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MONTENEGRO

Following the voluntary withdrawal of Prime Minister Milo Đukanović, Montenegro got a new government in 2011, led by new Prime Minister Igor Lukšić. The former finance minister was voted into office by parliament, where the ruling DPS/SDP coalition has held the majority since the 2009 national elections. At the beginning of 2011, Lukšić tried to bridge the gap that Đukanović had created with Montenegrin civil society, including the media. While such cooperative policy is a huge step ahead, it remains to be seen whether this personnel change at the top of Montenegrin government will result in greater democracy and whether it will meet the country's needs for a more liberal, constructive, and pluralistic system.

In addition to the change of the head of state, the pace of Montenegrin accession to the European Union (EU) and NATO dominated the political agenda. Montenegro has become a candidate country for EU accession, a process expected to advance in early 2012. Although most citizens do not back NATO accession, they overwhelmingly support EU membership—around 65 percent are in favor. The accession process is being aided by policy reforms, including media reforms such as the decriminalization of libel. In the first half of 2011, Montenegro joined just a handful of European countries that decriminalized libel.

Montenegrin media welcome this move, and its elimination of possible prison sentences in particular, although concerns linger over heavy fines. However, most Montenegrin media outlets are suffering financially; just a few turned a profit and managed to pay decent salaries. The establishment of a fourth daily newspaper in 2011 led MSI panelists to question whether Montenegro's market is strong enough to sustain that many dailies.

Other problems that continue to hold back the media include the inherited lack of investigative journalism and low level of professionalism. Ongoing clashes between pro-government media (*Pobjeda*, RTCG-Montenegrin TV) and influential private, anti-government media (dailies *Vijesti* and *Dan*, TV *Vijesti*, and the magazine *Monitor*) continue to damage the media's image. These long-running conflicts and misunderstandings have prevented the establishment of a journalist self-regulatory body, which in turn hinders the development of professional journalism. Also in 2011, Montenegro experienced a prolonged crisis over institutionalizing professional responsibility of the media through an ethics code.

Although MSI panelists expressed the belief that most journalists strive for a higher level of professional accountability, they said that prospects for sustainability remain fragile—as indicated by comments in the wider public that Montenegrin media still are not up to the level of a well-functioning democratic country.

MONTENEGRO AT A GLANCE

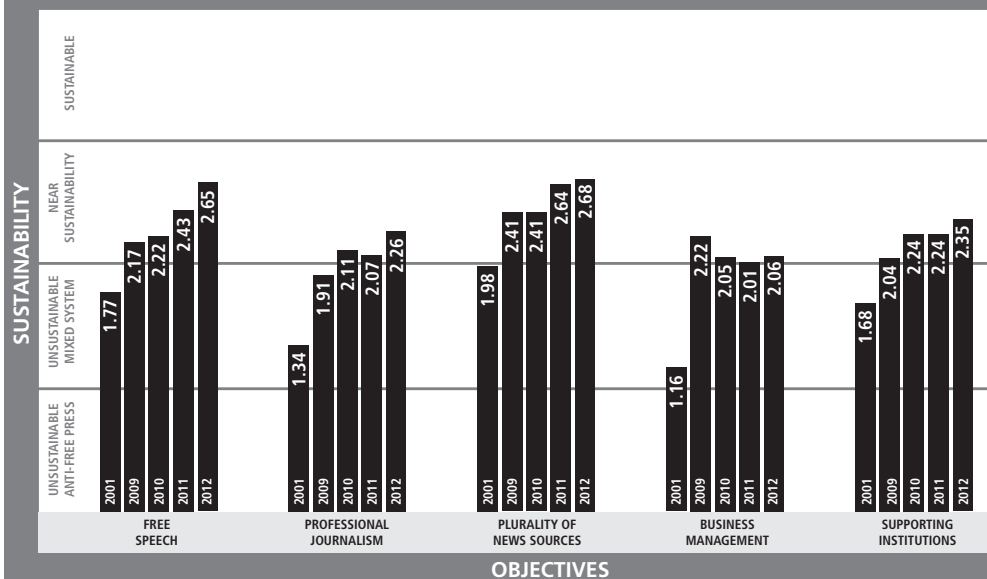
GENERAL

- > **Population:** 657,394 (July 2011 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 (2010-Atlas):** \$4.183 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$12,710 (World Bank Development Indicators, 2011)
- > **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: 4 dailies, 3 weeklies, 30 monthlies; Radio Stations: 53 (2011, UNEM); Television Stations: 23 (2011, UNEM)
- > **Newspaper circulation statistics:** Top three by circulation *Vijesti* (circulation 20,000, private), *Dan*, (circulation 22,000, private), *Pobjeda*, (circulation 7,000, state-owned) (2011 est., MEDIA Ltd.)
- > **Broadcast ratings:** N/A
- > **News agencies:** Mina News Agency (private)
- > **Annual advertising revenue in media sector:** €6–€7 million (2011 est., MEDIA Ltd.)
- > **Internet usage:** 280,000 (2009 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: 2.65

Montenegro adopted modernized media regulations nine years ago, and frequent amendments continue to improve the alignment of the regulations with EU rules. The new Law on Electronic Media (adopted in 2010 and amended twice in 2011) and the Law on Digitalization of Broadcast Media (adopted in 2011) help complete Montenegro's body of progressive media regulations.

