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MONTENEGRO Indicators on the Level of Media Freedom and Journalists' Safety 2022



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Project Overview and Scope

Journalists' associations from the Western Balkan countries, with the support of the European Commission¹, have developed a joint platform [Safejournalists.net](https://safejournalists.net) to monitor changes in their countries' legislation and practice and to engage in various advocacy activities aimed at advancing political, legislative, and institutional environment in which the journalists and media work. Starting from 2020, the members of the platform monitor the situation in seven countries (Albania, Bosnia and Herzegovina, Croatia, North Macedonia, Montenegro² and Serbia). Every year, the assessment of the situation is conducted on the basis of standardized methods for data collection and analysis³, while the focus of the advocacy research is on the changes in both the traditional and online media environment in the Western Balkans.

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- 1 In December 2019, the European Commission approved the three-year project [Safejournalists.net](https://safejournalists.net) aimed at empowering national journalists' associations in the Western Balkan's countries to become effective and accountable independent actors in advocating applications of the EU standards in the field of media freedoms, with a long-term goal of advancing citizens' right to informed choice. This Action represents an up-scaling of the previous project (Western Balkan's Regional Platform for Advocating Media Freedom and Journalists' Safety), based on the knowledge and experience built in the period 2016-2018. The project is funded under the Civil Society Facility and Media Programme 2020-2022, Support to regional thematic networks of Civil Society Organizations.*
 - 2 This name is provided without prejudice to the status and in accordance with United Nations Security Council Resolution 1244 and the Opinion of the Tribunal on the Declaration and Independence of Kosovo.*
 - 3 The first edition of the research methodology for this advocacy research project was developed in 2016 and customized over the years to reflect the situation in the Western Balkan countries. The advocacy research is designed and coordinated by Snezana Trpevska and Igor Micevski, research fellows of the Research Institute on Social Development RESIS, from North Macedonia (www.resis.mk).*

A Note on the Methodology

The research methodology is composed of three groups of indicators developed on the basis of a systematic analysis of various guidelines published by relevant international organizations⁴. Over the past four years, the originally developed indicators have been tested and refined to address the distinctive socio-political context in the Western Balkans region and to reflect the specific needs and interests of the journalists in seven countries.

A range of various research methods was 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 websites of public institutions and other organizations and bodies;
- Collection and analysis of press releases, announcements, and other information published by professional organizations;
- Secondary data collected by journalists' associations and trade unions;
- In-depth-interviews with experts, journalists, policy makers, etc.;
- Focus groups with journalists, and
- Surveys with journalists (in some of the countries).

At the national level, journalists' associations and trade unions appointed national researchers to collect data and draft narrative reports, which were then reviewed by appointed national experts and lead researcher. In Montenegro, the Trade Union of Media of Montenegro appointed Marijana Camovic-Velickovic and Bojana Lakovic-Konatar as national researchers, while prof. dr Vuk Vukovic as a media expert was appointed to review the report.

Table 1: Indicators on the level of media freedom and journalists' safety

A. Legal protection	B. Journalists' position in the newsrooms	C. Journalists' safety
A.1 Legal guarantees for media and journalists' freedom and their implementation in practice	B.1 Economic restrictions on journalists' freedom	C.1 Safety and Impunity Statistics
A.2 The effects of defamation law on journalists	B.2 Editorial independence in the private media	C.2 State institutions and political actors' behaviour concerning journalists' protection
A.3 Legal protection of political pluralism in the media	B.3 Editorial independence in the public service broadcaster	C.3 Criminal and civil justice system's behavior concerning threats and acts of violence against journalists
A.4 Freedom of journalists' work and association	B.4 Editorial independence in the non-profit	
A.5 Legal 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 women in journalism	

⁴ In developing a specific research approach for the Western Balkans, the following documents were taken into consideration: Council of Europe: Indicators for Media in Democracy; UNESCO: Media Development Indicators (MDI) and Journalist Safety Indicators; National level; USAID-IREX: Media Sustainability Index; Freedom House: Research on Freedom of the Press/Media; BBC World Service Trust: African Media Development Initiative; Committee to Protect Journalists: Violence against Journalists; Reporters Without Borders: World Press Freedom Index.

List of Abbreviations:

PSB	Public Service Broadcaster
MONSTAT	The Statistical Office of Montenegro
TUMM	Trade Union of Media of Montenegro
AEM	Agency for Electronic Media
RTCG	Public Service Broadcaster – Radio and Television of Montenegro
EC	European Commission
ANB	National Security Agency
HRA	Human Rights Action

The Constitution of Montenegro stipulates that Montenegro is an independent and sovereign state, with a republican form of government and specifies that it is civil, democratic, ecological, and a state of social justice, based on the rule of law. Nevertheless, Montenegro is deeply divided on several bases among which the national one is the most prominent. Out of its 620,000 inhabitants, in terms of nationality and ethnicity, the share of Montenegrins is 44.98%, Serbs 28.73%, Bosniacs 8.65%, Albanians 4.9%, Muslims 3.31%, Croats 0.97%. Some of the previous researches indicate that the type of political culture in Montenegro is a mixture of subservient and parochial, with a rather low percentage of elements of participatory culture. Corruption, especially at a high level, is what is most often highlighted in foreign reports on Montenegro. In addition, the confiscation of several tons of narcotics during the year did not go unnoticed. At the beginning of 2022, there was the fall of the Government, which was established thanks to the victory of the previous opposition in the elections in August 2020, after 30 years of ruling of the Democratic Party of Socialists (DPS). Already in April, the minority Government of Prime Minister Dritan Abazović was voted in Cetinje, which ended the three-month technical mandate of the Government of Prime Minister Zdravko Krivokapic. However, just five months later, in August 2022, a vote of no confidence was also passed against that Government, which is in a technical mandate.

The polarization of the media scene is still very pronounced, and changes in the political scene and instability in the country itself have also affected the media. In the last two years, since the change of government in Montenegro, all four television stations with a national frequency have changed their ownership structure, so now in all of them, the majority of owners are foreign companies or persons predominantly from Serbia. Thus, the Public Service Broadcaster Radio and Television of Montenegro remained the on-

ly television with a national frequency that is owned by Montenegro. The whole year passed in the spirit of amending the set of media laws and drafting the Media Strategy. The procedure was inclusive in the sense that all interested parties were involved in the work of the working groups, and it is expected that the adoption of these laws will take place during 2023. The beginning of 2022 was also marked by the implementation of the Criminal Code with amendments that provide additional safety for media workers.

