that game. The majority of official institutional press releases are bureaucratic and unusable. We do not have a single PR officer who has a position or opinion on anything. PR services are often very slow, so you have to rely on unofficial sources.” Rastoder agreed, adding, “We have been waiting for a reply from one ministry for five months now ... I have no good examples of a PR officer actually releasing good and correct information.”

However, Tanja Ašanin, a journalist with TV Vijesti, said that blaming the PR officers is pointless; they lack integrity and simply reflect the way that government bodies operate overall, with a selective approach regarding media contact. For example, on the occasion of a tragic accident in the Bijelo Polje hospital (leading to infections and the death of babies), TV Vijesti tried to contact those involved, but they were out of reach. Furthermore, she added, agencies’ practice of giving statements to one media outlet and avoiding others is unacceptable.

Jovović agreed, saying, “Accessibility to information usually depends on the management of a given institution. My daily [newspaper] encounters many problems communicating with government bodies. For example, when traveling abroad to important meetings, our officials bring journalists from privileged media with them—those financed from the national budget. That is why journalists are forced to obtain information from unofficial sources.” Persistent difficulties accessing public information in the past decade

stem from selective and poor enforcement of the Freedom of Information Act.

On the other hand, Montenegro's lack of legal issues or real limitations regarding access to either international or local news—without censorship—signifies an important step forward in terms of media freedom. Online journalism (portals, blogs, etc.) continues to grow. Half of Montenegrin citizens hold Internet accounts, and the country is fully engaged in the dynamic development of Internet culture and communications. Overall, the Montenegrin media market is free as far as access and usage of available local and international news sources is concerned. In addition, a consistent, defined standard for fair use and protection of intellectual property exists through the Law on Intellectual Property Rights, which offers protection in accordance with European standards.

Montenegro has never required licenses or special permits for journalists, and media alone determine recruitment requirements for new journalists. At the same time, there is no doubt that the lack of restrictions has resulted in lower-quality journalism and that this kind of liberalism has brought about inflation of journalists. Furthermore, professional journalist associations take no steps to pressure media employers to introduce some reasonable professional restrictions. From time to time, these issues trigger debate within the media community on the possibility of licensing journalists, just as doctors, engineers, or lawyers need licenses. However, although there are strong arguments in favor of licensing journalists, there are also convincing reasons to doubt the odds of making the licensing process credible and generally acceptable. The panelists expressed both viewpoints. Vuković said, "I am against the licensing of journalists. Vocational training and acquired professional skills are more important than studying journalism. The Montenegro Media Institute offers a good example of how our society can reject and destroy an excellent institutional idea." Rabrenović, on the other hand, said, "I am in favor of licensing journalists. If engineers and doctors can be licensed, why not journalists? The current situation in our profession is catastrophic, with a general trend of downgrading the profession. Licensing is needed to protect it."

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Montenegro Objective Score: 1.99

This year the MSI panelists again confirmed that the state of their profession is being downgraded and that, irrespective of a handful of exceptions, the overall trend veers negative. Marina Vuković, editor-in-chief of the state public service, RTCG, is extremely critical of journalists' professional credibility. She commented, "This is the twilight of professionalism. We are to blame for putting our journalism in the 'quicksand'; we need to change our profession and devote ourselves to its improvement." Jovović, however, said, "I disagree with the notion that journalism is in the 'quicksand.'" He does not believe that is true of his daily, *Vijesti*, but said, "We can talk about the crisis of certain media. We are also fighting our own weaknesses; *Vijesti* has its own ombudsperson. I am convinced that the authorities have a strategy to stultify press freedom. The main problem is that we do not have a generally accepted system of self-regulation in Montenegro." Other panelists also take a critical stand on the issue. Mijanović pointed out, "The majority of media in Montenegro are still politically biased, so while public media journalists are reporting on the activities of the government with a certain dose of subjectivity, the same principle applies to the so-called independent media." Drobac added, "We often see biased reporting that does not meet journalism standards. There is

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.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exist (investigative, economics/business, local, political).

a lot of spinning, manipulative headlines, and things being taken out of context.”