Generally, the media community feels that the laws are solid, and the normative framework does not pose any obstacles for free and professional media practice. This year's panelists agreed with previous participants that what is in question is the quality of media legislation enforcement. Slavko Mandić, editor-in-chief of Radio Skala, commented that there are shortcomings to the Law on Electronic Media, which he said was drafted in a hurry. Mandić objected to the preservation of numerous local electronic public media (14 radio stations and 2 televisions) that further the politicization of media and represent unfair competition to private sector.

Weighing in on the importance of the digitalization law, Ranko Vujović, president of the Agency for Electronic Media of Montenegro, questioned the viability of forcing electronic media to go digital by the end of 2013. Dragan Klarić,

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.

Radojica Bulatović, director of the Media Institute of Montenegro, agreed: "Registration of media is quite liberal, and this has resulted in market saturation, as we have too many media companies."

editor-in-chief of Radio Budva, had the same position, noting, "The implementation of the planned digitalization program amidst economic hardship is not realistic, so we will be faced with compliance issues in the near future." Sonja Drobac, a journalist for Atlas TV, added that media community members will require additional education and capacity to implement the law.

TV Teuta Editor-in Chief Dino Ramović suggested that public media look to outside sources for support in making the transition. "Digitalization is the most difficult and complex legal requirement of all. Not a single local public media is economically viable, so digitalization is just an additional financial burden for them. For example, Radio Ulcinj journalists have not received salaries for 15 months now. Therefore, we should be thinking about public-private partnership in the media sector, especially bearing in mind the political influence on local public media," he said.

While nobody disputes the high level of legal protection for free speech, in reality the media face numerous problems with the government's implementation of legal norms. "Formal promotions of free speech are quite frequent, but we don't see their impact in practice," said Dragana Unković, a journalist with TV Vijesti. Jadranka Rabrenović, a journalist for *Dan*, agreed that media freedom is well protected and regulated, but said that "both public and private media have a tendency to poorly process—or simply neglect to cover—some sensitive issues, which is a big problem, especially bearing in mind the fact that often journalists are deprived of information by public institutions."

Predrag Zečević, a journalist for the online Portal Analitika, noted that constitutional provisions guaranteeing freedom of speech and laws adhere to international standards, but said that the problems with implementation of the law are worsened through penal policy as well, as judges have shown poor knowledge of media legislation. Danka Novović, a journalist with Radio Antena M, added, "We expect more from the new government in terms of creating a democratic and reformed environment, and journalists should be obliged to promote and respect the right to free speech."

This year's panelists reported no problems regarding licensing and registration of media. "The licensing process

Rabrenović commented, “In line with current criminal practice, both journalists and media were paying huge fines—from several thousand euros, up to €40,000—so I just hope that in civil proceedings, media will not be exposed to such high fines.”

is transparent, and an appeals mechanism is in place,” Mandić said.

The only new broadcast outlet to appear this year was cable TV 777, a strictly entertainment station owned by national lottery. However, Montenegrin media law opens the sector widely to newcomers. Zečević commented, “The media law is very liberal and does not restrict the establishment of new media. In reality, there is no agency restricting granting of licenses to print and online media.” However, he underscored the downside of this environment: “That is why we are seeing hyper-production of media in Montenegro. On top of that, numerous blogs and comments on social networks and web portals are full of hate speech and are not subjected to any kind of registration requirements.” Radojica Bulatović, director of the Media Institute of Montenegro, agreed: “Registration of media is quite liberal, and this has resulted in market saturation, as we have too many media companies.”

Mandić pointed to a separate regulatory problem. “In Montenegro, we have two regulatory agencies imposing certain burdens on the media—the Agency for Electronic Media and the Agency for Electronic Communications,” he said. “They should be merged into a single regulatory agency.”

The panelists agreed generally that media houses have free access to the market, noting little difference between business regulation for media companies and other industries. In terms of taxes, media companies have the same status as all other types of companies, although print media enjoy a lower value-added tax (VAT) rate than their electronic counterparts. Marina Vuković, editor-in-chief of RTCG, remarked, “We have one of the most competitive taxation policies in Europe. Taxes are in the single digits, and the VAT rate is the lowest in the region.” Rabrenović also commented on the favorable tax conditions. “There is no discrimination when it comes to establishing media companies. We have tax reductions for print media, for equipment, and paper. Tax-wise, media companies are treated just as any other companies,” she said. Bulatović offered a twist on the subject: “Media are threatened not by taxation policy, but by the very small market for such a big number of media—especially electronic media.”

Regarding crimes against journalists, the general public perspective is that freedom of the press is protected insufficiently in Montenegro. For example, four vehicles owned by *Vijesti* were set on fire, and so far the authorities have failed to identify or apprehend a single perpetrator. Also recently, a *Vijesti* reporter received a threatening SMS message after she wrote about illegal activities in a private tobacco factory. The case was reported widely in the media, but no other action was taken. Despite advances such as the decriminalization of libel, clearly journalists are still subject to other pressures. Ramović concluded, “Criminal prosecution of journalists is not a problem anymore, but we are all witnesses to illegal pressures on investigative journalists. In this regard, the solidarity of the media community is rather weak.”

