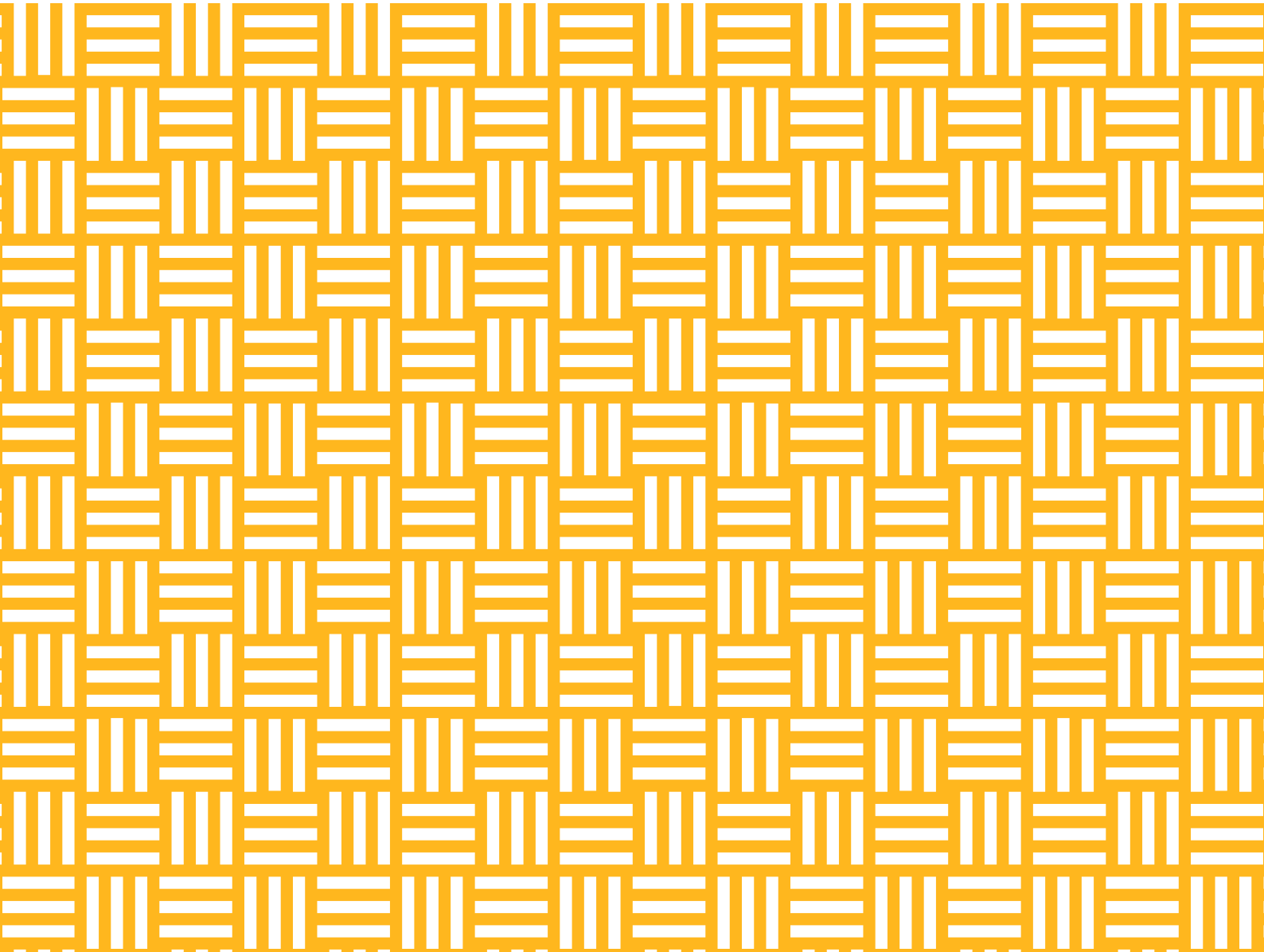




Regionalna platforma Zapadnog Balkana za zastupanje
slobode medija i bezbjednosti novinara
Western Balkan's Regional Platform for Advocating
Media Freedom and Journalists' Safety

MONTENEGRO

Indicators on the level of media freedom and journalists' safety 2019



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OVERVIEW OF THE PROJECT

Journalists' associations from five Western Balkan countries (Bosnia and Herzegovina, North Macedonia, Montenegro, Kosovo and Serbia), with the support of the European Commission¹, joined their efforts in 2016 to monitor and advance the level of media freedom and journalists' safety in their countries – creating thus the Western Balkan's Regional Platform for Advocating Media Freedom and Journalists' Safety. On the basis of a common research methodology developed specifically for that purpose, each year these organisations collect data, assess the newest developments and engage in advocacy activities to change the political, legislative and institutional environment in which the journalists and media work.

The achieved results in the first three-year cycle demonstrated that the journalists' associations of the region can play a decisive role in their push for greater media freedom. This achievement has been recognised by the European Commission as a crucial step towards overall democratisation of the Balkan societies, which resulted with its decision to continue the support of the Regional Platform in the following years². This narrative report has been produced within the framework of the fourth regional assessment of the level of media freedom and journalists' safety in the Western Balkans, carried out in 2019³.

1 *Western Balkan's Regional Platform for advocating media freedom and journalists' safety is a project funded by the European Commission, under the Civil Society Facility and Media Programme 2014-2015, Support to regional thematic networks of Civil Society Organizations.*

2 *The European Commission approved a new three-year project "Safejournalists.net" with a grant contract IPA/2019/414-122*

3 *The assessment of the level of media freedom and journalists' safety in the Western Balkans in 2019 was financially supported by the European Endowment for Democracy.*

METHODOLOGICAL NOTE

The research methodology⁴ is composed of three groups of indicators structured on the basis of a systematic analysis of various guidelines produced by relevant international organizations⁵. In the course of the past four years the originally developed indicators have been tested and refined to address the distinctive socio-political context in this region and to reflect the specific needs and interests of the journalists in the five countries.

A range of various research methods were applied to collect and analyze data in order to answer the indicative questions related to each specific indicator:

- Review of studies, analyses, research reports, policy papers, strategies and other documents;
- Qualitative analysis of legal documents;
- Collection and analysis of information published on the web sites of public institutions and other organizations and bodies;
- Collection and analysis of press releases, announcements and other information produced by professional organisations;
- Secondary data collected by journalists' associations;
- In-depth-interviews with experts, journalists and policy makers;
- Focus groups with journalists.

At national level, journalists' associations nominated national researchers to carry out the data collection and to author the narrative reports, which were then reviewed by two national peer-reviewers and by the lead researcher.

The three groups of indicators which were used in the assessment of the level of media freedom and journalists' safety in the Western Balkans are presented in the Table below.

Table of indicators:

A. Legal Protection	B. Journalists' position in the newsrooms	C. Journalists' safety
A.1 Legal guarantees for media freedom and their implementation in practice	B.1 Economic restrictions on journalists' work	C.1 Statistics on the attacks on journalists and impunity
A.2 The effect of defamation laws on journalists	B.2 Independence from media owners and managers	C.2 State institutions' and political actors' behaviour concerning journalists' protection
A.3 Protection of political pluralism in the media	B.3 Independence of the journalists in the public broadcaster	C.3 Judicial system's efficiency concerning journalists' protection
A.4 Freedom of work and association of journalists	B.4 Independence of the journalists in the non-profit sector	
A.5 Protection of journalists' sources	B.5 Freedom of journalists in the news production process	
A.6 Right to access to information	B.6 Position of the women in journalism	

⁴ The fourth adapted edition of the research methodology was developed by the lead researcher Snezana Tpevska and by Igor Micevski, research fellow of the Research Institute on Social Development RESIS from Skopje, North Macedonia.

⁵ The following documents were taken into consideration while developing the specific research approach for the Western Balkan countries: Council of Europe: Indicators for Media in a Democracy; UNESCO: Media Development Indicators (MDI) and Journalists' Safety Indicators: National level; USAID – IREX: Media Sustainability Index; Freedom House: Freedom of the Press Survey; BBC World Service Trust: African Media Development Initiative; Committee to protect Journalists: Violence against journalists; Reporters without Borders: World Press Freedom Index.



The right to freedom of expression guaranteed by the Constitution of Montenegro is restricted in practice in various ways or citizens and journalists are discouraged from using it. While waiting for amendments to the set of media laws as well as the law concerning free access to information, the media scene remains polarized and with a large number of media that are financially unsustainable. The main division among the media still refers to those that are closer to the ruling structures or completely under their influence and those that are closer to the opposition political parties. In the market with small investments in media advertising, there are four dailies, one weekly newspaper and a large number of television and radio stations. 160 electronic media are registered on the website of the Agency for Electronic Media¹, as follows: 24 AVM operators, 61 electronic publications, 35 commercial radio broadcasters, 14 commercial TV broadcasters, 14 local public radio broadcasters, 5 local public TV broadcasters, 2 non-profit radios and 5 media within the Public Broadcasting Service - Radio and Television of Montenegro. In addition, during 2019, several portals were established in Montenegro that are not officially registered with the Agency for Electronic Media. This used to be the prior practice as well, so now there are dozens of unregistered portals. Non-transparent advertising still exists, so there are accusations that a number of media outlets close to the authorities are being financed in that way. It is expected that this will be regulated by the new Law on Media, which is being drafted and which envisages the establishment of a fund for media pluralism that will be financed from the state budget.

¹ Agency for Electronic Media, URL: <https://aemcg.org/emiteri-operatori-i-publikacije/>

Defamation was decriminalized in 2011, but a number of media and journalists are still being sued for violation of honor and reputation, which is being resolved in a civil lawsuit, and the verdicts in these cases are largely in line with the case law of the European Court of Human Rights. One of the most important laws which is expected to be amended is the Law on Free Access to Information, but many NGOs do not agree with the current proposal of the ministry in line because they consider it a big step backwards.

The position of employed journalists did not change significantly in 2019 and they face the same problems as before: they easily lose their jobs, they work during the holidays and overtime for which they are not paid and they are censored and prone to self-censorship. Those who dare to write articles about the main advertisers are punished and fired, which further increases self-censorship, and some journalists openly testify about that. There are no special rules for work in private/commercial media, while in the Public Broadcasting Service there are rules but they are not respected, i.e. journalists are not able to work without pressure and censorship, which is confirmed by several cases that have reached the public.