There were no attempts to block or filter media content on the Internet. Still, the hacker attack on state institutions in mid-2022 affected the journalists themselves, and the way they obtained information. In just one year, there was a decrease in the number of online media in the Ministry of Culture's register, while their number, in reality, remained the same, which was caused by changes in the provisions of the Law on media that regulate the way media are registered. The Agency for Electronic Media (AEM) continues to receive praise for its work, and in 2022 it blocked the content of certain media from Serbia on several occasions. At the end of the year, a new director of the AEM was elected, after the previous director was dismissed due to a conflict of interest. Both the AEM and the line ministry allocated money to the media from the Fund for Encouraging Pluralism and Diversity of the Media. After the leadership changes in the national Public Broadcasting Service RTCG, the domestic and international public is generally satisfied with the way of reporting and changes in that medium, but partial bias is still felt. The first-instance verdict estab-

lished that the director of the RTCG, Boris Raonic, was illegally elected to that position.

There are still more than 200 media outlets operating in the small Montenegrin market and monitoring any statistics is almost impossible because the records of the line ministry and the Statistical Office of Montenegro – Monstat provide some incomplete data. The number of journalists is still unknown. The socio-economic position of media workers changed partially during 2022 thanks to the Government's economic program "Europe Now" (now called "New Tax Policy"), but the salaries of media employees are still mostly at or below the national average. There are still a huge number of media workers who receive the national minimum wage. Pressures, censorship, and self-censorship are expressed in part of the media, which is concluded on the basis of mostly anonymous testimonies of journalists.

In the [Safejournalists.net](https://www.safejournalists.net) database, 28 attacks, threats, and pressure on journalists were registered in 2022, while the Police Directorate registered 21 attacks in the same period. Although the number of attacks is the same as in the previous year, the ways in which these attacks are carried out are changing, so in 2022 we had the first case of extortion. A huge increase in the number of registered verbal threats or harassment was registered. During the previous year, amendments to the Criminal Code entered into force prescribing stricter penalties for attackers on journalists, and five cases of attacks were qualified by these amendments.

A1 Legal guarantees for the freedom of media and journalists and their implementation in practice

Are there guarantees for the right to freedom of expression and information? Does it include access to the Internet? Are legal guarantees applied in practice? Has media legislation been enacted in a transparent and inclusive process, in consultation with relevant professional associations?

The Constitution and certain media laws guarantee the right to freedom of expression, including the right to access the Internet. However, in practice, there are many obstacles regarding the application of these legal solutions. After more than a year of work on the texts of the umbrella media laws, at the end of 2022, the public debate on the Law on Media, the Law on Audiovisual Media Services, and the Law on National Public Broadcaster Radio Television of Montenegro was completed. It is expected that in the first half of 2023, these documents will enter the parliamentary procedure. It will be the fifth year since the amendments to the existing Law on Electronic Media (and now the Law on AVM Services) have been awaited. The process of amending the media laws was first led by the Ministry of Public Administration, Digital Society, and Media, which, in the meantime, has been transformed into the Ministry of Culture and Media. The Working Group for amending these laws consisted of representatives of all relevant state authorities, media organizations, and the civil sector, while representatives of some international organizations were also invited to participate as consultants.

“The laws are the result of ten months of intensive work by a comprehensive working group with 25 members, which included all interested parties. We came up with three new laws, which have about twenty essential amendments compared to the current solutions.”⁵

In 2023, the first Media Strategy is expected to be adopted, which has been drafted since 2021 and will contain a section related to the improvement of the position of media workers, as well as media literacy and the fight against misinformation. An increased number of hacker attacks, especially on online publications, has been noticed. It was announced that the Cyber Security Agency⁶, which should reach its full potential in 2024, will soon start operating.

Were there any attempts by the state authorities to impose licensing or any other strict demands for establishing printed media and online media? Do these demands go beyond the mere registration of companies and taxes?

The latest amendments to the Law on Media, which entered into force in 2021, brought novelties into the process of recording online media, i.e. internet publications, while the procedure for establishing print and electronic media did not change. Namely, these media are obliged to register with the Ministry of Culture and Media, instead of with the Agency for Electronic Media. This brought additional confusion because the number of registered portals has drastically decreased, although their real number is increasing daily. According to the latest data from the Ministry of Culture, 82⁷ portals are currently operating in Montenegro. Data from the Trade Union of Media of Montenegro (TUMM) show that at the end of 2021, there were as many as 107 online publications in Montenegro, many of which were not registered.

Have there been attempts by the state authorities to restrict the right to Internet access or seek to block or filter Internet content?

There were no attempts by the state to limit the right to access the Internet, nor to block or filter online content. Nevertheless, the work of the media was greatly hampered, given that for several months all electronic communication of state authorities was limited due to hacker attacks.⁸ In practice, journalists were not able to access the data because the e-mail addresses and websites of all state bodies were down, and some of them started functioning only at the end of 2022. Thus, journalists were forced to deliver questions physically or send them by fax.⁹

Is regulatory authority performing its functions in an independent and nondiscriminatory way? Are license issuing and other broadcasting regulations conducted in a fair and neutral manner?

This year also the regulator – the Agency for Electronic Media received positive marks in the report of the European Commission, stating that AEM continued to professionally fulfill its mandate.¹⁰ However, it should be further strengthened in order to have the authorization to sanction the media, as well as to implement the necessary monitoring. The regulator has no authority over online publications and their content is not taken care of by any body.