The law enables editorial independence of state-owned media, but the panelists agreed that in practice, editors are clearly manipulated by political power circles, at the national and local levels. Mandić commented, “It is widely known that public media are under all sorts of pressures, primarily political, because editors and top managers are often members of certain political parties. There is a huge difference between public and private media when it comes to political influences.” Nedeljko Rudović, a *Vijesti* journalist, said that Montenegrin authorities skirt formal restrictions to directly influence the editorial and recruitment policies of national radio and television (RTCG) and *Pobjeda*, as well as some private media. Unković commented that the situation at RTCG has been problematic for years, citing as an example the political underpinnings of the recent appointment of a new chief executive officer at RTV Montenegro.

The media community unanimously welcomed the decriminalization of libel, as it eliminates the risk for journalists to be sentenced to prison. Future cases against journalists will be processed in line with civil litigation guidelines, with fines as the only possible sanction. However, the panelists remained concerned that civil penalties might still be exorbitant; in previous years, many journalists dragged into criminal court faced heavy fines, although nobody was sent to prison. Rabrenović commented, “In line with current criminal practice, both journalists and media were paying huge fines—from several thousand euros, up to €40,000—so I just hope that in civil proceedings, media will not be exposed to such high fines.”

The panelists also expressed the hope that the new libel laws will prevent events such as the disputed case of TV *Vijesti* journalist Petar Komnenić, who was sentenced to prison in 2011 for failing to pay damages in a libel case. (Whether the ruling will be actually implemented remains unclear.) According to Radio Free Europe/Radio Free Liberty (RFE/RL), the case stemmed from Komnenić’s 2007 investigative report on the secret surveillance of judges—work he has defended.

RFE/RL put the move in the context of Montenegro's bid for EU accession, noting that while praise for the decriminalization of libel helped clear the way for accession talks, apparently Komnenić's case has not yet benefited from the new legislation. RFE/RL concluded, "The Komnenić case should be seen as a major test for Montenegro. The country's authorities must show a genuine commitment to freedom of the press and demonstrate that they had not merely flattered to deceive, despite apparently impressing Brussels."¹

Rudović also expressed skepticism over the new libel laws. "Decriminalization of libel is a positive step in the right direction, but we should be aware that there is abuse of this provision," he commented. Pointing to columns in the state-owned *Pobjeda* that maliciously cursed *Vijesti*, Rudović shared his opinion that the authorities have abused *Pobjeda* by using it as a vehicle to punish *Vijesti* for criticizing the government.

In the realm of civil law, it remains to be seen how the courts will do their job in practice under the new libel legislation. In the past, courts did not develop a standard approach or take into account the practices of the European Court of Human Rights. The panelists noted that in this regard, the Montenegro Supreme Court failed to uphold its responsibility to provide guidelines in the form of legal opinions and singling out best practices. Panelists said that they expect that in future, Montenegrin courts will implement a more moderate policy regarding media and journalists, except in cases of obvious irresponsibility and evident professional abuse.

Enforcement of the Freedom of Information Act has some challenges, according to the panelists; occasionally, government bodies do not release requested information. However, Bulatović shared her impression that the media sector as well as the NGO sector are stepping up pressure on the government and local administration bodies to be more transparent.

Rabrenović remarked also on improvements in access. "Recently, it has become easier for journalists to get official documents," she said. "Increasingly, administrative bodies post material on their own websites, allowing journalists to access variety of important data and decisions." Vuković agreed, saying, "Public information is generally accessible, and very few administration bodies or institutions are closed to the public. The Freedom of Information Act is of great help to journalists, as it has significantly accelerated the process of providing the information by different administration bodies."

¹Knezevic, Gordana. "Komnenic case a major test for Montenegro's judiciary." October 16, 2011. Available at http://www.rferl.org/content/petar_komnenic_montenegro_press_freedom_libel/24361108.html - accessed January 6, 2012.

For quite some time, no Montenegrin law has inhibited access to international news sources. Information technology companies are very much present and operating in the country, and the Internet is widespread and accessible, with approximately 250,000 users. The Montenegrin market is extremely liberalized, so citizens have no problems accessing local or international news sources. Ramović said that the media sector has quality methods to distribute news. All Montenegrin media tap foreign news agencies, and enjoy numerous ways of accessing a variety of news, without any legal limitations.

Journalists are not required to obtain a license, so the profession has no internal or external legal limitations regarding entry. Vuković commented, "Access to the journalism profession is extremely liberal, especially in the private media. However, we have problems regarding the unselective recruitment of journalists—which sometimes fails to take into account qualifications or professional experience of newly recruited journalists."

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Montenegro Objective Score: 2.26

As with previous panels, this year's panelists shared the view that the level of professionalism in Montenegrin journalism is unsatisfactory, with the understanding that building a good journalistic practice is a slow process. They lamented that the media community has been unable—over the course of more than two years now—to reform a journalist self-regulatory body. Panelists stressed that the failure is a clear indicator

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).