There is a limited amount of data and research relating to women in journalism and their position. It can be concluded from them that women in the media are discriminated on several grounds, although the number of women in leading positions has increased. The female journalists claim that they are not paid as much as their male colleagues in the same positions, that they are discriminated because of motherhood and that it is difficult for them to return to the position they occupied before their absence due to childbirth. In addition, there are cases of sexual harassment.

The Police Administration's statistics show an increase in the number of cases of attacks on journalists. According to these data, 11 cases of attacks were recorded in 2019 and a few years before that number was in single digits. Although there were no serious attacks on journalists and media property, threats via social networks as well as physical attacks were recorded. Previous cases of attacks remain unresolved and attempts by police and prosecutors to change something are not effective enough and are not yielding results.

A1 Legal guarantees for media freedom and their implementation in practice

The Constitution of Montenegro, and the laws governing this area, guarantee the right to freedom of expression, but journalists and media experts point out that this right is often only formal and is often violated in practice at several levels - in newsrooms where it has been violated by managers and editors as well as by the state when a certain form of pressure and repression is carried out. Amendments to the Law on Media are expected, the text of which has been harmonized, but it does not include the regulation of Internet access, and this issue has not yet been regulated. Certain contents, such as hate speech, are not allowed on the Internet either, because they are punishable by the Criminal Code.

During 2019, work continued on amending the set of media laws - the Law on Media, the Law on Audiovisual Services and the Law on National Public Broadcaster Radio and Television of Montenegro. They are expected to be adopted during 2020.

Amendments to the text of journalists will not be possible to be made without their consent

The Draft Law on Media² envisages the introduction of the possibility for journalists to refuse to sign a text/article if it is amended against their will, which would create a legal basis for reducing the influence of owners and editors. In addition, the amendments to this Law envisage additional regulation of the protection of information sources and the establishment of the Media Pluralism Fund, which will finance the program contents of private media. Part of the non-governmental sector assessed that this document is not in line with the interests of the media community³.

Formal transparency when drafting laws

Amendments to these laws were drafted in working groups, in which representatives of the media community participated. The Trade Union of Media of Montenegro (TUMM) also had its representatives. However, the journalistic community⁴ believes that the law-drafting process is not inclusive enough and that the involvement of the wider community is only a decoration required by the European Union, as well as that the views of those who formally participate in these bodies are not taken into account.

Media and legal experts agree that when writing and amending laws, “big players” have the opportunity to lobby for changes, while the civil sector remains on the margins and in most cases is reconciled to the fact that the only changes that can happen are those directed from Brussels.

The introduction of licenses for journalists was not a topic that someone advocated during 2019, whether it was about employees in traditional or online media.

There were no attempts by state authorities to impose restrictions on the right to access the Internet. The website www.vijesti.me was the target of hacker attacks several times during the year, especially after the publication of details from the “Envelope Affair”⁵, while the web-

site of the Standard Portal was blocked for several days due to threats of lawsuits, after they published photos of the famous Croatian singer⁶. No one explicitly said that the representatives of the state were responsible for the attacks, however texts of “*Vijesti*” which were the target of the attack, were also about the president of the state and criminal actions.

The regulator of electronic media, AEM, will, if the existing Draft Law on AVM Services is adopted, expand the scope of competencies. The Board of Regulators was completed with the election of two members⁷, and the management was changed. The regulator was complained that it did not apply the law consistently, did not punish broadcasters and thus allowed unfair competition, but also that it “contaminates the media space with unprofessional and unethical content.”⁸ That is one of the reasons why the European Commission (EC) in its Report for 2019 calls for ensuring the independence of regulators⁹.

Advertising of state bodies in the media continues to be the subject of criticism, and the EC states that they are concerned about non-transparency and discrimination in this area: “Montenegro should ensure that informal pressure on editorial policy is not exerted through the distribution of advertising funds, including from public companies, as well as through project co-funding from local budgets. The sustainability of media should be addressed in the forthcoming media law.”¹⁰

The Government, through the Ministry of Finance, supports the local print media, and through the Fund for the Protection and Exercise of Minority Rights of Montenegro, supports projects related to the promotion and protection of the interests of minorities. Around EUR 566,000 were distributed for 99 projects¹¹, and in

2 OSCE, Draft Law on Media, Legal opinion and comments, URL: <https://www.osce.org/me/representative-on-freedom-of-media/403682>, accessed Oct 22, 2019

3 Trade Union of Media of Montenegro, URL: <http://www.sindikatomedia.me/en/index.php/activities/268-new-media-law-should-be-tailored-to-those-concerned>, accessed Oct 22, 2019.

4 This is the dominant opinion of journalists and experts involved in the interviews and focus groups conducted for the purposes of this research.

5 “Organizovana grupa sistemski pokušava da uzurpira portal “Vijesti”, [An organized group is systematically trying to usurp the “Vijesti” portal], Vijesti.me, URL: <https://www.vijesti.me/vijesti/drustvo/390314/organizovana-grupa-sistemski-pokusava-da-uzurpira-portal-vijesti> accessed Oct 5, 2019

6 “Crnogorski portal “Standard” u blokadi zbog prijeteći tužbom Severine”, [Montenegrin portal “Standard” blocked due to threats of Severina’s lawsuit, Portal Analitika URL: <https://portalanalitika.me/clanak/314181/crnogorski-portal-standard-u-blokadi-zbog-prijete-ni-tuzbom-severine>, accessed Oct 5, 2019

7 “Jokić u Savjet RTCG, Raonić i Todorović u Savjet AEM”, [Jokic appointed to the RTCG Council, Raonic and Todorovic appointed to the AEM Council], Vijesti.me, URL: <https://www.vijesti.me/vijesti/drustvo/administrativni-odbor-predlozice-bojanu-jokic-zaclanicu-savjeta-rtcg>, accessed Oct 1, 2019

8 CCE, Controlled Chaos in Electronic Media Regulation, URL: <http://media.cgo-cce.org/2019/04/Kontrolisani-haos-u-regulaciji-elektronskih-medija-web.pdf>, accessed Oct 1, 2019

9 Montenegro 2019 Report, <https://ec.europa.eu/neighbourhood-enlargement/sites/neighborhood-enlargement/files/20190529-montenegro-report.pdf>, accessed Oct 22, 2019, p. 28

10 Montenegro 2019 Report, <https://ec.europa.eu/neighbourhood-enlargement/sites/neighborhood-enlargement/files/20190529-montenegro-report.pdf>, accessed Oct 22, 2019, p. 28

11 Fund for the Protection and Exercise of Minority Rights, Decision on the 1 (first) allocation of funds for financing projects to support activities under Article 36 paragraph 1 of the Law on Minority Rights and Freedoms for 2019, URL: <http://www.fzm.me/v/images/pdf/Odluka%20o%20%20raspodjeli%20sredstava%20Fonda%20za%202019%20godinu.pdf>, accessed Oct 22, 2019

mid-October, a second tender was announced for the distribution of grants from the Fund¹². Criminal charges were filed against the leaders of the Fund for forgery because all projects of organizations that support Serbian media in Montenegro were rejected¹³.

The autonomy and independence of the Public Broadcasting Service (PBS) are regulated by the Law on National Public Broadcaster Radio and Television of Montenegro¹⁴ and the Statute¹⁵ of that media house, which was amended in September 2019, when a new convocation of the Council¹⁶ was elected as well. The work of the Public Broadcasting Service and the Council continues to be regularly criticized for their alleged political bias and sympathy for the ruling Democratic Party of Socialists (DPS). Cases of censorship and pressure on employees were recorded¹⁷. Journalists claim that such cases happen almost daily, but that they do not report them and try to solve them without submitting formal reports and complaints. The Draft Law on Electronic Media¹⁸ (which will henceforth be called the Law on Audio-Visual Media Services) envisages a number of novelties, especially with regard to the obligations of municipalities in Montenegro to provide a stable source of funding for local public broadcasters. Municipal budgets will continue to be the basis for financing these media, because municipalities are the founders. Therefore, it is believed that local public broadcasters will continue to suffer great political influence, however the currently poor financial situation will improve. The total amount that municipalities will allocate for the function-

ing of the media will depend on the type of media (radio, television, or both) and will be proportional to the amount of the budget of that local self-government. The financing of the Public Broadcasting Service Radio and Television of Montenegro is stable and implies the payment of 0.3% of the GDP from the state budget. Public Broadcasting Service has still been blamed for the political influence⁵⁵¹⁹ but rarely for the way it is funded. The Law on Public Broadcasting Service also envisages the introduction of a new self-regulatory body - the Ombudsman.

A2 The effect of defamation laws on journalists

Defamation was decriminalized back in 2011, but there are still opinions that it was a bad decision. The courts impose much smaller fines than those requested and which they estimate will not financially harm the media or the individual, indicating that they are in line with the case law of the European Court of Human Rights. Damage to honor and reputation is regulated by the Law on Obligations and is determined in a civil lawsuit. The spread of the “intimidation effect” among journalists due to potential lawsuits for personal rights violations (defamation and insults) has worried the domestic and international public for years. Although the EC pointed out a large number of lawsuits for damage to honor and reputation several years ago, that warning was not found in the 2019 Report. Only the most drastic cases reach the public, such as when, in the first half of the year, the President of Montenegro, Milo Djukanovic, sued the independent daily “Vijesti” and demanded EUR 100,000 from them²⁰.