“In the coming year, Montenegro should make particular progress in empowering the Agency for Electronic Media (AEM) to impose a full set of measures, including warnings, fines, suspensions, and revocation of licenses that ensure proportionality and effectiveness.”¹¹

In 2022, the AEM suspended the broadcasting of content on several occasions. First, in January 2022, it limited the broadcasting of several different shows of Happy TV from Serbia for half a year, due to the spread of ha-

5 Interview, Nedeljko Rudovic, interviewed by Trade Union of Media of Montenegro, October 2022

6 Ministry of Public Administration, “Agencija za sajber bezbjednost u Crnoj Gori počinje sa radom sljedeće godine” [The Agency for Cyber Security in Montenegro will start working next year], Government of Montenegro, Jan 12, 2022, URL: <https://www.gov.me/clanak/agenacija-za-sajber-bezbjednost-u-crnoj-gori-pocinje-sa-radom-sljedece-godine>, accessed Jan 12, 2023

7 Register of Internet Publications, Ministry of Culture and Media, December 2022

8 Jasna Vukicevic, “Posljedice sajber napada na Crnu Goru još nisu sanirane” [The consequences of the cyber attack on Montenegro have not yet been repaired], Slobodna Evropa, Sep 13, 2022, URL: <https://www.slobodnaevropa.org/a/sajber-napad-crna-gora/32031931.html>, accessed Jan 10, 2023

9 Portal Onogost, “Informacioni sistem još ne funkcioniše u punom kapacitetu” [The information system is not yet functioning at full capacity], Dec 5, 2022, URL: <https://onogost.me/drustvo/informacioni-sistem-jos-ne-funcionise-u-punom-kapacitatu/>, accessed Jan 10, 2023

10 European Commission, Report 2022 Montenegro, Brussels, Oct 12, 2022, URL: <https://rb.gy/m937cr>, accessed Jan 10, 2023

11 European Commission, Report 2022 Montenegro, Brussels, Oct 12, 2022, URL: <https://rb.gy/m937cr>, accessed Jan 10, 2023

tred and discrimination against Montenegrins¹². After that decision, TV Happy¹³ filed a lawsuit. In addition, in April 2022, the Council of AEM banned the broadcasting of Russian media outlets Russia Today and Sputnik. That decision is based on the decision of the Government of Montenegro, which adopted sanctions against Russia, and the Agency for Electronic Media, as a regulator, is obliged to respect that decision and to control whether the broadcasters in our country implement it.¹⁴ At the beginning of September, the Agency banned the broadcast of the Serbian TV Pink “Novo jutro” morning program because of the report on the tragedy in Cetinje.¹⁵

In August, due to a conflict of interest, the Director of the Agency for Electronic Media, Goran Vukovic¹⁶, was dismissed, while in December 2022, a new Director, Suncica Bakic, was elected, who until then was the Head of the AEM Monitoring Sector.¹⁷

Are the legal provisions on state advertising in the media being misused due to political influence on their editorial policy? Is the allocation of state funds transparent, fair, and non-discriminatory? Do state institutions regularly publish data on the amounts allocated to various media?

State advertising in the media is still a big problem in Montenegro, although the provisions of the Law on Media related to the transparency of advertising came into force in February 2021.

The first “Annual Report on the Transparency of Media Financing from Public Revenues” for 2021 was pub-

lished in mid-2022 and showed that public administration is not transparent. The report contains only partial data, and it showed that, unlike the state authorities, the media still showed greater responsibility and transparency.

“It is obvious that in the first year of application of the provisions of the Law on Media, by which public sector bodies are obliged to provide data on the funds they paid to the media based on advertising and public services, this obligation was neglected. During 2021 and the beginning of 2022, the line ministry sent notifications to public sector bodies about the content of their obligations under the Law on Media, to try to prevent the danger that the majority of them do not submit data. It is obvious that this activity did not bring the required result.”¹⁸

Data from reports from the two sources differ, so the media reported income from advertising and contracts with public bodies of almost four million euros excluding VAT, while the public sector reported half a million less. For failure to comply with this obligation, the Law on Media provides penalties for both public administration bodies and the media, but the report does not state whether such procedures have been initiated.¹⁹

A similar report was prepared by the non-governmental organization Center for Civic Education, which showed that a total of 192 bodies had payments to the media in 2021, in the total amount of slightly more than 3.4 million euros. Local governments allocated the most money to the media – 1,387,518.40 euros, followed by public companies that spent 1,139,791.92 euros on the media. The least funds were spent by the judicial authorities, i.e. 3,646.94 euros.²⁰

“Public sector bodies show a critically low level of transparency. Out of a total of 663 public bodies, 60 submitted reports, which is only 9%.” Annual Report on the Transparency of Media Financing from Public Revenues

12 Radio Slobodna Evropa, “Zbog Šešeljevih uvreda, emisije TV Happy zabranjene u Crnoj Gori”, [Due to Seselj’s insults, TV Happy shows banned in Montenegro], Jan 8, 2022, <https://www.slobodnaevropa.org/a/seselj-uvrede-tv-happy-zabrana-crna-gora-/31644961.html>, accessed Jan 8, 2023

13 Katarina Jankovic, “Milomir Marić tužio Savjet AEM” [Milomir Maric sued the AEM Council], March 13, 2022, URL: <https://www.pobjeda.me/clanak/milomir-maric-tuzio-savjet-aem>, accessed Jan 10, 2023

14 Katarina Jankovic, “Sputnjik i ‘Russia Today’ zabranjeni, regulator prati emitere” [Sputnik and Russia Today banned, regulator monitors broadcasters], *Pobjeda.me*, April 24, 2022, URL: <https://www.pobjeda.me/clanak/sputnjik-i-russia-today-zabranjeni-regulator-prati-emitere>, accessed Jan 1, 2023

15 Katarina Jankovic “Jutarnji program TV Pink zabranjen narednih šest mjeseci” [TV Pink morning program banned for the next six months], *Pobjeda.me*, Feb 9, 2022, URL: <https://www.pobjeda.me/clanak/jutarnji-program-tv-pink-zabranjen-narednih-est-mjeseci>, accessed Jan 10, 2023

16 Pobjeda, “Smijenjen direktor AEM-a Goran Vuković”, 12.08.2022. . URL: <https://www.portalanalitika.me/clanak/smijenjen-direktor-aem-a-goran-vukovic>, pristupljeno 10.01.2023.

17 *Bankar.me*, “Sunčica Bakić nova direktorica Agencije za elektronske medije” [Suncica Bakic is the new Director of the Agency for Electronic Media], Dec 13, 2022, URL: <https://www.bankar.me/2022/12/13/suncica-bakic-nova-direktorica-agencije-za-elektronske-medije/>, accessed Jan 10, 2023

18 Ministry of Culture and Media, “Godišnji Izveštaj o transparentnosti finansiranja medija iz javnih prihoda za period od 15.02.2021-31.12.2021.” [Annual Report on the Transparency of Media Financing from Public Revenues for the period Feb 15, 2021 – Dec 31, 2021], June 28, 2022, URL: <https://www.gov.me/en/documents/4b2d1cd3-a981-44f5-ab17-f4981ae5a1ef>, accessed Dec 25, 2022

19 *Safe Journalists.net*, “Transparentnost oglašavanja u medijima: Javna uprava krije podatke” [Media advertising transparency: Public administration hides data], June 30, 2022, URL: <https://safejournalists.net/transparentnost-oglasavanja-u-medijima-javna-uprava-krije-podatke/?lang=me>, accessed Dec 25, 2022

20 Nikoćević, Damir, “Jednake šanse za sve medije – Izveštaj za 2021. godinu” [Equal opportunities for all media – 2021 Report], (Center for Civic Education: Podgorica, 2022), URL: <https://media.cgo-ccc.org/2022/07/jednake-sanse-za-sve-medije-u-crnogori-2021-1.pdf>, accessed Dec 25, 2022 p. 14

Are there specific types of media subsidies or funds for the production of media content for the public interest, and how are those applied in practice?