Rabrenović added, "Most journalists are doing their job in a professional manner. However, sometimes a journalist learns something from several sources, but fails to check with parties involved, and the whole matter ends up with denials or court proceedings."

of the crisis in professionalism and the lack of collective accountability, and is a result of long-standing poor relations among media community members. No significant effort or will to revive the body are evident.

Panelists gave other examples of poor professionalism, including biased editorial policy, hate speech, weak protection of personal identifying information, and discriminatory discourse. "Professionalism in Montenegrin media is very questionable," Unković said. "Very often, information is one-sided, and the other side is able to respond only in tomorrow's issue or next show—never achieving the same impact as the original information." Rabrenović added, "Most journalists are doing their job in a professional manner. However, sometimes a journalist learns something from several sources, but fails to check with parties involved, and the whole matter ends up with denials or court proceedings." According to Rudović, "Although we have a handful of professional media, the vast majority are quite unprofessional and very often used for political attacks." The panelists said that the situation is the worst in the print media.

The panelists had the opinion that significant progress has to be made in Montenegrin journalism in order to promote professionalism, quality, and impartiality of journalists, as well as to protect adopted professional standards. They noted that Montenegro's weak trade unions fail to provide adequate protection for employees in the media sector, and the sector's only marginally successful media associations hold back the development of professional standards.

Almost a decade ago, Montenegrin journalists adopted an ethics code, drafted in the spirit of international professional standards and best journalistic practices. However, the general impression of the panelists was that many problems persist in the practical implementation of the code, especially without a self-regulatory body to monitor violations. Mandić elaborated, "The code is not accepted and implemented in practice. Furthermore, the notion of forming a self-regulatory body collapsed. In reality, media companies have their own codes—to the detriment of professional standards." Vuković

added, "We have a code of ethics, and prescribed norms are compatible with international standards, but in practice, there is no observance of professional ethical norms."

The most common ethical violations include collecting information just from one side, publication of protected personal data, and publication of questionable sources. Klarić commented that journalists have to fight themselves for the quality and reputation of their profession. Vujović agreed, saying, "Political interference in the media sector is too strong. Self-regulation does not exist, and there are practically no cases where infringements of the code were recorded."

Panelists agreed also that self-censorship is still very much present in Montenegrin journalism. Economic hardship, political and other pressures, and the low level of professionalism are the main factors driving journalists to self-censor, the panelists said. Novović underscored the importance of a journalist's personal sense of professionalism in resisting self-censorship, along with the environment of a given media outlet. Mandić added, "Unfortunately, self-censorship is the legacy of the previous political system. Self-censorship represents a genuine problem for journalists, and it flows from all sorts of fears. The most common self-censorship stems from servility toward political and business powers, as well as editors." Bulatović agreed, and said, "Self-censorship is a relic from the past, and obviously our journalists are slow in conquering the realm of professional freedom and impartiality."

According to the panelists, generally the media cover important national and international events. Just as in 2010, this year Montenegrin media focused primarily on political, social, economic, and identity issues, but also often covered the topics of judicial reform and challenges related to organized crime and corruption. Journalists also cover bloggers and social networks; in this regard, writers face no censorship or barriers in reporting on security issues. Vuković noted, "All crucial social events are covered by media, and there are no editorial obstacles. The Montenegrin media scene is extremely pluralistic, which makes it impossible to hide or ignore some important event."

Local media have made great strides in reporting on all relevant national and international political, economic, and social news. However, gaps persist in terms of investigative journalism. For example, the media missed opportunities to report on the suspicious privatization of heavy industrial complexes, including the Still Mill in Niksic and the aluminum plant in Podgoricam. The media failed to explore the aluminum plant story because of the lack of information related to a Russian investor and his credibility. Media outlets also have foregone investigating the government's

investments in projects such as telecommunications towers. Mandić pointed out that "...there are certain events which are not covered sufficiently by [traditional] media, but rather by blogs or online forums."

With regard to journalist salaries, the panelists reported no changes since last year. Journalism is still a poorly paid profession in Montenegro, although salaries are higher in the private sector. Overall, some 3,500 employees work in media industry, and most of them (especially staff in logistic departments) receive low salaries. Very few journalists make more than €1,000 a month, and the average salary is around €500 a month. Many journalists receive less than that.

Several panelists elaborated on the causes and effects of low pay rates. Zečević explained, "A journalist's salary depends on the size of the media company he/she is working in. Journalists in print media receive higher salaries compared to their colleagues in online media. Generally speaking, the majority of journalists earn small salaries, just enough to make ends meet." Bulatović agreed, saying, "Salaries in journalism are below the importance of the profession. Even within media companies, there are significant differences in salaries among managers, editors, and journalists. An additional problem is that some private media are not paying social insurance for their journalists, thus putting them in a particularly difficult financial position." Vuković added, "Journalists' salaries are not equivalent to the job they are doing and responsibility it brings with it. Salaries are a very non-transparent issue, because very few media companies publicly admit how much they pay their journalists. Generally speaking, journalists are poorly paid and often forced to work for several media companies at the same time."