Journalists in court also due to media negligence and imprecise laws

“I found myself in a situation where I was sued and convicted because the editors published my information, which I claimed was unverified, and that I still needed to investigate to determine whether it was true and to what extent. They wrote and published the text with my signature, although I was against it, and I had no way to protect myself. Laws that protect against censorship and pressure are also a problem, but they do not state whom they protect. I claim that journalists are not pro-

- 12 *Fund for the Protection and Exercise of Minority Rights, Competition for the II (second) allocation of financial resources for financing and co-financing projects from the Fund for the Protection and Exercise of Minority Rights in 2019*, URL: <http://www.fzm.me/v/index.php/konkursi/item/508-konkurs-za-i-prvu-raspodjelu-finansijskih-sredstava-za-finansiranje-i-sufinansiranje-projekata-iz-sredstava-fonda-za-za-zastitu-i-ostvarivanje-manjinskih-prava-u-2017-godini>, accessed Nov 1, 2019
- 13 “Krivične prijave zbog falsifikata”, [Criminal charges for forgery], Dan, URL: <https://www.dan.co.me/?nivo=3&rubrika=Politika&clanak=685234&datum=2019-02-25>, accessed Sep 28, 2019
- 14 *Law on the National Public Broadcaster Radio and Television of Montenegro*, URL: <http://aemcg.org/wp-content/uploads/2018/05/Zakon-o-nacionalnom-javnom-emiteru-Radio-i-Televizija-Crne-Gore.pdf>, accessed Oct 10, 2019
- 15 *Statute of the Radio and Television of Montenegro*, URL: <http://rtcg.me/upload/media/2020/7/26/401740/Statu%20RTCG%2004.09.2019.pdf>
- 16 “Konstitutivna sjednica novog saziva Savjeta RTCG”, [Constitutive session of the new convocation of the RTCG Council], rtcg.me, URL: <http://www.rtcg.me/vijesti/drustvo/245416/sjutra-konstitutivna-sjednica-savjeta-rtcg.html>, accessed Oct 10, 2019
- 17 *Trade Union of Media of Montenegro, “Leković ne smije biti kažnjen zato što insistira da uređuje svoju emisiju”, [Lekovic must not be punished because he insists on editing his TV show]*, URL: <http://sindikatomedija.me/index.php/saopštenja/2330-lekovic-ne-smije-biti-koznjen-zato-sto-insistira-da-uredjuje-svoju-emisiju>, accessed Oct 22, 2019
- 18 *Draft Law on Audio-Visual Media Services*, URL: https://www.paragraf.me/nacrti_i_predlozi/nacrt-zakona-o-audiovizuelnim-medijским-uslugama.pdf, accessed Oct 22, 2019

- 19 “Nema političkog uticaja na Javni servis”, [No political influence on the PBS], rtcg.me, URL: <http://www.rtcg.me/vijesti/drustvo/243663/nema-politickog-uticaja-na-javni-servis.html>, accessed Sep 29, 2019
- 20 [Djukanovic sues “Vijesti”: Trazi 100.000 eura], [Djukanovic sues “Vijesti”: He is asking for EUR 100,000], Vijesti.me, URL: <https://www.vijesti.me/vijesti/politika/djukanovic-tuzio-vijesti-trazi-100-000-eura>, accessed Oct 23, 2019

tected and that there is no way to defend ourselves, primarily in the newsroom.”²¹

Experts also point out that “the very fact of being exposed to the procedure, regardless of whether the claim is founded or not, represents at least an unpleasant and stressful experience, which in the further actions of journalists can, among other things, lead to (self) censorship, which is, of course, very dangerous for the right to freedom of expression, as well as the right of society to be informed.”²²

In November 2019, the TUMM published an analysis²³ of cases of lawsuits against journalists and media for violating the rights of individuals – honor and reputation, which were being conducted before several Montenegrin courts from 2016 to the end of 2018. During those three years, according to the TUMM’s data, 25 lawsuits have been filed against the media and/or journalists. Out of the total number of initiated proceedings, 14 of them are final, while other cases are ongoing. Within these resolved cases, in six cases the lawsuit was rejected, in five cases the lawsuit was partially upheld, while in one case the lawsuit was upheld but no monetary compensation was sought but only the publication of the verdict. In one case, an out-of-court settlement was reached, and one was resolved by withdrawing the lawsuit. In all final cases, journalists and the media were asked to pay EUR 8,200, which is 3% of the total amount requested. The research showed that citizens were the ones who most often sued (12 cases), followed by public officials, public figures or members of their families. All lawsuits were against private/commercial media.

During 2019, there was an increase in the number of lawsuits filed between the media due to the “Envelope” affair, because the owners of *Vijesti*, Miodrag Perovic and Zeljko Ivanovic, sued several media outlets over articles written by journalist Seki Radoncic, for which Perovic and Ivanovic believe to breach their reputation and honor.²⁴

The interviewed experts believe that the decriminalization of defamation has enabled everyone to exercise their right to protection of reputation and that this is probably why the number of lawsuits is quite large.²⁵ However,

in order to prevent pressure on the media “... it is more relevant how the court makes decisions and whether they are in line with the practice of the Strasbourg Court and the rule of law.”²⁶ In some cases, courts referred to the decisions of self-regulatory bodies that had previously established that the media violated the Code of Ethics of Montenegrin Journalists (hereinafter referred as: the Code of Ethics) and considered that as an aggravating circumstance.

Journalists²⁷ are discouraged and demotivated to investigate for fear of lawsuits and because they feel unprotected. They believe that editors are in a better position because, as a rule, no one sues them, and they do the most damage because journalists hand over texts to them, which they later change unprofessionally and tendentiously in terms of content or headlines, and, thus, lawsuits occur. They also point out that the problem is that disputes with the media end in favor of the media which is closer to the government at that time, and in that way they question the impartiality of the courts. Pressures are sometimes exerted directly but in a subtle way by politicians and officials, however much more often by editors and owners.

A3 Protection of political pluralism in the media

The Public Broadcasting Service Radio and Television of Montenegro is legally obliged to give a certain space to all factors of society, but it is often accused of bias and to work exclusively for the benefit of the ruling party, denying the existence and rights of others who think otherwise. The Code of Ethics obliges private media to be professional and impartial.

During nonelectoral period, commercial media are free to regulate the media and the law does not oblige them to take into account political pluralism.

A further interesting is the complete media polarization that is characterized by the division on political grounds: those media that are critically (oppositional) committed to the Government and the ruling party and those that support the current political majority. In this sense, it can be said that there is political pluralism of the media because views could be expressed depending on which political side some media support. But the problem is that each media outlet should individually reflect the political diversity of society (internal pluralism) and that in such a situation there is no room for professional journalism.

21 Interview, lawyer Mirko Boskovic, interviewed by Marijana Camovic Velickovic, February 21, 2020.

22 Focus group with employees in print and electronic media organized on February 12, 2020.

23 Camovic, Marijana, Lakovic Konatar, Bojana, *Free media through monitoring (Trade Union of Media of Montenegro: Podgorica, 2019)*. URL: <http://www.sindikatomedija.me/en/images/eng-v2.pdf>, accessed Nov 15, 2019

24 “Radončić svjedočio o kriminalnim radnjama Miodraga Perovića i *Vijesti*” [Radoncic testified about the criminal actions of Miodrag Perovic and *Vijesti*], *Skala radio*, URL: <https://skalaradio.com/radoncic-svjedocio-o-kriminalnim-radnjama-miodraga-perovica-i-vijesti/>, accessed June 13, 2020.

25 Interview, legal expert, Milorad Markovic, interviewed by Marijana Camovic Velickovic, February 24, 2020.

26 Ibid.

27 Focus group with employees in print and electronic media organized on February 12, 2020.

Political polarization of the media

“Political parties have much greater access to the media, both because of the deeply polarized society that further deeply polarizes the media, and because of the developed PR strategies and public relations. Individuals often do not understand the way the media work, do not differentiate between the rights and obligations of public broadcasters and commercial media, and thus find it more difficult to exercise their rights in the field of media.”²⁸

The work of the media during the election campaign is regulated by the Law on National Public Broadcaster Radio and Television of Montenegro (RTCG) and specified by the Law on Election of Councilors and Members of Parliament²⁹, which also includes commercial broadcasters. The obligation of the regulator - AEM to monitor the work of all electronic media, to assess whether it is in accordance with the law, is also envisaged. So far, three reports on monitoring the work of the media during the elections have been published³⁰. The Law on Amendments to the Law on Electronic Media³¹ specifies political advertising and stipulates the obligation of the Regulatory Council to adopt a regulation seven days before the elections which regulates the conditions for exercising the rights and obligations of broadcasters when it comes to election campaigns and political advertising.

A unique position of journalists is that politicians and parties do not have equal treatment in the media either in the election or nonelection period, but that the media, depending on their own preferences, favor certain groups/parties or individuals.

A4 Freedom of work and association of journalists

Journalists in Montenegro do not need to have licence in order to perform this job and there are currently no initiatives to change that. No serious cases have been registered where journalists or the media are prohibited from reporting on an event because they do not have accreditation.

There are several associations of journalists, but they are often considered inactive. In the last year, the Association of Professional Journalists of Montenegro has been especially engaged in organizing trainings for journalists³². There are no information in the public about political pressure on these associations.

When it comes to trade union organization, the TUMM still gathers the largest number of employees in the media, about 50%, and during 2019, three new trade union organizations joined it. Half of the TUMM members are still employees of the Public Broadcasting Service RTCG. The TUMM's members are also employees of local public broadcasters and private media. One case of anti-union discrimination³³ of trade union representatives in the private media was registered, which was forced to resign from the position of the president of the trade union organization after direct and indirect pressures exerted by the employer. Representatives of the Government, political parties and other centers of power did not exert pressure, or at least such cases were not reported.

Self-regulation is still a problem in Montenegro and most Montenegrin media that were part of the Media Self-Regulation Council do not have any form of internal control since that body in mid-2018, due to financial problems, decided not to consider complaints. *Vijesti*, *Monitor* and *Dan* have their ombudsmen but their reach is limited because often their decisions are not respected³⁴. This is confirmed by the EC Report³⁵, which states that efforts need to be stepped up to establish effective self-regulatory mechanisms.

A5 Protection of journalists' sources

Article 21 of the Law on Media guarantees absolute protection of sources, but it has been announced that this will change through amendments to that law and that its provisions in that part will be absolutely harmonized with Article 10 of the Convention on Human Rights. The draft of the new Law on Media is planned to make an exception when it comes to national security, territorial integrity and health³⁶. Part of the media community and the non-governmental sector are

²⁸ Interview, media expert, doc. dr. Vuk Vukovic, interviewed by Marijana Camovic Velickovic, February 18, 2020.