During the pandemic, the media received over 2.5 million euros in aid (direct and indirect) from the state. Nevertheless, research by the Trade Union of Media of Montenegro showed that the media had a positive balance in 2020 – the year of the coronavirus epidemic and made a total profit of nearly 2.7 million euros. According to the Revenue and Customs Administration, total revenues amounted to almost 41.8 million, and expenditures to almost 39.1 million euros. They employed 1,806 people. Close to half of the revenue or 20 million euros media generated from public sources, i.e. from the state and municipal budgets, and the rest mostly from marketing.²¹

The Fund for Encouraging Media Pluralism was established in 2021. So far, the Ministry of Culture has allocated money to print media and electronic publications on two occasions (for 2021 and 2022). The last call was launched in November 2022, and it was decided that 43 media and 3 self-regulation mechanisms would receive funds. Print media and portals received funds of 367 thousand euros.²²

During 2021 and 2022, the media received around 897 thousand euros through the Fund for Encouraging Pluralism and Diversity in the Media. From that amount, the Ministry distributed 677 thousand euros to print media and electronic publications through two calls, while the Agency for Electronic Media has launched only one call so far.

Electronic media will have the opportunity to apply for the funds allocated to them by this Fund at the beginning of 2023. In the previous call for funds allocation from 2021, money was allocated for 31 media projects in the total amount of 221,183.17 euros. The largest amount of funds allocated to an individual medium amounted to 53.6 thousand euros, and the smallest amount was 5 thousand euros.

“Out of the 31 grants awarded, at most eight relate to the thematic area of children, sports, and young people. Six grants each refer to the areas of social integration of vulnerable categories of society and six grants to the promotion of cultural diversity. Five grants are intended for the area of environmental protection, two grants are intended for the thematic area of affirmation of entrepreneurship, while the areas of promotion of health and healthy lifestyles, current social, economic, and political topics, protection of the rights and dignity of minority peoples, European integration of Montenegro and promotion agriculture and tourism receive one grant each.”²³

Since the establishment of the Fund, AEM has changed the rules for distributing funds to the media three times, while the Ministry has done so only once. There are still large gaps in terms of the distribution of money, so it often happens that the same media receive money for projects on several grounds. The issue of monitoring these projects is also problematic, which can be particularly important in the long term.

What are the mechanisms for financing media in the languages of national minorities?

As part of its regular activities, the Government supports local print media through the Ministry of Finance, while through the Fund for the Protection and Exercising of Minority Rights of Montenegro, it supports projects related to the promotion and protection of minority interests. In June 2022, the Fund launched a call for the allocation of funds. The Fund decided to allocate 1,049,723 euros for 195 projects²⁴ to promote and protect the interests of minorities, including media projects.

21 Ibid.

22 Ministry of Culture and Media, “Odluka o raspodjeli sredstava za javni konkurs za finansiranje medijskih sadržaja u dnevnim i nedjeljnim štampanim medijima i na internetskim publikacijama i finansiranje operativnih troškova” [Decision on the distribution of funds for the public tender for financing media content in daily and weekly print media and online publications and financing operating costs], Dec 21, 2022, URL: <https://www.gov.me/cyr/clanak/odluka-o-raspodjeli-sredstava-za-javni-konkurs-za-finansiranje-medijskih-sadrzaja-u-dnevnim-i-nedjeljnim-stampanim-medijima-i-na-internetskim-publikacijama-i-finansiranje-operativnim-troskova>, accessed Dec 25, 2022

23 Agency for Electronic Media, “Izveštaj o raspodjeli sredstava iz Fonda za podsticanje pluralizma i raznovrsnosti medija namijenjenih komercijalnim i neprofitnim elektronskim medijima za 2021. godinu” [Report on the distribution of funds from the Fund for Encouraging Pluralism and Diversity of Media intended for commercial and non-profit electronic media for 2021], June 28, 2022, URL: <https://aemcg.org/wp-content/uploads/2022/06/Izveštaj-o-raspodjeli-sredstava-iz-fonda-za-podsticanje-pluralizma.pdf>, accessed Dec 25, 2022

24 Fund for the Protection and Exercising of Minority Rights, “Odluku o raspodjeli sredstava za finansiranje projekata za podršku aktivnostima iz člana 36 stav 1 Zakona o manjinskim pravima i slobodama za 2022. godinu”, [Decision on the distribution of funds for financing projects to support activities from Article 36 paragraph 1 of the Law on Minority Rights and Freedoms for 2022], Nov 11, 2022, URL: <http://www.fzm.me/v/Odluke/Odluka%20za%202022.%20qod.pdf>, accessed Dec 25, 2022

Is the autonomy and independence of the PBS guaranteed and efficiently protected? Does the funding framework provide for its independence and stability? Is the supervisory body representative of society in general?

The independence of the Public Broadcasting Service is formally guaranteed by the Law on National Public Broadcaster and by-laws regulating that area. However, since the new Council and leadership were elected in 2021, its partiality and favoritism towards the political majority in the Parliament have been recognized from time to time.²⁵ For the second year in a row, the work of the Public Service was praised in the Report of the European Commission, where it was stated that RTCG continued to broadcast politically balanced and diverse content.²⁶

Montenegro has to in particular refrain from any political, legislative or administrative actions that threaten to undermine the editorial, institutional or financial independence of the public service (...).²⁷

According to Goran Durovic, Director of the NGO Media Center and former member of the RTCG Council, RTCG visually looks more modern than it did before the election of the new management, and it is also evident that a balance has been established between the representatives of the government and the opposition in the news broadcasts. However, he assesses that this is all and that it is not enough to fulfill expectations and legal obligations and the 17 million euros that citizens set aside for financing RTCG.