However, it is important to note that the average salary in Montenegro is €470, the inflation rate hovers around 2.5 percent, and the unemployment rate is 12 percent—with almost half of those formally registered as employed working in the public sector.

A recent trend is showing that low salaries are driving journalists to shift to other professions, taking jobs in public relations, at NGOs, or with the state.

The panelists said that electronic media broadcast mostly commercial entertainment programs. The media sphere is quite saturated with these kinds of programs, although television companies still insist on airing soap operas and similar shows, which are slowly reducing the time allocated to news and educational offerings.

In this regard, Mandić said, "We have too many entertainment programs. The company I work for insists on airing news programs during the daytime, while allowing entertainment programming to dominate the late evening

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hours." Zečević had a different opinion. "I think that in the biggest media companies, news and entertainment programs are well balanced, and this is typical for media companies established by Montenegrin citizens. Foreign owners of Montenegrin media are more insistent on entertainment programs," he said. Bulatović was more sharply critical. "Trash, entertainment, tabloidization, and banality are all features of the Montenegrin media sector," he said. "Viewers often prefer entertainment programs and scandals to news and cultural journalism, and this has a huge impact on editorial policies of media companies."

All the relevant national private electronic media (TV Vijesti, TV IN, TV Pink, Pro-TV) have gone digital in recent years, and use modern technical equipment. Threatening the digitalization timeline, the national public service RTCG does not have adequate modern equipment—especially digital technology. Ramović commented, "Technical capacities and equipment differ from one media [outlet] to another. Modernization of the media in Montenegro is still not completed, mainly because of the economic downturn and consequent financial problems of media companies."

Regarding Internet accessibility, the media face no technological obstacles. All media companies have undisturbed Internet access, allowing editorial teams and journalists to access all information they need online.

As noted above and in previous MSI studies, investigative journalism is lacking, as are niche journalists, the panelists concluded. The media offer little coverage of the legal system, education, urban planning, financial management, and the banking sector. Drobac was particularly skeptical in this regard: "Investigative journalism is complex work, and in my opinion, true investigative journalism in Montenegro is just an illusion for the time being." Rabrenović agreed, saying, "We have to admit that investigative journalism—where journalists investigate a certain issue for several months—simply does not exist here. True investigative journalism is expensive; requires a lot of time; and that is precisely the reason why we do not have it."

Rabrenović described several complications regarding media ownership. “The owners of media companies are well known, but there are no regulations forcing them to submit financial statements. When it comes to blogs, it is difficult to establish official ownership, but still we know who is behind them.”

Mandić elaborated on the absence of niche reporters. “Journalists are usually not specialized to cover certain issues of interest to citizens. There is no continuity in treating some important issues. What is now being done does not display standardized investigative journalism quality, thanks to low salaries and low skills. Again, media companies do not have money to finance investigative projects and simply pay the journalists who are experts in given areas,” he said.

The panelists concluded that investigative journalism correlates closely with the development of specialized journalism, because without it, media are unable to deal competently with important and challenging social issues.

OBJECTIVE 3: PLURALITY OF NEWS

Montenegro Objective Score: 2.68

At the local and national levels, Montenegro has approximately 75 broadcast, print, and Internet media, with more than 90 percent owned privately. The total is even higher when web portals, blogs, and online forums are counted. The country has 65 broadcast media outlets, 40 of which are owned privately. These numbers confirm Montenegro’s media pluralism, and explain why some lament that the country has an excess of media outlets. Bulatović commented, “Radio Antena M, TV Vijesti, and some of the local media companies are significant in terms of informing the citizens. Regarding print media, the most influential are the dailies *Vijesti* and *Dan*.”

The crucial novelty for 2011 was the establishment of the new private *Dnevne Novine* (*Daily Newspaper*). With this addition, the Montenegrin print media market has expanded to four dailies (*Vijesti*, *Pobjeda*, *Dan*, *Dnevne Novine*) amid dire economic and social circumstances—for a population of just 620,000. Only time will tell whether all four are economically viable, and whether Montenegro has enough of a market to sustain four dailies.

The growing influence of social networks (Facebook, YouTube, Twitter) is evident, although the quality and news outreach of these networks is relatively small, and some alternative media are not well developed yet. For example, the panelists are not aware of any news companies distributing news via SMS. However, Unković commented, “Bearing in mind [the] tiny population, I think we have too many media companies in Montenegro. On the other hand, one might say that different points of views are always presented and that citizens have ample freedom of choice.” Rabrenović agreed that the variety of news sources allows representation of different political viewpoints, and added that the country’s numerous media companies “are also presented online. We also have blogs and constant exchange of opinions on web portals.”

However, panelists were unanimous that professional standards have not grown in stride with plurality, thus Montenegrin journalism is not better off because of the growth.

Montenegro is considered a rather liberal country with regard to access to local and foreign media. The government imposes no legal limitations, and the country’s technological infrastructure gives many citizens unfettered access to different media. Satellite links and national radio and television frequencies cover rural areas, and the Internet now reaches almost the entire territory. The official rate of Internet penetration is 45.9 percent of all Montenegrins, with older citizens tending to be less computer literate than younger citizens.