²⁹ Law on Election of Councilors and Members of Parliament, Article 6

³⁰ Agency for Electronic Media of Montenegro, Monitoring Reports, URL: <http://oemcg.org/obavjestenje/izvjestaji-o-monitoringu/>, accessed Oct 22, 2019

³¹ Law Amending the Law on Electronic Media, Official Gazette of Montenegro 92/17

³² Association of Professional Journalists of Montenegro, URL: <https://dpncg.me/>

³³ TUMM data obtained from membership interviews.

³⁴ “Dodatan oprez pri izvještavanju”, [Extra caution while reporting], *Vijesti.me*, URL: <https://www.vijesti.me/ombudsman/dodatan-oprez-pri-izvjestavanju>, accessed Nov 22, 2019

³⁵ Montenegro 2019 Report, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-montenegro-report.pdf>, accessed Oct 20, 2019, p. 28

³⁶ Draft Law on Media, URL: <http://media.cgo-cce.org/2019/02/Nacrt-Zakona-o-medijima.pdf>

against such a solution because they believe that the freedom of journalists and the confidentiality of sources will be significantly endangered and meaningless³⁷.

Concerns about amendments to legal provisions on source protection

“The problem is that we will find ourselves in a situation where the competent authorities declare everything that is published to be in the state interest and will ask for the sources to be disclosed. It is clear to me that conventions must be respected, but to apply them and insist on their implementation in this wilderness in which we live is very dangerous.”³⁸

During 2019, cases of pressure on journalists to reveal sources were not known to the public and journalists claim that they still feel quite free to meet with sources of information and maintain contacts with them, but they fear that the announced amendments to the Media Law will cause damage to those relations.

A6 Rights to access to information

The Law Amending the Law on Free Access to Information was adopted in 2017 and was assessed as a solution that significantly worsened the situation in this area. New amendments were planned, which were also negatively assessed by the non-governmental sector³⁹. The provisions of this law have been criticized by many experts as imprecise and general, so they are subject to manipulation and arbitrary interpretations⁴⁰.

Journalists still do not rely on thus obtained information because they claim that it is inefficient and that the answers of institutions, when they are submitted, are formal and confusing as well as that it is often not possible to conclude from them what are the answers to the questions sent to them. In addition, the problem is that a copy of the documentation is often paid for, so it is also an unplanned expense for journalists. They also claim that the institutions favor the media that are close to them and that they are not professional in the sense that they have the same approach to all journalists. If they know someone personally and have good relations with them, they will provide information, otherwise they will not, although the law obliges them. In 2019, the Agency for Personal Data Protection and Free Access to Information received five complaints from journalists. It was announced that all state bodies received a total of 89 requests from journalists, out of which 23 were rejected while the rest were partially or fully approved⁴¹.

37 Trade Union of Media of Montenegro, “Nacrt zakona o medijima: Medijska zajednica mora biti uključena u izradu propisa”, [Draft Law on Media: The media community must be involved in drafting regulations], URL: <http://www.sindikamedija.me/index.php/press/382-nacrt-zakona-o-medijima-medijska-zajednica-mora-biti-ukljucena-u-izradu-propisa>, accessed Nov 22, 2019

38 Focus group with employees in print and electronic media organized on February 12, 2020.

39 MANS, “Pet NVO podnijelo primjedbe: VLADA PREDLAŽE ZAKON O SKRIVANJU INFORMACIJA” [Five NGOs submit comments: GOVERNMENT PROPOSES LAW ON INFORMATION HIDING], URL: <https://www.mans.co.me/pet-nvo-podnijelo-primjedbe-vlada-predlaze-zakon-o-skrivanju-informacija/>, accessed Jan 15, 2020

40 Trade Union of Media of Montenegro, Indicators of the level of media freedom and journalists’ safety [Montenegro] 2018, (TUMM: Podgorica 2019), URL: https://safejournalists.net/wp-content/uploads/2018/11/print_MNE_rezime_2018.pdf_p.18

41 Agency for Personal Data Protection, answers submitted to the TUMM on Feb 12, 2020

Journalist can cover all trials, parliamentary sessions are public, and the government and ministries generally answer journalists' questions at press conferences. A case of introducing a negative practice of publishing journalists' questions on the ministry's Facebook profile and making fun of them was also registered⁴². The journalists assessed that the transparency of state institutions is declining, especially of the Government, the ministries and the Parliament, and that the division of the media into those who suit them better, to the detriment of others, is also represented here. It also happens that when a certain media outlet asks for answers to specific questions, those answers are distributed to all media outlets. Journalists claim that, due to the inability to verify information (due to the closedness of institutions and not answering questions), they are forced to rely on unofficial sources and to look for insiders in institutions. They also pointed out that non-governmental organizations have taken over the "fight" for free access to information, so journalists also depend on them, which makes their job even more difficult because they cannot communicate directly with institutions.

The courts are transparent in the sense that trials are public and therefore journalists can attend them. In addition, according to the Law on Free Access to Information, they are obliged to provide information requested by journalists, but also to protect personal information and the rights of parties in the proceedings.

The Parliament used to be an example of openness and good attitude towards everyone who was interested in its work. Now, journalists have been waiting for a year for answers to certain questions that are related to the work of the Parliament or are within its competence. However, journalists emphasize that "it is clear that the degree of transparency also depends on the people who head the institutions."⁴³

The path to accessing information will be difficult

The Law Amending the Law on Free Access to Information, adopted in 2017, will be amended again. According to the comments of non-governmental organizations and the interested public, the announced amendments will further worsen the situation. The draft introduces a "ban on the abuse of the right to access information" which "restricts NGOs and the media from controlling the work of the government". The extended deadline for deciding on appeals, the abolition of obligations of political parties to publish data on their funding and the abolition of the obligation of institutions to proactively publish their public registers, expert opinions on drafts and bills as well as income data of public officials are some of the comments to the proposed document⁴⁴.

In an open letter⁴⁵, a large number of non-governmental organizations asked the Prime Minister of Montenegro, Dusko Markovic, and the Minister of Public Administration, Suzana Pribilovic, to withdraw the Draft Law Amending the Law on Free Access to Information. The Ministry of Public Administration, which is responsible for this law, said that they tried to improve the solutions, but also to define the abuse of the right to access information and to stop the practice of submitting unreasonable requests⁴⁶. The Ambassador of the European Union to Montenegro, Aivo Orav, also believes that this provision is disputable and that the proposed solutions should be changed⁴⁷.

42 "Ministarstvo dokaz da postoje samo glupi odgovori", [Ministry is a proof that there are only stupid answers], Dan, URL: <https://www.dan.co.me/?nivo=3&rubrika=Društvo&clanak=711651&datum=2019-09-07>, accessed Oct 15, 2019

43 Focus group with employees in print and electronic media organized on February 12, 2020.

44 MANS, "Pet NVO podnijelo primjedbe: VLADA PREDLAŽE ZAKON O SKRIVANJU INFORMACIJA" [Five NGOs submit comments: GOVERNMENT PROPOSES LAW ON INFORMATION HIDING], URL: <https://www.mans.co.me/pet-nvo-podnijelo-primjedbe-vlada-predlaze-zakon-o-skrivanju-informacija/>, accessed Jan 15, 2020

45 MANS, "Otvoreno pismo 44 nevladine organizacije uoči Međunarodnog dana SPI" [An open letter from 44 non-governmental organizations on the eve of the International Day for Universal Access to Information (IDUAI)], URL: <https://www.mans.co.me/otvoreno-pismo-44-nevladine-organizacije-uoči-medunarodnog-dana-spi/>, accessed Oct 15, 2019

46 "Orav: Tajnost pruža plodno tlo za korupciju", [Orav: Secrecy provides fertile ground for corruption], Vijesti.me, URL: <https://www.vijesti.me/vijesti/drustvo/orav-tajnost-pruza-plodno-tlo-za-korupciju>, accessed Oct 15, 2019

47 "Orav: Ne unosite pojam zloupotrebe u Zakon o slobodnom pristupu informacijama", [Orav: Do not introduce the concept of abuse in the Law on Free Access to Information], URL: https://eeas.europa.eu/delegations/montenegro/68319/orav-ne-unosite-pojam-zloupotrebe-u-zakon-o-slobodnom-pristupu-informacijama_me, accessed Oct 15, 2019

B

Journalists' position in the newsrooms

B1 Economic restrictions on journalists' work

The competent authorities in Montenegro still do not have registers and do not keep records on the number of journalists, as well as on the number of those who have an employment contract. Although, according to the latest estimates, 800 journalists work in the media, their number has significantly decreased in the last few years, so that the editorial offices of the most widely read media have less than 20 journalists each. It is estimated that the salaries of journalists are still below the state average, most often below EUR 500. Constant problems are nonpaid overtime work, as well as work on holidays and weekends. In addition, the problem is that they cover several positions at the same time. The employment contracts they have, although they are usually employed for an indefinite period of time, do not provide them with sufficient protection because they can be easily laid off. In general, they agree that the situation is deteriorating both economically and professionally.

Journalists work under pressure, especially when it comes to reporting on advertisers and political powerbrokers.

Editors ban negative texts about advertisers

“It all started with my asking for answers from one of the major advertisers in the media in which I worked. I immediately received an email from the editorial office asking me why I did it and whom I asked for approval. I defended my action because the story was in the public interest and I acted as always until then, however, we came into conflict. I was fired a few months later even though they had always pointed out before that I was young and promising. There is no person in charge of the censorship that happened to me. No one is in charge of what is happening in the newsrooms. The Law on Media states that censorship is prohibited, but not in what way and who protects you from that, journalists are not able to defend their freedom of speech. Only the employer is protected.”⁴⁸

The TUMM’s research on the situation in digital media showed that almost all employees in these media are, sometimes or always, in charge of some additional work, while 73% of them were not paid extra for that work⁴⁹. As many as 63% of respondents say they work overtime, and just over 13% of employees complete their work during regular working hours. However, every other respondent never receives overtime compensation.