“The viewership of RTCG is still based on sports broadcasts of major competitions bought by the public service. The Public Broadcasting Service has a pronounced supportive attitude towards the Government and the authorities, which is particularly noticeable in the central informative show, as well as in the selection and way of processing topics that are important for Montenegrin society. Current topics are only covered through possibly one show and then “forgotten” instead of insisting on their resolution and exert-

ing constant pressure on the Government and the parliamentary majority.”²⁸

He also points out that RTCG imposes on the topics that do not cause controversy in the public, and which, he adds, are emphasized by certain influential subjects in society, “for instance, Serbian Orthodox Church imposes on subjects such as the abolition of the legal right to abortion or the introduction of so-called “religious education” into the regular education system.”

“The weakest points of RTCG are insufficient trust in RTCG, non-transparency, uncritical attitude towards the work of authorities at the local and state level, nepotism, inadequate personnel policy.”²⁹

Although the amendments to the text of the Law on RTCG were drafted in 2022, that Law has not yet been adopted. The method of financing Public Service has not changed, but the work of that media is financed directly from the state budget, and this method is considered a stable and good solution that no one seriously disputes. Although it prescribes a lot of changes, especially regarding the criteria for the selection of members of the Council and the General Director, Durovic points out that the new legal solution can contribute to the establishment of greater independence and functionality of RTCG, provided that the legal solutions contained in the draft Law are accepted in their entirety.

The Council is the controlling body of the Public Service and has 9 members from various segments of society, so it is considered to represent society as a whole, although it is announced that through the amendments to the Law on National Public Broadcaster, that part will also be changed. Some of the proposals concern increasing the number of Council members.

A2 The effects of defamation laws on journalists

Are the provisions in the defamation laws severe and protective of state officials? What are the main shortcomings of these laws?

The provisions of the Law on Obligations and the Law on Media, which protect the personality rights in the media, i.e. regulate honor and reputation, were not amended during 2022. These provisions contain all basic standards and provide space for the media to work free-

²⁵ Pobjeda, “Đurović: Dok god DF, DCG i URA mogu da pozovu direktora RTCG ili AEM-a i zatraže usluge, te institucije neće biti profesionalne” [Durovic: As long as DF, DCG and URA can call the director of RTCG or AEM and ask for services, those institutions will not be professional], Nov 8, 2022, URL: <https://www.antenam.net/drustvo/258178-djurovic-dok-god-df-dcg-i-ura-mogu-da-pozovu-direktora-rtcg-ili-aem-a-i-zatraze-usluge-te-institucije-neece-biti-profesionalne>, accessed Dec 25, 2022

²⁶ European Commission, Report 2022 Montenegro, Brussels, Oct 12, 2022, URL: <https://rb.gy/m937cr>, accessed Jan 10, 2023 p. 37

²⁷ European Commission, Report 2022 Montenegro, Brussels, Oct 12, 2022, URL: <https://rb.gy/m937cr>, accessed Jan 10, 2023 p. 37

²⁸ Goran Durovic, interviewed by Bojana Lakovic-Konatar.
²⁹ Ibid.

ly. In addition, there have been no official attempts to criminalize defamation.

How many lawsuits have been initiated against journalists by state officials and politicians in the past year?

The number of lawsuits against the media for violation of personality rights is still high. The latest data refer to 2021, in which 54 cases were active before basic courts for compensation of damages due to violation of personality rights.³⁰ The same research showed that almost 310,000 euros were claimed in all active cases and that journalists and other media most often sued their competitors. Citizens are in second place. This problem was also recognized in the latest report of the European Commission. During 2022, the continuation of mutual confrontations between competing media was registered, which culminated in BIRN's publication of a list of right-wing organizations in Montenegro, including the names of female journalists from the Pobjeda newspaper³¹.

"The trend of media and journalists initiating lawsuits for defamation and insult against competitors has continued." Report of the European Commission

Do the courts recognize the established self-regulatory mechanism? Do they accept the validity of a published or disseminated reply, correction, or apology?

Although progress is evident in terms of judicial practice in cases of compensation for damages due to violation of personality rights, in which journalists and/or media are sued, there are still differences. The analysis of court judgments showed that the correction is sometimes interpreted as an admission of guilt, and in some cases, the non-publication of the correction, answer, or denial was interpreted as an aggravating circumstance for the media. The most worrying thing is that the media themselves do not rely on self-regulation mechanisms, but rather the media and journalists decide to sue the competition for violation of personality rights.

30 Konatar, Bojana, "Socio-ekonomski položaj medijskih radnika u Crnoj Gori" [Socio-economic position of media workers in Montenegro], (Trade Union of Media of Montenegro: Podgorica), Dec 2021, URL: <https://sindikatomedija.me/publikacije/11655/>, accessed Dec 20, 2022, p. 11

31 Janković, Srdan, "Označeni kao ekstremisti iz Crne Gore, pišu tužbe protiv BIRN-a" [Labeled as extremists from Montenegro, they are drafting lawsuits against BIRN], Radio Slobodna Evropa, Nov 21, 2022, URL: <https://www.slobodnaevropa.org/a/crna-gora-birn-tuzbe/32141484.html>, accessed Dec 20, 2022

To what extent are court decisions against some journalists politically motivated? What kinds of penalties have been imposed? What do journalists think about these laws? Are they discouraged from researching and writing critically?

The analysis of judgments and court practice did not show that politically motivated court decisions existed. The fines are generally several times smaller than the requested amounts, and the judges refer to the standards of the European Court of Human Rights in their decisions. The analysis of ten years of case law³² showed that private print media were the most sued, while RTCG had one lawsuit in 10 years, and other public services were not sued at all for violation of personality rights. Among the active cases, the most make those in which portals and print media are sued. Year after year, journalists emphasize that they are not discouraged by the possibility of lawsuits due to violation of personality rights. On the other hand, some journalists point to "extra caution" and "adjustment" of stories to avoid potential lawsuits.³³

A3 Protection of political pluralism in the media

Is political pluralism in the media regulated by media legislation outside the election processes? What are the obligations of the public services and what of the private broadcasters concerning political pluralism outside election processes?