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.

Any restrictions in access stem from citizens' individual preferences and relative buying power. In that regard, Rabrenović commented, "The authorities are not trying to block access to online news in any way, although citizens are limited in terms of PC literacy and foreign language skills." Unković agreed and emphasized that the extent of computer illiteracy has a negative impact on access to information.

The dominant public opinion is that local public media and national state-owned media are under the control of the ruling parties, and as a result, whatever good regulations exist among media community members are marginalized and twisted. It can also be said that state/public media spend a predominant amount of time reporting on the government or its leaders. However, as RTCG editor Vuković explained, "The public service model is still in the making. The regulations are good, but it takes time for the whole system to develop. We have inherited some problems from the past—including excessive staff, unbalanced journalism, and shortage of funds—which prevent us from moving faster."

Rabrenović also had a somewhat sympathetic view of state media: "Public media are not independent; they represent the interests of the ruling coalition, although they cover opposition activities as well. I believe that the majority of journalists and editors within RTCG and *Pobjeda* see themselves as neutral advocates of public interests," she said. Other panelists were less forgiving; according to Unković, "Public service is in no way neutral, and its partiality has been a problem for years now."

The panelists concluded that political interests reflect negatively on national and local state-owned media, contrary to the Law on Public Service and the need for pluralism of social interests to be represented equally in public media services. However, public media outlets help fill a gap by promoting educational and cultural topics that private media sometimes ignore or neglect.

Montenegro has just one news agency, the independent Montenegrin News Agency (MINA). MINA sells news (currently just print and online content) to local media companies in line with their commercial interests. Reputable foreign agency services are available also. "News agencies are commercial media, and they provide services to all those who can afford it," Unković said. "Electronic media also use the services of foreign news agencies." According to Ramović, "Access to all local or foreign news agencies is unrestricted, and it is simply a matter of affordability." Generally, when outlets use content from news agencies, they credit the source.

As for original programming, Mandić said, "Everything depends on the media company. Very few of them produce their own news programs. News programs of private media differ from state-owned companies. Private media react faster

Minority-language programming is a priority for public media, according to Vuković. "The national public service has a special program for minorities. We are producing and broadcasting both in Albanian and Roma languages, and this is a very important mission of the national service," she said.

and present information that is not politically colored. Media companies with national coverage are producing their own news programs, unlike the majority of local media."

Other panelists said that while private electronic media companies produce some of their own content, including news programs, there is a huge difference in quality between national and local private media companies. Online journalism and other new media formats are lagging behind traditional media, and at the moment do not represent a relevant source of information for the public.

Public registries contain data on the official owners of Montenegrin media. Sporadically, though, doubts arise in the general public regarding the real owners of certain outlets, leading to publication of controversial information. The law requires all companies operating in Montenegro to register with the government's company registry, which is public and accessible (even online).

Rabrenović described several complications regarding media ownership. "The owners of media companies are well known, but there are no regulations forcing them to submit financial statements. When it comes to blogs, it is difficult to establish official ownership, but still we know who is behind them. The majority of media owners do not want to reveal the origin of their money. There is no monopoly in the media sector, but we do have media concentration," she said.

Mandić had another viewpoint, claiming that "transparency of assets in the media sector is questionable. Citizens very often do not have a clue about who the real owners of certain media companies are. Some formal owners are just a front for the real, 'hidden' owners."

Foreign investment in the media sector has been low for many years. Panelists reported only one significant investment/take-over in 2011: Greek media investors bought the national radio and television station Pro TV.

Media members write about Montenegro's social issues often. However, at times they choose not to cover entirely or scrutinize some topics, including discrimination, violation of

collective and individual rights, certain criminal cases, lesbian/gay/bisexual/transgender issues, and domestic violence.

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Ramović indicated that some private media are attempting to provide minority coverage, but "broadcasting in minority languages is problematic in Montenegro," he said. "Those media that do broadcast in minority languages exist, but the government is not supporting them sufficiently. Most of these media are not economically viable and they need greater support by the government."

Most panelists agreed that the media report on major events occurring domestically and abroad, and keep citizens informed on key social issues. Novović said, "Media are covering important events at local, national, and international levels, and I do not see any problem in this respect." Rabrenović agreed, adding, "Media are covering the entire territory of the country, and they report on all important events in the region. Local media usually deal with local issues. Some of them are better than others. Every significant international event is covered by our media, so there is no need for citizens to resort to other sources of information."

OBJECTIVE 4: BUSINESS MANAGEMENT

Montenegro Objective Score: 2.06

The panelists characterized media businesses in Montenegro as unprofitable and hardly viable, noting that this has long been the case. They expressed little optimism regarding the financial sustainability of media enterprises, while Montenegro is still feeling strong effects from the recessions in South Europe's economies, and while corruption still plagues the country. Montenegro's socioeconomic fabric is unraveling as well, as exhibited by the numerous strikes held in 2011 by dissatisfied segments of the society.