B2 Independence from media owners and managers

It is not known whether some private media have internal rules or organizational structures that make newsrooms separate and independent of managers and marketing departments. The practice is that there are special offices in the media for marketing services, but that does not mean that there is no pressure on journalists not to report on the main advertisers or to report in a certain way. These pressures are transmitted to journalists through editors⁵⁰.

Private media do not have internal rules that guarantee the independence of editors from owners and managers. External pressures often come through editors, managers and media owners, so in previous TUMM’s research, journalists agreed that the greatest pressures are exerted by these positions. All private media

formally rely on the Code of Ethics, and do not have their own detailed ethical rules.

Due to declining marketing revenues, newsrooms are reducing the number of journalists, so those who continue to work are forced to self-censor and report in line with owners’ expectations.

Conformism due to the danger of losing a job

“Journalists are not allowed to write about topics they consider important because the editors claim that they are not important. If you suggest different topics several times and they reject each one as irrelevant or boring, then, in order to keep the job, you start writing in a way that is acceptable.”⁵¹

B3 Independence of the journalists in the public broadcaster

The Public Broadcasting Service has formally adopted all the regulations that enable editorial independence, but in practice this medium is recognized as being extremely subject to the political influence of the Government and the ruling majority in the Parliament⁵². There is also a Council that occasionally, and as it is often accused, selectively, criticizes the work of the Director General and the editorial board for political suitability. The Law on the National Public Broadcaster guarantees the independence of journalists in their work and that their employment cannot be terminated or their salaries reduced due to their views or opinions⁵³.

The Public Broadcasting Service, like most local public broadcasters operating at the level of the municipalities that founded them, is considered politically eligible and under the great, if not absolute, influence of the ruling elite⁵⁴.

48 Focus group with employees in print and electronic media organized on February 12, 2020.

49 Lakovic Konatar, Bojana, *New Media – Old Problems 2019. Research on Digital Media Situation*, (Trade Union of Media of Montenegro: Podgorica), p. 5: URL: <https://safejournalists.net/smcg-presented-research-on-state-in-digital-media-new-media-old-problems/>, accessed Dec 19, 2019.

50 Focus group with employees in print and electronic media organized on February 12, 2020.

51 Interview, journalist Kristina Cetkovic, interviewed by Marijana Camovic Velickovic, February 12, 2020.

52 “Javni servisi u Jugoistočnoj Evropi pod političkim pritiskom”, [Public services in Southeast Europe under political pressure], *Vijesti.me*, URL: <https://www.vijesti.me/vijesti/drustvo/javni-servisi-u-jugoistocnoj-evropi-pod-politickim-pritiskom>, accessed Oct 21, 2019.

53 Law on the National Public Broadcaster Radio and Television of Montenegro Article 14, URL: <http://www.rtcg.me/sw4/download/files/article/Zakon%20o%20nacionalnom%20javnom%20emiteru%20Radio%20i%20Televizija%20Crne%20Gore.pdf?id=2277>

54 “Đurović: Šundić i Savjet RTCG bespogovorne sluge DPS-a”, [Djurovic: Sundic and the RTCG Council are unconditional servants of the DPS], *IN4S.net*, URL: <https://www.in4s.net/djurovic-sundic-i-savjet-rtcg-bespogovorne-sluge-dps-a/?lang=lat>, accessed Oct 21, 2019.

Political pressures and censorship in the Public Broadcasting Service

“Public Broadcasting Service is a medium in which I proved that I was censored, however no one bore the consequences because of that, on the contrary. I was eliminated from the program and I am not assigned work tasks anymore. Journalists and editors of the PBS are called to come to offices where interlocutors suitable to the powerful people are imposed to them. The topics are not agreed upon at the collegiums, but the informal media teams direct the policy of the PBS, which has taken on a dangerous role in society and is completely one-sided”⁵⁵. Together with media that are not financed by public money as the PBS, the PBS publishes in synchronized actions the same news that are in favour of the policy advocated by the ruling elite, and that has caused the total collapse of the PBS.⁵⁶

The other case of censorship in the PBS, which reached the public, refers to the “disrupting” of the video in which the police officer, out of duty, attacked the journalist Vladimir Otasevic⁵⁷. The PBS admitted that it did happen and later punished the editors who were responsible for publishing the video, which did not give a true picture of the event⁵⁸.

During 2019, the Collective Agreement⁵⁹ was adopted in the PBS, which for the first time legally regulated the economic and social position of employees and reduced the possibility for various pressures and discrimination of employees. With this document, the salaries of employees have slightly increased after more than a decade during which time they were at the same level. Overtime work, safety at work, the manner of determining technological redundancies are regulated, and the obligation for the Trade Union to supervise these processes has been determined.

B4 Independence of the journalists in the non-profit sector

There are still three non-profit media, two non-profit radio broadcasters and one portal in Montenegro. These media have a small number of employees, and most often they are not developed to the extent that they have special rules that define their functioning. So far, no pressure on these media has been registered.

B5 Freedom of journalists in the news production process

Pressures are reflected in the long run as a form of self-censorship - after many different cases, journalists usually know themselves what topics they can report on, who they can interview and in what way.

Restricting the freedom of journalists in choosing topics and interlocutors

“Often when I work on a topic, I suggest interlocutors, but my proposals are rejected and I am offered, for example, three bad options, i.e. three interlocutors who think in a way close to the media owner, so I have to choose the lesser of three evils and I must not go beyond those frameworks. The problem is that the representatives of non-governmental organizations that cooperate with the owners and the editorial board have a greater influence on the choice of topics and interlocutors than we journalists”.⁶⁰

What is new is the attempt of some media to introduce restrictions in the work of journalists, so they can no longer search for stories on their own, but get work obligations that they have to perform, otherwise, they are considered to have committed a serious breach of duty and are liable for it. If that violation is determined, they can be fired.

“The Code of Ethics prescribes that we must work in accordance with our own conscience, and the work tasks we receive often conflict with what I believe in. It is no longer a journalistic job but the execution of tasks, and there is a big difference between the two approaches. The only thing we can do is insist that our signature does not appear below such texts or attachments.”⁶¹

55 Focus group with employees in print and electronic media organized on February 12, 2020.

56 Ibid.

57 <https://fosmedia.me/infos/hronika/otasevic-tvrdi-objavljen-samo-dio-snimka-iz-delte>

58 <https://www.vijesti.me/vijesti/drustvo/424853/urednici-rtcg-kaznjeni-zbog-snimka>

59 Trade Union of Media of Montenegro, “Kolektivnim ugovorom popravljena prava zaposlenih u Javnom servisu”, [The collective agreement improved the rights of employees in the PBS], URL: <http://sindikatomedija.me/index.php/aktivnosti/399-kolektivnim-ugovorom-popravljena-prava-zaposlenih-u-javnom-servisu>, accessed Jan 15, 2020.

60 Focus group with employees in print and electronic media organized on February 12, 2020.

61 Ibid.

If the pressures are not related to the newsrooms, journalists assess that they are able to deal with them on their own, so that they do not feel pressure from politicians, advertisers and other influential individuals or organizations. Formal complaints about censorship are rarely filed, but, once, such case was identified in the Public Broadcasting Service Radio and Television of Montenegro.⁶²

B6 Position of women journalists

A research funded by the EU Delegation to Montenegro shows that the majority of employees in the media are women, but also that more and more of them are in leading positions⁶³. However, that does not mean that their salaries have grown significantly and that they are equal to salaries of their male colleagues in all positions. From the discussion with the women journalists, it can be concluded that the percentage of signed employment contracts for an indefinite period is the same as percentage of their male colleagues, but they have specific problems such as adaptation to work and obligations after returning from maternity leave, as well as career advancement in those conditions. There are no benefits for women who are involved in journalism.⁶⁴

The research also showed that most of the interviewed journalists believe that pregnancy and maternity leave partially or completely hinder the positioning and advancement of women at work. When hiring, employers often ask journalists about their marital status, children or planned pregnancy, as this can affect their employment decision⁶⁵.

An example of discrimination against women in employment

“In one media, they asked me, in a twisted form, if I had a long relationship and if I was planning a family. I told them that I did not have and that I was not planning a family. I got that job. I got the impression that I would have been rejected if my answer had been different.”⁶⁶

Women journalists also testify about sexual harassment at work from colleagues, but also in the field when they suffer this form of harassment from their interlocutors. Every third or fourth participant in the research knows that a colleague was sexually harassed at work. The number of women journalists who confirmed that they experienced sexual harassment is 17.14%. The number of women journalists who circled some form of sexual harassment in the questionnaire is 26 or 37.14%. The problem is that one part of the women journalists perceives sexual harassment as a usual, normal and socially acceptable type of communication.⁶⁷

62 Trade Union of Media of Montenegro, “Savjet RTCG: Ćirovićkoj povrijeđena prava, Lekoviću ukinuti disciplinski”, [RTCG Council: Ćirović's rights violated, Leković's disciplinary proceeding abolished], URL: <https://safejournalists.net/me/savjet-rtcg-cirovickoj-povrijeđena-prava-lekovicu-ukinuti-disciplinski/>, accessed Jan 15, 2020.

63 Trade Union of Media of Montenegro, “Novinarstvo kao „ženska profesija”: Više žena, manje para”, [Journalism as a “female profession”: More women, less money], URL: <https://safejournalists.net/me/journalism-as-a-womens-profession-more-women-less-money/>, accessed Jan 18, 2020.

64 Ibid.

65 Ibid. The research was conducted by the Association of Professional Journalists on a sample of 14 media with national coverage (TV, newspapers, portals, agencies). 70 women journalists were surveyed making up 25.3% of the total number of employees in these media.

66 Ibid.

67 Ibid.



C1 Statistics on the attacks on journalists and impunity

During the first nine months of 2019, the Police Administration registered 11 events where journalists were injured. The last incident happened in December, when journalist Vladimir Otasevic⁶⁸ was physically attacked. These statistics show a trend of increasing the number of attacks on journalists, considering that 7 attacks were registered in 2017, and 9 attacks a year later. When it comes to statistics for 2019, the data of the Police Administration show that out of 11 registered cases, 3 refer to women.