Montenegrin journalism has had its own Code of Ethics for a decade now, yet still the rules of the profession are often violated. Vuković explained, “There is a journalists’ Code of Ethics that was drafted a decade or more ago, with the help of foreign experts, which all the media outlets and journalists in the country accepted. However, the attempt to establish a credible self-regulatory body in charge of ethical norms enforcement has failed. At the moment, there is one collective self-regulatory body, gathering media that are under direct or indirect control of the government.” He went on to explain that so far, this body has acted more like a quasi self-regulator, because it deals more with those media outside its membership. Furthermore, he continued, the NGO Action for Human Rights from Podgorica has produced reports in the past two years that clearly demonstrate an arbitrary hand in interpreting ethical norms in a number of cases. Several influential media (the dailies *Vijesti* and *Dan*, TV *Vijesti*, and the weekly *Monitor*) responded to this questionable self-regulatory practice by establishing an ombudsperson to protect readers’ rights. On the other hand, Borović said, “As a member of the self-regulatory body, unfortunately I have to say that journalists do not comply with recognized and accepted Code of Ethics standards. Every round of media monitoring we orchestrated recorded a huge number of code violations, and we recorded only the serious breaches. The fact that our self-regulatory council is limited only to the press poses a specific problem. We still have no verdicts for libel. I am convinced that civil litigation is a good model to deal with libel; the problem is in the case law of the Montenegrin courts.”

Regarding dilemmas related to the work of this partially accepted self-regulatory body, Rabrenović concluded, “I believe that we need a journalists’ chamber to take care of the quality of our profession.” Predrag Zečević, a journalist for the online portal *Analitika*, agreed that journalists’ professional credibility is unsatisfactory. However, he still thinks that the main problem is media’s political alignment: “Media are reporting professionally most of the time, except during electoral campaigns, when we see alignment of media with opposing political blocks.”

Clearly, the panelists concluded, Montenegro still faces a problem regarding enforcement of the professional rules of journalism, and it is additionally hindered by the fact that there is discord within the media community regarding

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the establishment of a single self-regulatory body. The issue of establishing an adequate self-regulatory body that would reflect the will and interests of the entire media community is still unresolved, primarily to the detriment of the journalism profession.

All the panelists admit that, irrespective of motives and personal reasons, self-censorship is still very much present in Montenegrin media. Although the reasons differ—ranging from the absence of professionalism, the poor financial status of journalists, weak legal protection of journalists, pressures and influences both external and within editorial teams, corruption, etc.—the self-censorship phenomenon continues to persist in Montenegrin journalism.

According to Ganić, “Montenegrin media cover all the key events and issues. There are a lot of media companies, so no event can remain hidden.” This position is quite close to reality in the field. Journalists report on the key events and issues within society, so it is practically impossible for any crucial event to go unnoticed by the press—especially with the openness of online journalism and the presence of numerous local and international news sources. How media comment on certain events, what kind of political connotation they attach, and to what extent reporting on events is selective or underreported is another question altogether.

Journalists’ incomes in Montenegro are poor and insufficient to encourage the development of the journalism profession. According to Borović, “Journalists’ salaries are absolutely inadequate to retain qualified staff.” In Montenegro, journalism is still one of the lowest-paying professions.

Few journalists receive decent salaries (above €1,000 per month); the average journalist’s salary in Montenegro is about €480, and beginners earn as little as €300. Although Montenegro now has more journalists with university degrees, their education has not improved their financial status, so the overall social status of Montenegrin journalists is low. The poor trade union and associations of journalists

further aggravate the situation, freeing employers of the pressure such associations would bring, to the detriment of journalists.

The low financial status of journalists opens the door to corruption, some panelists feel. Markešić commented, “Salaries in journalism, just as in other sectors in our country, are rather low, making journalists prone to corruption. It is becoming obvious that journalists with more years of professional engagement prefer to join the ranks of public relations officers.”

A majority of electronic and print media in Montenegro focus heavily on commercial, entertainment, musical, and sports programs, while just a few are capable of producing their own news or political programs. The lure of easy profit, social opportunism, and media commercialization dominates the media community. On one hand, only a few media owners are dedicated to the idea of a free press and professional journalism, while at the same time a growing number appear exclusively interested in lightweight commercial and entertainment programs. Public interest comes second, and commitment to public issues is suppressed. Those media that do not run afoul politically or dig too deeply into current social problems win government favor. This is especially true for private media, but negative trends are visible in the public services as well. On the other hand, there are private media that take great care to address sensitive social issues and serve the public’s need to be properly informed in a timely manner.