Although the country recorded a small tick in growth with respect to last year (expected 2011 GDP growth around 2 percent), and the banking sector has managed to stabilize itself, the media sector is still suffering. Bulatović noted, "Media companies are hardly viable in this very limited market environment. Circulation is insufficient, and advertising revenues are not enough to fill the holes in company budgets." According to Mandić, almost all media companies in Montenegro are in a dire situation financially,

and are operating with bare-bones staff. Generally, community and local media do not operate as efficient or sustainable organizations. That said, accounting and finance standards are generally in line with international practice. Trained professionals are hired separately from editors and journalists to manage accounting, marketing, and human resource functions.

The panelists said that private media company budgets depend on circulation, advertising, and non-commercial support coming from their owners, international donors, and certain businesspeople. Advertising revenue is simply not enough to allow private media companies to operate profitably. The public media are competitors in the advertising market and take away a big share from the private dailies and broadcasters. Mandić commented, "Private media companies have several sources of revenue, but all of them are relatively small. State-owned media companies enjoy steady budget revenue plus revenue coming from advertising."

Noting that print media in particular survive exclusively on circulation and the sale of advertising space, Rabrenović commented that private media that "...fail to position themselves on the market must collapse. Private media are much more rational moneywise, and unlike public media, they do not spend taxpayers' money." Panelists agreed that private media are using all legal means at their disposal in order to survive in the relatively small Montenegrin market.

Although some private media companies are turning a profit (for example, the dailies *Vijesti* and *Dan*), most are on the brink of collapse, and public services are totally dependent on

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.

funds from the national budget. Private media face distinct challenges in a business sense: because many public media enjoy state financial support, private media are forced into unfair competition in the advertising market. The economic downturn's reduction of advertising income represents an additional burden for private media.

Many private media owners prop up their outlets financially, but this support sometimes comes at a price editorially. As Rabrenović said, "A majority of media companies are making money in different ways, and I don't exclude the possibility that one or more financiers influence editorial policy—for both private and state-owned media. There are just a few private media companies able to survive just on market-generated revenues." Ramović noted, "Media companies have several sources of income, but local media companies are in a far worse situation compared to their national or regional counterparts. This, in turn, has a great impact on the program quality broadcasted by the local media."

The advertising market in Montenegro does not exceed €8 to €9 million per year. The panelists were unanimous that the Montenegrin advertising market is small, and Drobac also noted, "Seventy percent of the advertising market is controlled by companies headquartered outside of Montenegro, and only 30 percent comes directly from Montenegrin companies." Most of the major marketing agencies are from Serbia, and the main advertisers are telecommunications companies, breweries, and tourism agencies. Zečević said that furthermore, "The advertising market is monopolized because just one advertising agency covers some 70 percent of the television market. On the other hand, Montenegrin advertisers usually have rather weak awareness of the importance of advertising, and therefore invest modest amounts in proper promotion."

Advertisers concentrate mostly on private national media companies and RTCG, while advertising revenues at the local level are small and marginalized. In the last several years, the advertising market has shrunken 30 percent (as estimated by the panelists, based on incomes in their media outlets and compared with last year).

These figures led Mandić to say, "Media cannot earn much revenue from subscriptions, as this form of media financing does not exist in Montenegro. In my view, we should ban public services from selling advertising space, thus helping the private ones to survive." However, according to Vuković, "The share of advertising in the total revenue of the national public service is some 10 to 15 percent (more than €1 million). For the sake of comparison to other countries in the region, advertising revenue for public services reaches up to 30 percent of their annual budgets." In contrast, advertising

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represents an estimated 80 percent of the budgets of private media.

Ramović noted that the government shows its favoritism of some media outlets by advertising with them. In agreement, Rabrenović added, "Government bodies are not crucial players in the advertising market, but in recent years, they are advertising in almost all media companies. The authorities do have some preferred media companies, which are of extreme importance for them. Still, it is important that they started advertising even in other media companies. Although everybody agrees that advertising by government bodies is important for private media companies, it is visible that both national and local authorities prefer to advertise—and thus provide financial injection—with pro-government media, which are under their control."

State aid is given rarely, although panelists said that the economic crisis has led the government to financially support all media outlets by forgiving part of their government debts—totaling about €1.5 million. The panelists expressed confidence that the debt relief is a unique situation.

The panelists agreed that market research is insufficient in Montenegro. Media companies are either barely profitable or unprofitable, and therefore lacking the funds to hire specialized, competent research agencies.

Montenegro has no media rating research companies. The dire financial situation of many media companies does not allow them to commission market surveys in line with their professional and business needs. In most cases, media companies depend on surveys published by NGOs or other independent institutions. Bulatović remarked, "Thanks to the work of one NGO (CEDEM),² we have periodical public opinion surveys, which tell us about citizens' confidence levels with certain media companies." Unković added, "There are surveys accessible to all media companies [done by NGOs], but also those done for the internal needs of financially strong media companies."

²The Centre for Democracy and Human Rights

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Montenegro Objective Score: 2.35

The panelists expressed the general feeling that professional media associations are poorly developed and weak, with limited capacity to make a difference. Regarding media trade associations, Rabrenović said, "We do have the Association of Electronic Media and the Association of Local Public Services, but I don't know if and how they are functioning. On the other hand, the self-regulatory body tasked with pointing to unprofessional behavior in media was recently closed."