The competent prosecutor qualified three events as a criminal offense, two of which were prosecuted by filing a criminal report, while intensive activities are being undertaken to shed light on one criminal offense.⁶⁹ The Police explained that misdemeanor proceedings were initiated in three cases, due to violations of the Law on Public Order and Peace. In one case, there were no elements of a criminal offense or misdemeanor, one event has not been qualified yet, while one, at the time of receiving the answer, was waiting for the prosecutor's decision. Also, the Police explained that one case was delivered to another state through the NCB Interpol. According to the data submitted by the Police Administration to the Commission for Monitoring Investigation of Attacks on Journalists, the prosecutor qualified four cases as criminal offenses, all of which have been clarified and criminal charges have been filed.

⁶⁸ Safejournalist.net, *Physical Attack, Vladimir Otasevic, Podgorica, Dec 3, 2019*, URL: <https://safejournalists.net/reports/physical-attacks-vladimir-otasevic-podgorica-03-12-2019/>, accessed Jan 12, 2020.

⁶⁹ Police Administration, *Letter to the TUMM, Oct 24, 2019*.

Number of recorded attacks on journalists in 2019

Category	No	Description
Threats of death and grievous bodily harm	4	Verbal and written threats to bodily integrity, including death threats, made directly or through third parties, by electronic or physical communication. They can be implicit or explicit and include threats to kill a journalist's family, colleagues or sources.
Other forms of threats to journalists	5	Threats that include surveillance, harassing phone calls, arbitrary judicial or administrative harassment, aggressive statements by public officials, or other forms of pressure that may jeopardize the safety of journalists in the course of their professional activities.
Threats to media outlets and organizations	1	Verbal or written threats, attacks on the property or staff of media outlets and organizations addressed directly or through third parties, by electronic or physical communication. They can be implicit or explicit and include referrals/allusions to a particular media outlet or its staff.
Attacks on journalists	1	Attacks may include physical or mental injury, kidnapping, burglary, confiscation of equipment, detention, attempted murder, etc...
Murders of journalists	0	Types of murders may include crossfire murder, ambush murder, bomb blast homicide, beating to death.
Attacks on media outlets and organizations	0	Attacks on the property of media outlets and organizations, their staff, confiscation of property, aggressive statements by public officials, etc....

In 2019, a total of 4 serious cases of verbal or written threats to journalists were registered. Two cases refer to the journalist/correspondent of the daily *Vijesti* Samir Adrovic, and two cases concern the editor of the *IN4S portal* and journalist of the *Voice of America* - Gojko Raicevic and Nebojsa Redzic. Adrovic was threatened twice during July 2019. He first reported that a comment was left on the portal below his text with threats due to which he felt personal and family endangerment. Police identified the perpetrator and criminal charges were filed against him. A few days later, Adrovic received a threatening letter from Sava Durisic, who is serving a prison sentence, in which he expressed his condolences to his brother, who is alive, which Adrovic understood as a threat. This report was also resolved by filing criminal charges against Durisic. In September, the editor of the *IN4S portal*, Gojko Raicevic, filed a report due to threats and insults on his Facebook profile that "he will not celebrate his next birthday". "The case was processed by filing criminal charges against Aleksandar Tabas, on the grounds of suspicion that he committed the criminal offense of endangering security."⁷⁰ The same person threatened the journalist of the *Voice of America*, Nebojsa Redzic, in September. Redzic reported that he received insulting and threatening messages on his Facebook profile from an unknown person, who was identified by the police and criminal charges were filed against him for endangering security. The most recent case is a physical attack on the journalist of the daily *Dan*, Vladimir Otasevic.

In the "Delta" shopping center, Otasevic tried to take a photo of businessman Zoran Becirovic in the company of Senior State Prosecutor Milos Soskic, when he was attacked by Becirovic's bodyguard - he hit him, threatened him and insulted him. The journalist claims that the Prosecutor watched the attack on him calmly all the time. A few days before the incident in Delta, Becirovic was detained on the order of the Special Prosecutor's Office, on suspicion that he threatened one of the experts and was charged with committing a criminal offense - preventing evidence. It turned out that the bodyguard Mladen Mijatovic was an employee of the Ministry of Interior Affairs and that he did not have the permission of the Ministry for that engagement.

The Basic State Prosecutor's Office in Podgorica rejected the criminal charges, because Mijatovic's actions "do not contain the essential elements of that criminal act, as well as any other criminal act for which one is prosecuted ex officio."

The police recorded two cases identified as misdemeanors. One of them was a case from February 2019, when two employees of the daily *Dnevne novine* reported that a larger amount of garbage (toilet paper and copies of *Dnevne novine*) was thrown in front of that media⁷¹. Police identified four people and filed a request to initiate a misdemeanor proceedings. The second case refers to the report of the journalist and director of *Radio Skala*, Slavko Mandic that a photomontage with his picture in a negative context and insulting comments was published on the social network Facebook, which is also classified as a misdemeanor. The case files that refer to case of Ivana Sebek⁷², Director of *Nova CG* television, who filed a com-

⁷⁰ Police Administration, Letter to the Commission for Monitoring Actions of Competent Authorities in the Investigation of Cases of Threats and Violence against Journalists, Murders of Journalists and Attacks on Media Property, February 13, 2020.

⁷¹ Ibid

⁷² Ibid

plaint for presenting data from her personal life in a derogatory context by Nebojsa Covic, director of the basketball club “Crvena zvezda” from Belgrade, were submitted to the Basic Court Podgorica for evaluation and decision-making. In May 2019, the editor of the *Standard portal*, Samir Rastoder⁷³, filed a complaint to the Security Center officers for the mistreatment he suffered from officers of the Serbian police and the Security Information Agency (BAI). Rastoder stated that on May 30, 2019, police officers and members of the BAI in Kraljevo (Serbia) searched his car, him and his phone, for which he did not know the legal basis. The Podgorica Prosecutor’s Office was informed, which, through INTERPOL, requested that the Serbian Prosecutor’s Office be informed about the case for further action. On February 15, the director of *Radio Tivat*, Dragan Popadic, received threats at the city chapel, due to the reporting of the *Radio Tivat*⁷⁴. Dissatisfied with the *Radio Tivat*’s reporting on the lawsuit led by the Arsic family, the journalist was threatened by local businessman Rade Gaga Arsic. Popadic reported the case to the police. This act was qualified as a misdemeanor and Arsic was fined EUR 360.

On June 1, 2019, the Director and Chief Editor of the *Standard portal*, Jasmina Muminovic, reported to the Podgorica Security Center that, during the night before, the portal was not in function and that she suspected a hacker attack. The Police Department for the Suppression of Serious Crimes established that the disputed server was located in Germany, as well as that 150 IP addresses, which could not be identified, tried to access the server that night, which caused problems in its work. The Basic State Prosecutor’s Office Podgorica stated that they were not able to take further measures given that these were hacker attacks that took place from unknown locations on a server located in Germany.

There was a murder of a journalist in Montenegro in 2004, which has not yet been solved. It is the murder of the director and editor-in-chief of the daily newspaper Dan, Dusko Jovanovic. For that crime, one person was sentenced to 19 years in prison as an accomplice, and the complete case will most likely never be solved⁷⁵.

C2 State institutions’ and political actors’ behaviour concerning journalists’ protection

In order to increase the safety of journalists, the Police Administration has appointed one high-ranking officer to coordinate all police-prosecutorial activities in this area on the territory of Montenegro, as well as two criminal police inspectors in all security centers who are exclusively in charge on their territory⁷⁶. They are in charge of all reports in which journalists are identified as victims or they file reports, whether they are employed in online or offline (traditional) media. “This way of acting was registered as the first case of comprehensive treatment of this issue by the police services in the region. The police officers entrusted with this job have a lot of experience.”⁷⁷

The task of the newly appointed team is to analyze the unsolved cases of attacks from the previous period. Thus, thanks to their work, one case of theft⁷⁸ to the detriment of journalists from 2015 was resolved⁷⁹. They also keep records of attacks, i.e. reports, on journalists, so as the Commission for monitoring the actions of competent authorities in investigations in cases of threats and violence against journalists, murders of journalists and attacks on a media property. The Commission regularly publishes in its reports the details of the cases it has dealt with with conclusions and recommendations but does not monitor them⁸⁰. When it comes to the non-state institutions/bodies, records of attacks on journalists and media are kept by the Trade Union of Media of Montenegro on the-

73 Ibid

74 *Safejournalists.net*, Intimidation, Dragan Popadic, Tivat, 15 Feb 2019, URL: <https://safejournalists.net/me/reports/intimidation-verbal-threat-dragan-popadic-tivat-15-02-2019/?fbclid=IwAR2YgWdQY8-O7pUDJBVSrTXHbkdxf4Kon157e3qdMekp8EW86Wyx6k3T70>, accessed 25 Feb 2020

75 “Umor tužioca” državnih alibi u slučaju ubistva Duška Jovanovića”, [Prosecutor’s fatigue as state alibi in the case of the murder of Dusko Jovanovic], *Slobodnaevropa.org*, URL: <https://www.slobodnaevropa.org/a/ubistvo-dusko-jovanovic-tuzilac-umor/30171641.html>, accessed Jan 15, 2020.

76 “Policija sposobna da zaštiti novinare”, [Police capable of protecting journalists], *Rtcg.me*, URL: <http://www.rtcg.me/vijesti/drustvo/239342/policija-sposobna-da-zastiti-novinare.html>, accessed Jan 15, 2020.

77 Government of Montenegro, “Suzbijanje i rješavanje napada na novinare i medije i njihovu imovinu je jedan od prioriteta Uprave policije”, [Combating and resolving attacks on journalists and the media and their property is one of the priorities of the Police Administration], URL: http://www.gov.me/pretraga/211795/Suzbijanje-i-rjesavanje-napada-na-novinare-i-medije-i-njihovu-imovinu-je-jedan-od-prioriteta-Uprave-policije.html?fbclid=IwAR3aVpP3CweK3JXzdGuJVKFH1pfXor4pT6dP9ChF5vdhyM03-rXTqP_UM, accessed Jan 15, 2020.

78 *Safejournalists.net*, Property Destruction, Alma Ljuca, Bar, June 12, 2015, URL: <http://safejournalists.net/me/reports/1271/>, accessed Jan 15, 2020.