Montenegro is just launching its long-awaited digitalization of the leading public service (RTCG). According to the plan, the main public service should be digital by the end of 2015, thus completing the digitalization process at the major broadcasters. Some private, national broadcasters with adequate equipment and modern technology went digital some time ago (TV Vijesti, TV Pink, Prva TV, TV Atlas). At the same time, a growing presence of online media portals (Vijesti, CDM, Analitika) in Montenegro use modern communications tools and already compete with traditional media.

The long-entrenched lack of specialized reporting in Montenegro for now seems unsolvable. There are few examples of professional reporting. Drobac said, “In the majority of media companies, we do not have specialized reporting, because most outlets cannot support that kind of reporting financially.” Borović agreed, adding, “We absolutely lack quality specialized reporting, and there are fewer and fewer journalists with expertise in certain areas. For editors, it is simply too costly to support specialized reporters.” Jovović

concluded that investigative journalism is utterly lacking in public media and insufficient in private media.

The panelists agreed that the absence of investigative and specialized journalism is a huge problem in Montenegrin journalism. Given the limited financial resources and negative media trends (commercialization and tabloidization of media), it is clear that this particular issue is sidelined—a fact that definitely diminishes journalists’ overall professional credibility.

OBJECTIVE 3: PLURALITY OF NEWS

Montenegro Objective Score: 2.46

Montenegro does feature strong media pluralism and great diversity in media channels and news sources. The growing influence of social networks in recent years is clear from the more than 300,000 Facebook accounts opened in Montenegro. This growth is significant not just in terms of communication among citizens but also in political campaigns and public appearances. Zečević said, “We are reporting politicians’ statements taken from social networks. The opposition is more into social networks. SMS communication is also widely used. Furthermore, we see that more than 60 percent of the people online also use Facebook.”

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) exist 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 nonpartisan, 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.

Novaković cautioned, however, “Social networks are often used for manipulation.” He said, “One should be skeptical with respect to information coming from these networks.” Jovović maintained that social networks are not diminishing media’s impact, noting, “The problem is with our main public service. Nobody trusts our public service. For example, I was in Sweden, and the rating of public service there is 80 percent. All the public services in the region are ahead of our public service. This is not financial but rather an issue of editorial policy.”

Montenegro, with just 620,000 residents, has more than 70 media companies—a ratio that exceeds European standards. Furthermore, it is quite atypical to have five national dailies (*Vijesti*, *Dan*, *Pobjeda*, *Dnevne Novine*, and *Informer*) and five national television stations (TV *Vijesti*, RTCG, *Prva TV*, *TV Pink*, and *TV Atlas*). In addition, there are also more than 50 different electronic media, both at the local and regional level. However, the panelists generally conclude that this diversity and media pluralism have not resulted in higher-quality media outlets and enhanced credibility of journalists.

Citizens’ access to local and international media is not limited, and in this respect, Montenegro is a free country. There are no legal or physical barriers that prevent citizens from getting information from local or foreign news sources. Montenegro’s big international telecommunications companies are beneficial for the development of the Internet, cable television, mobile telephony, and social networks, leading to a quite open and diverse media environment.

Just as in previous years, a majority of the panelists feel that national and local public services are under the influence and control of the ruling parties, which, irrespective of sound legislation, undermines the proclaimed media objectives and adopted legal standards. Both the opposition and NGO sectors say that public services do not reflect diverse or opposing political positions. Therefore, they serve the political interests of the ruling party, rather than implementing their public mission and proclaimed objectives. Vuković said, “The national public media are under the direct control of the authorities and are just barely meeting their objectives as public services. The same goes for local public services as well.”

The panelists feel that inherited political tendencies aim to corrupt the very idea of public service and discredit the Law on Public Service. This narrows political pluralism and distorts the concept of public interest in media, which are supposed to implement that public interest in line with the law.