Political pluralism in the media is regulated and protected by a set of different laws, namely: the Law on Media, the Law on National Public Broadcaster RTCG, the Law on Election of Councilors and Members of Parliament, and the Law on Financing of Political Entities and Election Campaigns. These legal solutions were not amended during the analyzed period. However, these laws mainly deal with media obligations during the election period. Outside of the election race, it is still noticeable that the leading parties have close ties to the media, even after the change of Government in 2020. In

32 Camovic, Marijana, Lakovic Konatar Bojana, "Činjenicama protiv tužbi-deset godina od dekriminalizacije klevete" [Facts vs. Lawsuits-ten years since the decriminalization of defamation], (Trade Union of Media of Montenegro: Podgorica), January 2021, URL: <https://sindikatomedija.me/publikacije/cinjenicama-protiv-tuzbi-deset-godina-dekriminalizacije-klevete-u-crnj-gori/>, accessed Feb 12, 2022

33 Interview, journalist anonymous, Nov 2022

the report of the Center for Media Pluralism and Media Freedom for 2020, it is pointed out that the mainstream media in Montenegro are mostly politically committed, but that some are more directly dependent on the political and economic interests behind them.³⁴

“The deep political polarization of the media scene is still present, while the growing competition of large regional media has additionally burdened the local media market.” EC Report p. 6

Is the regulatory authority obliged to monitor and protect political pluralism outside election processes? Do political parties and candidates have fair and equal access to media outside election processes?

The obligations of the regulator, which refer to the monitoring of the work of the media, are related only to the pre-election campaign, and monitoring is not carried out outside that period. During the previous two years, several television stations were founded, some of which received a national frequency, and whose editorial policy is close to that of the new government in Montenegro.

What are the legal obligations of the media during election campaigns? Which body monitors electronic and print media?

During 2022, the working groups amended a set of media laws, which to some extent will also apply to media obligations during the elections, but at the beginning of 2023, the texts will be finalized and sent to the Government for adoption. Other legal provisions prescribing the media's obligations during pre-election campaigns were not amended. According to the legal solutions in force, the Agency for Electronic Media is in charge of the monitoring of electronic media, which issues regulations on the rights and obligations of broadcasters before the election, and publishes monitoring reports after the election.

Do political parties and candidates have fair and equal access to media during election campaigns?

All previous research and analyses by domestic and international organizations have shown that political parties and candidates do not have equal and fair access to the media, neither during the election campaign

nor after. In 2022, local elections were held in several Montenegrin municipalities, and according to the reports of the Agency for Electronic Media, the largest amount of media presentation was recorded through free advertising, because the Public Service is obliged to provide free media presentations to all lists participating in the elections.³⁵

“Comparing free and paid advertising in the programs of the observed television broadcasters, it is important to note that a certain amount of paid media presentation was recorded in the programs of public broadcasters. Observing the programs of commercial televisions, it is characteristic that a significant amount of free media presentation and a small amount of paid advertising were recorded.”³⁶

A4 Freedom of journalists' work and association – legal guarantees and practice

Do journalists have to be licensed by the state to work? Were there any attempts in the past year to introduce licenses by the state? Have journalists been refused the right to report on certain events on the ground of not having accreditation?

The introduction of licenses for the work of journalists, and media inspectors and the existence of a regulatory body (the so-called Chamber of Journalists) were discussed on several occasions within working groups for amending the media laws. However, there were no official initiatives to introduce those provisions in 2022, and previously such initiatives were condemned by media organizations.

There were no cases in which journalists were prevented from attending events due to a lack of accreditation. Nevertheless, even during 2022, the practice of top state officials criticizing certain media outlets and linking

³⁴ Vuković, Dragoljub, Brkić, Danijela, “Monitoring media pluralism in the digital era”, (Center for media pluralism and media freedom: 2021), URL: <https://bit.ly/3J2DiBx>, accessed Jan 12, 2023, p. 13

³⁵ Agency for Electronic Media, “Izveštaj o medijskom predstavljanju tokom kampanje za lokalne izbore – mart 2022. godine” [Report on media presentation during the campaign for local elections – March 2022], April 6, 2022, URL: <https://aemcg.org/wp-content/uploads/2022/04/Izveštaj-o-lokalnim-izbore-Berane-and-Ulcinj-March-2022.pdf>, accessed Jan 12, 2023

³⁶ Agency for Electronic Media, “Izveštaj o medijskom predstavljanju tokom kampanje za lokalne izbore – mart 2022. godine” [Report on media presentation during the campaign for local elections – March 2022], Nov 23, 2022, URL: <https://aemcg.org/wp-content/uploads/2022/11/Izveštaj-o-medijskom-predstavljanju-tokom-kampanje-za-lokalne-izbore-Oktobar-2022-02-1954-23.11.2022.pdf>, accessed Jan 12, 2023

them to criminal groups, as well as threatening to shut down those media outlets, continued.³⁷ Also, for the first time, a case of the police interrogation of journalists was recorded, following a report by one of the security workers in the company whose workers were on strike, and the journalists were reporting on that strike.³⁸

Are journalists organized in professional associations and if yes how? Are there pressures on their organization or individual members?

Montenegrin journalists are free to associate. Currently, three associations of journalists are active, two of which (the Association of Journalists of Montenegro and Montenegrin Journalists Society) mainly focus on awarding awards to the best journalists in honor of the Day of Journalists in Montenegro. The third association, the Association of Professional Journalists, is mainly oriented toward projects, training, and providing psychological assistance to journalists. No pressure was recorded on the leaders of these associations.

Are journalists organized in trade unions and if yes, how? Are there pressures on the trade union leaders and other members?

The Trade Union of Media of Montenegro focuses on the socio-economic position of media workers and has been fighting for almost a decade to improve the labor rights of media employees. Around six hundred media workers from different media and different cities of Montenegro joined the Trade Union, and in 2022 a new President was elected – Radomir Krackovic. There is also another, smaller trade union, the Trade Union of Information, Graphic, and Publishing, which, apart from a small part of employees in the media, gathers employees in graphic and publishing companies and printing shops. There was no pressure on union leaders. However, the practice of pressure and intimidation of individual members or entire trade union organizations continued. During 2022, the anti-union activity of some private media was also registered, which “recommend-

ed” employees not to join the Trade Union of Media of Montenegro.³⁹

“Anti-union activity, although not public, is present in part of the private media to discourage employees from joining the union. However, on the other hand, in 2022, more than 50 journalists and media workers joined the TUMM, which shows that awareness that a better position in our profession can be achieved through joint struggle and solidarity is growing.”⁴⁰

Is there a Press Council and how is it organized? Are there pressures on the representatives of the Press Council?