79 Government of Montenegro, “Suzbijanje i rješavanje napada na novinare i medije i njihovu imovinu je jedan od prioriteta Uprave policije”, [Combating and resolving attacks on journalists and the media and their property is one of the priorities of the Police Administration], URL: http://www.gov.me/pretraga/211795/Suzbijanje-i-rjesavanje-napada-na-novinare-i-medije-i-njihovu-imovinu-je-jedan-od-prioriteta-Uprave-policije.html?fbclid=IwAR3aVpP3CweK3JXzdGuJVKFH1pfXor4pT6dP9ChF5vdhyM03-rXTqP_UM, accessed Jan 15, 2020.

80 “Kazne ne poznaju funkcije, gdje ima političke volje”, [When there is political will, punishments do not know functions], *Vijesti.me*, URL: <https://www.vijesti.me/vijesti/drustvo/kazne-ne-poznaju-funkcije-gdje-ima-politicke-volje>, accessed Jan 17, 2020.

gional website www.safejournalists.net where a database of cases of attacks and threats that have occurred since 2014 and which are specially processed has been built.

State institutions cooperate with a small number of organizations dealing with the protection of journalists in terms of holding occasional meetings and exchanging ideas⁸¹.

When a more serious attack on journalists occurs, non-governmental organizations as well as individuals from public life react, as well as state representatives who condemn such incidents. On the other hand, the activities of the state in order to resolve these cases do not support these statements because a large number of cases of attacks on journalists remain unresolved. In the semi-annual report on the overall activities related to the process of the EU integration⁸², “the Government expressed its firm commitment to continuously affirm and improve the environment in which journalists and media will do their job professionally without fear for their future.”

As far as it is known, there are no special documents adopted by state institutions that contain guidelines for members of the Army and the police, which explain the prohibition of harassment, threats or physical attacks on journalists. However, they are familiar with this topic through the “Jufrex” project, which has been implemented by the European Commission and the Council of Europe for several years⁸³.

There is no data on electronic surveillance of journalists, nor did they point out to this problem themselves.

C3 Judicial system’s efficiency concerning journalists’ protection

In 2014, the Government of Montenegro established a Commission for monitoring the actions of competent authorities in investigations in cases of threats and violence against journalists, murders of journalists and attacks on a media property, which annually publishes several reports analyzing the manner in which investigations were conducted and identifying possible omissions. At the prosecution level, there is no special department dealing with the investigations of attacks on journalists, while the Police Administration⁸⁴ has appointed special police officers to handle these cases.

The European Commission’s report states that “there were no developments in the investigation of old cases of violence against journalists that would be worthy of attention”⁸⁵ and recommends that Montenegro should clearly strengthen and treat as a priority the effort to investigate cases of attacks on journalists. Despite numerous recommendations of the Commission⁸⁶ regarding the resolution of old cases of attacks on journalists, nothing has been done. Even the representatives of the Government and the Police Administration announced that due to irreparable mistakes made during the investigation of the murder of Dusko Jovanovic, the case was irretrievably lost⁸⁷.

No progress has been made in any previous cases of attacks on journalists. Thus, in most cases both perpetrators and instigators, as well as the motives for the attacks, have remained undiscovered, giving the impression that the state is not doing enough to shed light on this type of crime. However, there are trainings for judges, prosecutors and police officers regarding the importance of freedom of expression and the media, mod-

81 Government of Montenegro, “Suzbijanje i rješavanje napada na novinare i medije i njihovu imovinu je jedan od prioriteta Uprave policije”, [Combating and resolving attacks on journalists and the media and their property is one of the priorities of the Police Administration], URL: http://www.gov.me/pretraga/211795/Suzbijanje-i-rjesavanje-napada-na-novinare-i-medije-i-njihovu-imovinu-je-jedan-od-prioriteta-Uprave-policije.html?fbclid=IwAR3aTvPp3CweK3JXzdGuJJVKFH1pXor4qT6dP9CnF5vdlhyM03-rXTqP_UIM, accessed Jan 15, 2020.

82 Government of Montenegro, Tenth semi-annual report on overall activities within the integration process of Montenegro to the European Union, for the period July - December 2018, URL: file:///C:/Users/PC/Downloads/4_117_11_04_2019.pdf, accessed Jan 20, 2020.

83 Police Academy, Workshop “European standards in the field of media freedom and protection of journalists” was held within the project JUFREX, URL: <https://promocion.me/2020/03/06/odrzana-radionica-evropski-standardi-u-oblasti-slobode-medija-i-zastite-novinara-u-okviru-projekta-jufrex/>, accessed March 6, 2020.

84 “Policija sposobna da zaštiti novinare”, [Police capable of protecting journalists], Rtcg.me, URL: <http://www.rtcg.me/vijesti/drustvo/239342/policija-sposobna-da-zastiti-novinare.html>, accessed Jan 15, 2020.

85 Montenegro 2019 Report, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-montenegro-report.pdf>, accessed Oct 22, 2019, p. 28.

86 “Pažin obećao pomoć Komisiji za istraživanje napada na novinare”, [Pažin promised help to the Commission for the Investigation of Attacks on Journalists], Vjesti.me, URL: <https://www.vjesti.me/vijesti/drustvo/pazin-obećao-pomoć-komisiji-za-istraživanje-napada-na-novinare>, accessed Jan 15, 2020.

87 “Umor tužioca” državni alibi u slučaju ubistva Duška Jovanovića”, [Prosecutor’s fatigue” as state alibi in the case of the murder of Dusko Jovanovic], Slobodna Evropa, URL: <https://www.slobodnaevropa.org/a/ubistvo-dusko-jovanovic-tuzilac-umor/30171641.html>, accessed Jan 15, 2020.

ern standards and the practice of the European Court of Human Rights⁸⁸.

“In Montenegro, there is a considerable number of cases of attacks on journalists that have not received their judicial epilogue, so a general assessment of the poor effectiveness of these investigations could be made. In this regard, I would like to emphasize that each of the bodies of formal social control (police, prosecution) has its legal role in the “process” of detecting and clarifying crimes, and, accordingly, when it comes to cases of attacks on journalists, the individual responsibility of each of these bodies, according to the results they achieved in each specific investigation, could be more emphasized⁸⁹.

Individual responsibility is not determined⁹⁰, and the question is how effective ad hoc bodies can be and can they be substitute for the regular work of the police and the prosecutor’s office.

“I believe that the readiness and capacities of the prosecuting authorities should be strengthened so that all, and/or especially cases of attacks on journalists, are efficiently and effectively detected and processed. Parallel investigations of ad hoc bodies have never yielded results and other mechanisms need to be found to exert democratic pressure on certain proceedings to be conducted in accordance with the law.”⁹¹

During 2019, the police did not provide physical protection to any journalist, nor is it known that anyone asked for that form of protection. There are no any special procedure/rulebook to act in case of attacks on women journalists.

88 Council of Europe, *Training on freedom of expression and freedom of the media for judges and prosecutors*, URL: <https://www.coe.int/en/web/freedom-expression/-/training-on-freedom-of-expression-and-freedom-of-the-media-for-judges-and-prosecutors>, accessed Jan 15, 2020.

89 Interview, lawyer Mirko Boskovic, interviewed by Marijana Camovic Velickovic, February 21, 2020.

90 “Marković: Tražićemo krivičnu odgovornost zbog propusta institucija”, [Markovic: We will request criminal responsibility for the failure of institutions], *Vijesti.me*, URL: <https://www.vijesti.me/vijesti/drustvo/markovic-trazicemo-krivicnu-odgovornost-zbog-propusta-institucija>, accessed Jan 15, 2020.

91 Interview, legal expert, Milorad Markovic, interviewed by Marijana Camovic Velickovic, February 24, 2020.

An overview of the activities undertaken in resolving some of the most difficult cases that have occurred in the last five years.

Year	2015	2016	2017	2018	2019
Case					
1. Jovo Martinovic was arrested on Oct 23, 2015 and has been in custody for 15 months on suspicion of being part of an international drug trafficking group	<ul style="list-style-type: none"> Arrested on Oct 23, 2015 He was charged with the criminal offense of creating a criminal organization and unauthorized production, possession and distribution of narcotic drugs. Martinovic claims that he is not guilty and that he was in contact with the main suspect Dusko Martinovic for the documentary films he produced for French television Capa+. 	<ul style="list-style-type: none"> Despite several requests of his lawyers for Martinović to be allowed to defend himself from freedom, he is still in custody. He was detained without an indictment for half a year. The trial began at the end of September. 	<ul style="list-style-type: none"> Martinovic was released from custody on January 4, and after 15 months in custody, he was allowed to defend himself from freedom. 	<ul style="list-style-type: none"> The trial is ongoing. 	<ul style="list-style-type: none"> In January 2018, the High Court in Podgorica sentenced Martinovic to 18 months in prison. This was first instance verdict and an appeal was allowed. In October 2018, the Court of Appeals of Montenegro revoked the conviction. According to the court, the verdict was also revoked for the co-accused Branka Stanisic, who was sentenced to one year and three months in prison, so they would be tried again before the High Court.
2. Gojko Raicevic - was attacked twice by the police in the period from 17 to 24 October 2015 during the protests of the opposition party Democratic Front, about which he was reporting.	<ul style="list-style-type: none"> The editor of the IN4S portal, Gojko Raicevic, attended the protests on October 24, 2015 as a journalist. During these protests, he was beaten by police on two occasions. Raicevic says that both attacks followed due to the recording of the police using force against citizens. The Council for Civil Control of Police Work concluded that there was inappropriate use of force against citizen G.R. who offered no resistance. On the occasion of the filed criminal report, the Basic State Prosecutor's Office replied that a case had been opened against unidentified officers of the Police Administration 		<ul style="list-style-type: none"> Raicevic filed a lawsuit against the Ministry of Internal Affairs, requesting payment of compensation for non-material damage amounting to EUR 75,000 in respect of torture from police officials he suffered on three occasions. The trial began in April. 	<ul style="list-style-type: none"> The Basic Court rendered a verdict in favor of Raicevic in which it was established that he was subjected to the procedure prohibited by Article 3 of the Convention on Human Rights. According to the verdict, the state, ie the Ministry of Internal Affairs, should pay Raicevic the amount of EUR 6,000 on the basis of compensation for non-material damage. 	