Vuković said, “The national public media are under the direct control of the authorities and are just barely meeting their objectives as public services. The same goes for local public services as well.”

Montenegrin media use information from both local and foreign news sources. A majority of the media have either their own sources or are using information that has already been published in local or foreign media. Local agency sources are less common, because Montenegro is at a disadvantage with just one private news agency (MINA), which has rather limited resources. That is the reason why local media often use foreign news sources, including globally reputable agencies and influential regional agencies.

The most influential electronic and print media (*Vijesti* and *Vijesti TV* and web portal, RTCG, *Dan*, *Dnevne Novine*, Radio Antena M, CDM, *Analitika*) constantly produce their own original news. Unlike national media, both electronic and print local media are smaller news producers, due to their limited financial capacities. However, in recent years a democratization trend of Montenegro’s media scene emerged, reflected in solo initiatives (bloggers, Facebook, Twitter) and online news production.

Public registries (company and media registries) are easily accessible and subject to scrutiny. Therefore, it is not difficult to identify formal media owners, although there are signs indicating that the true owners remain hidden. Particularly in the case of political conflicts, it happens that media dispute the authenticity of registered ownership of other media companies. When it comes to ownership concentration, Montenegro does not have a single case of unlawful media concentration. So far, the Regulatory Competition Agency has not published any statements indicating unfair competition or abuse of a dominant market position.

The media do not reflect, at least to a sufficient degree, a broad spectrum of different social interests, according to the panelists. Ganić said, “Information in minority languages is a problem in our country. We have that kind of media; for example, *TV Teuta* from *Ulcinj* broadcasts 80 percent of its program in the Albanian language. However, the government appears indifferent with respect to this, and I think that the government should be more proactive in solving the problem of a lack of information in minority languages.”

Currently, political and economic power centers keep a firm grip on editorial policies, which additionally marginalize those segments of the population with little political or economic clout. Still, the media do publish/broadcast information on various social issues. However, it is clear that not all social interests are promoted adequately and that issues concerning some social or ethnic groups are sidelined. On the other hand, in a few positive exceptions, private media work in cooperation with the NGO sector to promote issues involving marginalized social or ethnic groups.

The panelists agree that Montenegrin media put effort into reporting news and information of local, national, and international importance. Local media do report on all key issues, in line with their editorial policies, and keep the Montenegrin public informed.

OBJECTIVE 4: BUSINESS MANAGEMENT

Montenegro Objective Score: 1.80

On the business side, Montenegrin media always seem to teeter on the brink of sustainability, although there are numerous electronic and print media outlets. However, a huge discrepancy persists between the number of media and their profitability, because many focus on commercial and entertainment programs that are not costly to produce—and also because the most influential media owners draw on their own funds to keep their media afloat. Overall, economic circumstances deteriorated in the past year; the sinking advertising market hit media business and directly affected the quality of the press and adherence to professional standards. Ganić emphasized, “Media are less and less viable. The situation within the media community is hard, but still human resources policies should be better.” The overall situation in media business is reflected in unemployment, with a decrease of jobs in media of 10 percent in the past two years. For example, this year, after almost 70 years of operations, huge debts forced the Montenegrin state-owned daily *Pobjeda* into bankruptcy. The general assessment is that private media companies face serious trouble, while public services survive thanks to budgetary support and assistance from central and local authorities.

When it comes to revenue, media companies manage to make ends meet in different ways. Basic revenue for private media companies is linked to the advertising market and direct financial support from their owners, while the public services rely less on advertising and more on budgetary support.

For years now, the Montenegrin advertising market has been quite modest—one of the weakest in the region. Its annual valuation dropped 10 percent this year from the previous one, leaving the total advertising market around €9,000,000. The record annual advertising market in Montenegro in the past decade was around €13,000,000. In addition, more than 80 percent of advertising is taken by dominant advertising agencies, and the remaining 20 percent is the result of direct negotiations between advertisers and media companies. As a professional in the advertising field, Markešić commented, “Advertising is still not fully developed, because all the prerequisites are not yet met. For example, we are still missing broad-spectrum surveys. With respect to the size of the market, we have a huge number of advertising agencies. Telecommunications operators are the dominant advertisers, and they, just like a majority of other clients, advertise in line with their objectives.” He continued to explain that local media are largely left out of the market, an understandable consequence of the methods and priorities of advertisers. Branch offices of the big regional advertising chains dominate the market.