Despite recommendations to establish a single self-regulatory body, this did not happen not even in 2022. There are currently three self-regulatory bodies: the Media Council for Self-Regulation, the only collective body with 13 members, and Ombudsmen in Dan and television and newspaper Vijesti and the weekly Monitor. The Public Service also has its own Ombudsman. Ombudsmen of private media and Media Councils for Self-Regulation, thanks to the amendments to the Law on Media, have the opportunity to be financed by the Fund for Encouraging Media Pluralism. No pressure was recorded on the representatives of these bodies.

A5 Protection of journalists' sources

How is the confidentiality of journalists' sources guaranteed by the legislation? Under what circumstances the right to protect their sources may be subject to limitations?

By the end of 2022, the new text of the Law on Media was not adopted, but the Working Group worked throughout the year on amendments to the articles of that document that refer to the guarantee of confidentiality of information sources. These are also the most criticized provisions of the Law in force, due to the potential dangers of pressure to reveal the source of information. The Law defines that a journalist is not obliged to reveal the source of information, except in the case when the state prosecutor asks them to do so in order to protect the interests of national security, territorial integrity,

37 Gradska TV, “HRA: Osudujemo optužbe i prijetnje koje Abazović saopštava protiv CdM-a, Analitike, M portala, Gradske TV i Pobjede” [HRA: We condemn the accusations and threats made by Abazovic against CdM, Analitika, M portal, Gradska TV and Pobjeda], Sep 9, 2022, URL: <https://gradski.me/hra-osudujemo-optuzbe-i-prijetnje-koje-abazovic-saopštava-protiv-cdm-a-analitike-m-portala-gradske-tv-i-pobjede/>, accessed Jan 10, 2023

38 Zekovic, Mia, “Policija ispitivala novinare zbog izvještavanja sa protesta radnika” [The police interrogated journalists for reporting on the workers' protest], Antena M, Avg 31, 2022, URL: <https://www.antenam.net/drustvo/257122-policija-ispitivala-novinare-zbog-izvještavanja-sa-protesta-radnika>, accessed Jan 10, 2023

39 Trade Union of Media's data.

40 Interview, Radomir Krackovic, interviewed by Bojana Konatar, December 2022.

and health.⁴¹ So far, no cases of abuse of this article of the Law have been recorded. The draft of the new Law stipulates that a journalist can reveal the source of information only upon the decision of the competent court when it is necessary to protect the interests of national security, territorial integrity, and health.⁴²

Is the confidentiality of journalists' sources respected by authorities? Were there examples of ordering journalists to disclose their sources and was that justified to protect the public interest? Were there any sanctions against journalists who refused to disclose the identity of a source?

There were no new cases in which journalists and the media were asked to reveal the source of information. The last recorded case was registered at the end of 2021 and refers to the journalist of the Pobjeda newspaper, Nenad Zecevic, who was interrogated in the Prosecutor's Office following the report of the Director of the National Security Agency (ANB), Dejan Vuksic, for the alleged disclosure of classified information. The procedure is still ongoing, and the reason for the hearing was Zecevic's text.⁴³

A6 Protection of the right to access information

What are the legal rules on access to official documents and information which are relevant for journalists?

The last amendments to the Law on Free Access to Information were adopted in 2017, and the last two governments announced amendments to this document. On several occasions during 2022, the need to amend the Law on Free Access to Information was, inter alia, pointed out, due to the need to establish the principle of prohibition of abuse of the request for free access to

information.⁴⁴ On the other hand, the non-governmental sector and the media repeatedly pointed out the shortcomings of the law in force, which allows state authorities to retain and make secret information of public importance.⁴⁵ The Draft Law Amending the Law on Free Access to Information, which was sent back for revision after the establishment of the new Government, prescribes some new solutions, such as the fact that in the future, the position of the Council of the Agency for the Protection of Personal Data and free access to information will be binding upon complaints about the administration's silence and state authorities will have to act upon it.⁴⁶

Do journalists use these rules? Do the authorities follow the rules without delays?

According to the data of the Agency for Protection of Personal Data and Free Access to Information, journalists submitted 76 requests for free access to information to state authorities in 2022, or even 30 less than the year before.

"The number of rejected requests for free access to information was 18, while 16 requests for free access to information were partially approved."⁴⁷

The Agency reveals that journalists have filed six complaints for violation of procedural rules, i.e. silence of the administration, and those procedures are ongoing. Two requests refer to the Radio and Television of Montenegro, and one each for the RTCG Council, Airports of Montenegro, the Ministry of Foreign Affairs and the Ministry of Finance.

41 Law on Media, Article 30, URL: <https://me.propisi.net/zakon-o-medijima/>

42 <https://www.vijesti.me/vijesti/drustvo/629999/novinarski-izvor-otkriti-samo-uz-odluku-suda>

43 Pobjeda Newsroom. "Šef ANB-a javni podatak proglasio tajnim" [The Head of the ANB declared public information secret], *Pobjeda.me*, Nov 16, 2021, URL: <https://bit.ly/3tHG6OJ>, accessed Jan 28, 2022

44 Rudović, Milos, "Potrebno uspostaviti princip zloupotrebe prava na slobodan pristup informacijama" [It is necessary to establish the principle of abuse of the right to free access to information], *Vijesti.me*, Dec 7, 2022, URL: <https://www.vijesti.me/vijesti/drustvo/633837/potrebno-uspostaviti-princip-zloupotrebe-prava-na-slobodan-pristup-informacijama>, accessed Jan 28, 2023

45 Ne.V, "Gvozdenović: Neke institucije ne bi odgovorile ni na "dobar dan", a za to ne snose nikakve posljedice", [Gvozdenović: Some institutions would not even respond to a "good afternoon", and they bear no consequences for that], *Vijesti.me*, Oct 3, 2022, URL: <https://www.vijesti.me/vijesti/drustvo/624320/gvozdenovic-neke-institucije-ne-bi-odgovorile-ni-na-dobar-dan-a-za-to-ne-snose-nikakve-posljedice>, accessed Dec 23, 2022

46 Popović, Tina, "Kod Agencije ključ od tajnih podataka" [The Agency has the key to the classified information], *Vijesti.me*, Dec 28, 2022, URL: <https://www.vijesti.me/vijesti/drustvo/636712/kod-agencije-kljuc-od-tajnih-podataka>, accessed Jan 12, 2023

47 Letter No. 07-43-18-2/23, dated Jan 26, 2023, Agency for the Protection of Personal Data and Free Access to Information.

In 2021, the Regulation on Reimbursement of Costs in the Procedure for Access to Information⁴⁸ was also adopted, which brought some financial relief for journalists.