Year	2015	2016	2017	2018	2019
Case					
3. Vladimir Otasevic - received death threats during a conversation with the interlocutor - the brother of Prime Minister Dusko Markovic - Velizar Markovic, on September 11, 2017.			<ul style="list-style-type: none"> • The brother of the Prime Minister of Montenegro, Dusko Markovic, Velizar Markovic, sent a death threat to the journalist of the daily Dan, Vladimir Otasevic, in a telephone conversation, on September 11, 2017. • The Basic State Prosecutor's Office Podgorica rejected the criminal complaint against Velizar Markovic, because, after the investigative actions, it was determined that the threat that Markovic sent to Otasevic did not represent any crime. 		
4. Sead Sadikovic - on April 1, 2018, an explosive device was activated in front of his house in Bijelo Polje.				<ul style="list-style-type: none"> • In front of the house of journalist Sead Sadiković, in Bijelo Polje, an explosive device was activated on April 1. The explosion damaged a car that did not belong to Sadikovic and his family. • On Monday, April 2, the police identified and arrested the suspects, Ilhan and Hilmo Pepic from Rozaje. • After about twenty days, the judge of the Basic Court in Bijelo Polje, Dragan Mrdak, pronounced a verdict on the Pepics for committing the criminal offense of "illegal possession of weapons and explosives" in conjunction with endangering safety. Ilhan was sentenced to seven and Hilmi to four months in prison. • It is suspected that the motive for this attack was to damage the reputation of a member of their family, Husnije Pepic, with whom Sadikovic previously had an interview in his show "Bez granica". 	

Year	2015	2016	2017	2018	2019
Case					
5. Olivera Lakic - was wounded on May 8 at around 9 pm in front of the building where she lives, on the boulevard Sveti Petar Cetinjski in Podgorica.				<ul style="list-style-type: none"> • "Vijesti" journalist Olivera Lakic was wounded on May 8 at around 9 pm in front of the building in which she lives, on the boulevard Sveti Petar Cetinjski in Podgorica. Lakic was met by a man who shot her in the leg at the same place where she was beaten six years ago. When the wounded woman fell to the sidewalk, she saw at least two other men fleeing. 	<ul style="list-style-type: none"> • Nine months after the attempted murder of Olivera Lakic, the Montenegrin Police Administration announced that they had clarified the case, but it was still not clear on the basis of which it was determined that Filip Besovic from Podgorica followed and shot the journalist. It was not announced for what motives she was the target of the criminal group to which Besovic allegedly belongs.
6. Vladimir Otasevic - was physically attacked in December 2019, when he tried to take a photo of a controversial businessman in the company of the Senior State Prosecutor a shopping center in Podgorica.					<ul style="list-style-type: none"> • Journalist of daily Dan Vladimir Otasevic tried to take photo of businessman Zoran Becirovic in the company of Senior State Prosecutor Milos Soskic in the Delta shopping center, when he was attacked by Becirovic's bodyguard - he hit him, threatened him and insulted him. The journalist claims that the Prosecutor watched the attack on him calmly all the time. • The Basic State Prosecutor's Office in Podgorica rejected the criminal charges, because Mijatovic's actions "do not contain the essential elements of that criminal act, as well as any other criminal act for which one is prosecuted ex officio."

Conclusions and Recommendations

Conclusions

While amendments to the set of media laws and the changes they will bring are awaited, freedom of speech remains a constitutionally guaranteed right that is often violated in practice. In the media, this is done by managers and editors towards employees, and when it comes to the state, it is reflected in pressures, most often financial ones. Advertising of state bodies in the media is still the subject of criticism. That part should be improved through the new Law on Media, which also envisages establishment of the Media Pluralism Fund, from which private media will be project-financed with money from the budget. Defamation has been decriminalized, but lawsuits are still being filed against journalists and the media in civil proceedings for violating honour and reputation. The judgments in these cases are largely based on the case law of the European Court of Human Rights. The journalists point out that they reach the court also due to the negligence of the editors and their tendentious corrections of the texts, which is why they are convicted. They also claim that they have no way to protect themselves from that because the laws do not regulate that kind of influence on journalists and their work. Although there is individual and intense pressure on trade union representatives in the media, which is why some unionists have resigned, there has been an increase in the number of new trade union organizations within the Trade Union of Media of Montenegro. It was announced that the protection of journalistic sources in the new Law on Media will be harmonized with Article 10 of the European Convention on Human Rights and

Freedoms, which is why there is a fear that the prosecution and courts will abuse it to the detriment of journalists. It is now the right of journalists not to reveal the source absolutely.

The downward trend in the number of employees continued in 2019, and their salaries are still lower than the national average. Although they usually have employment contracts for an indefinite period of time, the problems they face remain the same. Their overtime work or work during holidays are not paid and they are easy to get fired, which happens regularly when they oppose the editorial board or media management. Rethinking the way the main advertisers work and negative stories about them are still undesirable and reasons for dismissal, as journalists testify. Journalists in the private media testify about numerous examples of censorship and self-censorship and how to get into that position. Neither the media have internal rules that determine the way newsrooms operate, nor they are formally separated from marketing and the influence of the owners. On the other hand, the Public Broadcasting Service has all the necessary regulations that guarantee journalists independent and professional work, but only formally because examples of censorship happen and the public is aware of them. The political influence of the ruling elite is still something that is respected by the PBS and the current management. The Collective Agreement was adopted, which for the first time legally regulated the economic and social position of employees, and there was an increase in salaries, especially for those with the lowest incomes. Journalists claim that it is easier to deal with pressure coming from the side, from politicians, businessmen and similar interest groups, than from those coming from the newsroom, from superiors. There is also a new trend according to which journalists are forbidden to work on texts for which they have not been given a task, i.e. they are prevented from researching stories that they come up with themselves and assessing as worthy of attention. In some media, that is even a reason for dismissal, and journalists point out that they are prevented from doing something that is prescribed by the Code of Journalists (which is to work according to their own conscience). The majority of employees in the media are women and it has been noticed that more and more of them are in leading positions. However, that does not mean that their position is equal in the material sense with their male colleagues and that they do not have their own specific problems related to maternity leave and career advancement in those conditions. They also testify that they were often asked about their marital status and plans for having children during employment, as well as to have been exposed to sexual harassment at work.

The Police Administration's statistics show an increased number of cases of attacks on journalists. In 2019 there were 11 attacks on journalists, while in previous years that number was in single digits. There were no serious bodily injuries or murders, but there was a physical assault on *Dan's* journalist Vladimir Otasevic in December, as well as four cases of threats via social networks - two related to the editor of the *In4S portal* Gojko Raicevic, and two to *Voice of America's* correspondent Nebojsa Redzic. The threats came from the same person who was identified and prosecuted. The murder of the editor-in-chief of the daily *Dan*, Dusko Jovanovic, which happened in 2004, has not been solved yet. Since there were no progress in resolving cases of attacks on journalists and the media, the Police Directorate has formed a team of officers in charge of increasing the safety of journalists. Back in 2014, the Government formed an independent Commission that controls the investigation of cases of attacks on journalists and the media. Although the Commission has identified several irregularities and omissions in dozens of cases controlled by it, its scope is weak because the Police Directorate and the competent prosecutor's offices do not follow their recommendations. The Government publishes the Commission's reports on its website so that they are available to everyone. There are no other mechanisms nor any special treatment for cases of attacks on journalists.

The media legislative framework in Montenegro in recent years has been assessed as generally good, but it is necessary to adopt a set of new media laws as soon as possible, which will provide a better environment for media freedom. The new Law on Free Access to Information, if adopted in its proposed form, threatens to further restrict access to information that is in the public interest and held by state bodies. Self-regulation remains one of the biggest challenges because unified self-regulation is difficult to achieve due to the sharp polarization of the media. The economic position of journalists remains unchanged and generally poor, with the average salary below or around the national average (EUR 500). Censorship and self-censorship are still a major problem for Montenegrin journalists and the impact of large advertisers is particularly negative. Failure to resolve old cases of attacks on journalists remains the biggest problem, especially since the authorities themselves have admitted that some cases, such as the most serious one, the murder of Dusko Jovanovic, will most likely not be fully clarified. Even when the authorities show proactivity, as in the case of the attack on Olivera Lakic, when, as they claim, they discovered the suspects, the investigation takes a very long time and there is no indictment yet. An even bigger problem is that in these cases, the motives for the attacks remain unknown, as do their perpetrators, which used to happen before as well.

Recommendations

It is necessary to adopt amendments to media laws as soon as possible so that the proposals and comments of the Trade Union of Media of Montenegro, media associations and non-governmental organizations are taken into account to the greatest extent possible in order to ensure strengthening of journalistic independence within newsrooms and thus try to reduce censorship and self-censorship, strengthening of journalistic and financial independence of public services, especially local ones, and increase the transparency of advertising from public funds;

It is necessary to clearly legally oblige all media to register with the competent authorities;

The state should abandon the proposed amendments to the Law on Free Access to Information in order not to further complicate the work of journalists in the public interest;

The announced state assistance to private media through the Media Pluralism Fund, which should be formed by amendments to the Law on Media, should be based on clear and measurable criteria and should be conditioned by the fact that part of this assistance is secured for improving the economic status of media employees because they will be the ones who will produce

media content, for which their media outlet will receive money from this Fund;

The fight against censorship and self-censorship should be the obligation of every journalist, as far as possible, because these phenomena have a very bad effect on the position of journalists and the overall media environment. Therefore, it is necessary to formally separate the newsrooms from the marketing services in the media and fight against the strong influence of large advertisers and owners;

Due to the failure to resolve cases of attacks on journalists, it is necessary to finally determine the individual responsibility of police officers and prosecutors who were involved in the investigations. Cases in which some progress has been made must be fully processed. It is especially necessary to determine the perpetrators and motives of the attack.

Journalists' organizations (trade unions and associations) should insist on all these proposals because only in that way the media environment in Montenegro can be improved. Even if all these proposals were adopted, the implementation would be a great challenge, so it cannot be a guarantee that the situation will really improve.