Just as in previous years, advertising agencies focus predominantly on private national media and not so much on the national public service, while advertising revenues for local media companies are marginal.

As already mentioned, advertising revenues fall below regional and European standards. Although private media depend on circulation and advertisers, they still survive, thanks mainly to financial assistance from their owners (recapitalization) and to a lesser degree from foreign

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.

donors. Advertising revenues are clearly not sufficient to ensure sustainable operations of private media companies. And, as in the past, public media represent unfair competition to private media on the advertising market, as they also receive budgetary support from the government and local councils. Markešić said, “We can, of course, assume that advertisers are always exercising pressure on media to have as much of the advertising space available, primarily in the form of different and new communications channels. The advertising market decreased from €10 million to €9 million. Government (national and local) budgets are not relevant on the advertising market, though, because the government cannot compete with big advertisers (80 percent of the market is covered by private companies). Twenty percent are small advertisers, and public media receive the small share of this market.” Furthermore, regional market mergers are shrinking the Montenegrin market, while big advertisers have a tendency to link Montenegro to Macedonia and Albania.

Markešić added that while the government is far from being an important advertiser on the market, “government budgets intended for advertising are usually directed to government-friendly or government-owned media, and they do it by avoiding public tenders.” Therefore, it is easy to conclude that government advertising is not fair; it is driven by the political interests of the ruling parties, and the same goes for local councils. National and local authorities most frequently advertise in media they own (public services), or they promote government-friendly media both at the national and local level.

The use of market surveys to formulate sound media business policies is still rare in Montenegro. Furthermore, given their low profitability and operational losses, media companies are unable to hire advertising agencies that specialize in market research. Often, commercial and program planning are based solely on occasional surveys conducted by NGOs.

As in the past, the public casts a skeptical eye on data that the media publish regarding their own market ratings or, for print media, the number of copies sold. Print media do not publish their circulation numbers, but electronic media occasionally broadcast self-financed rating surveys. From time to time, specialized NGOs publish surveys regarding public confidence in media or their ratings. However, most of the panelists agree that publicly posted data on media ratings or their circulation are sorely lacking. According to Borović, “Data on media ratings, audience numbers, or numbers of sold copies are totally unreliable. Print media hide their numbers, and television stations manipulate viewer ratings data.”

As a professional in the advertising field, Markešić commented, “Advertising is still not fully developed, because all the prerequisites are not yet met. For example, we are still missing broad-spectrum surveys. With respect to the size of the market, we have a huge number of advertising agencies.”

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Montenegro Objective Score: 2.12

Media owner associations continue to weaken, and they now exert only marginal influence. It is clear that no spirit of professional solidarity buoys the poorly organized media business community. Poor networking between media businesses in Montenegro has become habitual, negatively affecting their survival prospects, although there are some networking initiatives at an individual level.

The situation is no better when it comes to journalist associations, which fail to effectively protect journalists. While Montenegro has a couple of journalist associations (the Association of Journalists of Montenegro and the Association of Professional Journalists of Montenegro), they

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 (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.

Vuković said, “There is a journalism department at the Faculty of Political Sciences, but its curriculum is outdated and dominantly theoretical. We used to have a quite good, practical, hands-on training program at the Media Institute, but it has been shut down.”

seem to exist only on paper and perform no significant activities. Borović said, “It is quite clear that none of them meet the needs and interests of journalists.” Vuković added that their impact is very limited, both in terms of protecting journalists and improving professional standards. There is also a lack of progress in boosting trade union protection of journalists, resulting in professional disintegration of the journalist community.

The panelists recognize the important role that NGOs play in this environment, such as the Center for Democracy and Human Rights (CEDEM), the Center for Civic Education (CGO), Civic Alliance, and the Network for NGO Sector Affirmation (MANS). According to Ganić, “The NGO sector actively supports free speech and serves as a very reliable partner to the media. Cooperation between the media and the civil society sector is strong and high-quality.” Novaković agreed and said that the media have no problems with NGOs, while Jovović noted, “NGOs are essential for our society and deserve support, although even within the civil sector we have credibility issues with some of the NGOs (primarily related to capacity and professionalism).”