Other panelists questioned the value of professional media institutions. "We do have media associations, but I am not sure that their activities are contributing to better positioning of media companies or their professionalism," Unković said. According to Mandić, "There are various associations, but most of them are quite passive. Sometimes they speak in public, but they don't have the capacity to act as strong players. Finally, I can say that media community benefits little from the existing media associations."

The electronic media have several professional organizations (Association of Local Broadcasters, Association of Independent Electronic Media, and Commercial Media Association of Montenegro) established to protect their members' interests, but, according to panelists, their work is sporadic and without any noticeable impact. The panelists agreed that the

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.

media community in Montenegro has failed to provide valid protection of business interests for its members.

As for journalist associations, Mandić said in a definite tone: "Professional associations are doing nothing here." In agreement, Vuković said, "We are disunited as professionals. There are associations fighting for partial interests, but journalists' solidarity is all but gone. The collapse of the self-regulatory body and the unwillingness of media community to rebuild it and make it credible is the best argument for my statement."

Montenegro has several journalist associations (including the Association of Professional Reporters of Montenegro, the Association of Reporters of Montenegro, and the Society of Reporters of Montenegro). Panelists agreed that the associations are inactive essentially. The absence of a strong journalist association serves as confirmation of the destructive environment within the profession.

The panelists concluded that the country has numerous NGOs engaged in the area of free speech, providing support to independent media, and advocating for professional editorial policies. For example, the Media Institute of Montenegro provides training, Action for Human Rights actively supported the decriminalization of libel, and the Monitoring Center-CEMI and CEDEM provide support for media legislation.

The panelists noted strong and productive relationships between the media sector and NGOs. Bulatović said, "Civil society is positioning itself very well on the social arena, and thanks to close cooperation with the media, it is very visible in public." Vuković agreed regarding the benefits of this cooperation and said, "Civil society is growing and gaining influence, in recognition that partnership with the media is necessary for them. The public service is also making appropriate steps in this direction, establishing cooperation with numerous NGOs." Novović added, "We have numerous NGOs that cooperate well with the media, and often they represent a relevant source of information for the media."

As in previous years, in 2011 journalism students had various options for formal and other informal specialized programs (e.g. the public School of Political Sciences, the Media Institute of Montenegro Journalists' School). The institutions teach appropriate theoretical knowledge and practical skills. Rabrenović commented, "There are both university and extracurricular education programs for journalists. I think there are few, if any, students' publications. The trainings are supported by modern technologies, as all the media companies have this equipment. However, these programs are not designed to produce specialized journalists."

The current educational situation in Montenegro is much better than before, as reflected in higher-skilled journalist graduates. How many of these journalists will be hired given the current financial crisis remains to be seen, however.

Opportunities are limited for employed journalists seeking to continue their education. Bulatović commented, "We don't have training in the area of investigative journalism, on covering topics such as crime, corruption, and the economy. Furthermore, editors hesitate to send journalists to training because they need them every day to do their regular job." Vuković noted, "Employees in public service have better possibilities to take vocational studies. I am not sure that private media companies are actually allocating funds for the training of their journalists, or that they even support them if they express a desire to take a course."

Many panelists agreed that the Media Institute of Montenegro is the most solid provider of extracurricular, practical training for journalists. Ramović commented that the school is working very well, but overall, media companies are still unaware of the importance of training through informal supplemental courses. And although these programs teach modern techniques, such as the use of the Internet and multi-media applications, more advanced courses are needed, panelists said.

Existing print shops, where leading dailies are printed, belong to profitable private companies (e.g., *Vijesti* and *Dan*)—except the state-owned press, which belongs to the government daily *Pobjeda*. Unlike its counterparts in the private sector, the state-owned press is not profitable but is subsidized by the government. According to Mandić, media outlets face no special limitations in terms of buying necessary raw materials or equipment; everything depends on the financial capacity of a given company.

Distribution companies are owned privately, but operate with certain financial difficulties. The distribution market for print media is favorable to the establishment of a monopoly, although this is not the result of any political preferences or pressures, Unković said. Broadcasters own their own equipment, but rent space at pillars owned by the Agency for Telecommunications. With regard to equal access to mobile networks, the media are not yet making use of mobile technology (e.g. SMS alerts or MMS content).

The bulk of the Montenegrin broadcast media sector still faces the project of digitalization. Just a few of the most powerful media companies have already gone digital; for smaller media (radio stations, local public services), digitalization is problematic because of their poor financial

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situation. They can only digitalize with the help of government or potential donors. However, the Montenegrin telecommunications network is one of the more modern within the region, so citizens have very few problems accessing cable media, mobile telephony, or Internet. The government is not controlling online media, nor does it impose any administrative limitations that might block the development of online journalism.

List of Panel Participants

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Neđeljko Rudović, journalist, *Vijesti*, Podgorica

Jadranka Rabrenović, journalist, *Dan*, Podgorica

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Dino Ramović, editor-in-chief, TV Teuta, Ulcinj

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