In the past decade, Montenegro managed to develop a relatively influential NGO sector, marked by serious engagement in a number of important social issues, but also by its criticism of government policies and the local political class. Part of the NGO sector is involved in issues directly related to the media community and the role of a free press in a society, and this is the reason why we see frequent collaboration between NGOs and the media. The media, in turn, cover NGO activities to a great extent and also try to publish and promote every important civil society project.

Training of journalists is practically reduced to academic teaching at the Faculty of Political Sciences—Department for Journalism at the State University of Montenegro. Hands-on journalism training is getting weaker, as programs

offering practical journalism training are being shut down. Instead, journalists are forced to acquire their practical skills on the job. The marginalization of the Media Institute, following the withdrawal of donor support, further worsens the situation. For years, the Media Institute was the key educational facility for young journalists. Vuković said, “There is a journalism department at the Faculty of Political Sciences, but its curriculum is outdated and dominantly theoretical. We used to have a quite good, practical, hands-on training program at the Media Institute, but it has been shut down.”

When it comes to the academic education of journalists, certain progress has been achieved, but education has regressed in terms of practical journalism skills. Journalists nowadays have fewer possibilities to attend good training programs to perfect their theoretical knowledge and modernize their profession. There are not many opportunities for journalists to study or train abroad, except for some training programs and internships offered by international associations and foreign embassies (generally from the United States and western European countries).

The declining options for institutional and vocational training of journalists in Montenegro is having a direct negative impact on the quality and professionalism of journalists, especially younger generations.

There are no limitations or monopolies when it comes to sources of printing equipment for media. However, three print media outlets (*Vijesti*, *Dan*, *Dnevne Novine*) currently have their own printing presses, another example of irrational concentration of printing equipment in the print media market.

Distribution companies are privately owned. Aside from print media, which are destined for a single, dominant distributor (distribution of press via chains of press kiosks throughout Montenegro), all other market segments have competition and openness of distribution channels.

IT and communication technology infrastructure is improving and meets market needs. With the completion of the digitalization process at the national public service (radio and television) in June 2015, this infrastructure will only grow and become accessible to households still not covered with a digital signal, as well as new potential users. Markešić noted, “The level of development of information-communication technologies is satisfactory. Soon we can expect the completion of the digitalization process, which means that even a small segment of households still using analogue platforms will switch to digital, thus reinforcing

the new technology. Internet penetration is very high, and mobile telephony covers almost the entire territory of Montenegro.” He added that 80 percent of electronic media have already gone digital—55 percent in the north of the country and 100 percent in the south—making Montenegro a regional leader.

We can conclude that the Montenegrin telecommunications network is modern, well-developed and definitely one of the better networks in Southeast Europe. Citizens increasingly use different telecommunications channels (Internet, mobile telephony, cable and digital television), allowing them to access different local and international media sources.

List of Panel Participants

Sanja Novaković, journalist, Radio Antena M, Podgorica

Tanja Asanin, journalist, TV Vijesti, Podgorica

Marina Vuković, editor-in-chief, RTCG, Podgorica

Predrag Zečević, journalist, PortalAnalitika.me, Podgorica

Mihailo Jovović, editor-in-chief, *Vijesti*, Podgorica

Suzana Ganić, journalist, TV Teuta, Ulcinj

Dragan Markešić, general manager, Direct Media Montenegro, Podgorica

Jadranka Rabrenović, journalist, *Pobjeda*, Podgorica

Sonja Drobac, editor-in-chief, TV Prva, Podgorica

Ivan Miljanović, editor-in-chief, Radio Cetinje, Cetinje

Gordana Borović, member, Board of Directors, Media Self-Regulatory Board, Podgorica

Samir Rastoder, director, *Dnevne Novine*, Podgorica

Duško Vuković, independent media analyst, Podgorica

Rajka Raičević, journalist, *Dan*, Podgorica

Moderator

Vladan Simonovic, partner, Media Ltd, Podgorica

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