Are state authorities in general transparent? Do they have open, non-discriminatory, and fair media relations, or tend to work in secrecy? Do state institutions treat preferentially politically friendly media?

Most of 2022 was spent in the process of reconstruction and election of a new Government, and therefore little time was devoted to work on increasing transparency. In addition, the second half of the year was marked by hacker attacks on the websites of state authorities, which were blocked for more than three months, thus reducing the possibility of proactively publishing information of public importance to a minimum. In addition to websites, e-mail addresses of state authorities were also blocked, so any attempt to access information was reduced to physically submitting requests for free access to information. Although state authorities formally try to ensure equal access to information for all, journalists continue to testify that there are institutions that have media close to them, to which they respond to inquiries first in comparison to other media. The current Prime Minister in the technical mandate, Dritan Abazovic, was criticized on several occasions during 2022 because he often criticized the work of certain media, pointing out the close ties of those media with criminal structures, and sometimes even insinuating that some of them would be shut down.⁴⁹

Is public access to parliamentary sessions provided? Are there restrictions for the journalists to follow the work of the Parliament?

The sessions of the Parliament of Montenegro and the work of its committees from March 2021 can be watched live on the Parliamentary channel of the Public Service. Besides live monitoring, it is also possible to watch the sessions in replays.⁵⁰ The previous practice of live

broadcasting of plenary sessions has been improved by live broadcasting of all sessions of parliamentary committees via YouTube, and the recordings remain available for later viewing. Over the years, the Parliament has been rated as the most transparent body.

Are the courts transparent? Is media access to legal proceedings provided on a non-discriminatory basis and without unnecessary restrictions?

Trials are generally open to the public and media representatives, although audio and video recording of hearings is not permitted. According to journalists, the courts are still partially open to the public and the media. As some of the most common reasons for banning attendance at trials, in addition to objective ones such as the protection of the rights of minors and the protection of the right to privacy, journalists cite the insufficient space capacity of most courtrooms.

How open to the public are the Government and the respective ministries?

The Prime Minister and ministers generally tried to be more transparent, and they often appeared in the media and gave interviews during the first year of their mandate. Unlike most of her colleagues, the new Minister of Culture and Media, Masa Vlahovic, continued the practice of her predecessor and gave her first interview in office only at the beginning of 2023.

Social networks, primarily Facebook and Twitter, have become the official channels of communication between the Government and relevant ministers with citizens. The biggest novelty brought in 2022 is that since the constitution of the new Government, all sessions have been open to the public with a live broadcast on the Government's YouTube channel.⁵¹

In earlier research, journalists rated the Ministry of Foreign Affairs and the Ministry of Finance as the most transparent, while they criticized the Ministry of the Interior, the Ministry of Defense, and the Ministry of Justice.

48 Decree Amending the Decree on reimbursement of costs in the procedure for access to information, Official Gazette of Montenegro No. 066/16 and 121/21, URL: <http://dopuna.ingpro.rs/1GLASILA/CG12-2021.pdf>, accessed Jan 21, 2022

49 Tomovic, Predrag, "Nakon Abazovićevih izjava, prijete medijima koji kritikuju vlast" [After Abazovic's statements, threats to the media that criticize the Government], Radio Slobodna Evropa, URL: <https://www.slobodnaevropa.org/a/prijete-mediji-abazovic-m-portal/32030116.html>, accessed Jan 12, 2023

50 Radio Television of Montenegro, "Parlamentarni kanal kreće od 25. marta" [The Parliamentary channel starts on March 25], March 22, 2021, URL: <http://www.rtcg.me/vijesti/politika/314711/parlamentarni-kanal-krece-od-25-marta.html>, accessed Dec 21, 2022

51 B.H., "Danas konstitutivna sjednica Vlade uz direktan prenos" [Today, the constitutive session of the Government with live broadcast], *Vijesti.me*, April 29, 2022, URL: <https://www.vijesti.me/vijesti/politika/601953/danas-konstitutivna-sjednica-vlade-uz-direktan-prenos>, accessed Jan 12, 2023

B1 Economic restrictions on journalists' freedom

How many journalists have signed employment contracts? Do they have appropriate social insurance? How high are the journalists' salaries? Are they paid regularly?

More than 200 media outlets operated in the small Montenegrin market in 2022, out of which over 100 were portals. By searching the official financial reports of registered media on the website of the Revenue and Customs Administration, as well as by searching the imprint of media that were not registered, the Trade Union of Media of Montenegro found that 1,946 employees worked in these media at the beginning of 2022.⁵² This is a significant increase compared to 2020 when, according to the Trade Union of Media, 1,806 people worked in the Montenegrin media.⁵³ The growth in the number of employees in the media was mostly influenced by the establishment of the local public broadcaster Gradska Radio-Television in Podgorica, followed by employment in the National Public Broadcaster Radio-Television of Montenegro, as well as the establishment of several new portals.

⁵² Data obtained from the Revenue and Customs Administration of Montenegro (source: www.eprijava.tax.gov.me) and the media imprint, during December 2022 and January 2023.

⁵³ Konatar, Bojana, "Socio-ekonomski položaj medijskih radnika u Crnoj Gori" [Socio-economic position of media workers in Montenegro], (Trade Union of Media of Montenegro: Podgorica), Dec 2021, URL: <https://sindikatomedija.me/publikacije/11655/>, accessed Dec 20, 2022, p. 6

There are still no data on the number of journalists, given that the latest surveys refer to 2014, and neither the state nor the media keep such statistics. There is no information available on the number of journalists who have employment contracts. At the end of 2021, one of the four daily newspapers – Dnevne novine declared bankruptcy, the print edition was shut down and around 30 employees lost their jobs.⁵⁴ At the end of 2021, the FOS media portal also stopped working. In that medium, which has 16 other registered portals in different cities, only one employee was officially registered. During 2022, the FOS media portal resumed work, but not 16 portals in cities, and reported 8 employees.⁵⁵ In 2022, several portals and several radio stations stopped operating, but new portals, several new radio stations, and one television station were established.⁵⁶

A large number of media outlets in Montenegro still owe taxes and contributions for the salaries of their employees, and many of them are in debt restructuring. In some media, the practice of employment through employment contracts, i.e. the hiring of freelancers, has been retained. Salaries to employees are often late in local public broadcasters, but this debt was reduced during 2022 in some of them.

Salaries for employees in the media, as well as for all employees in Montenegro, increased at the beginning of 2022 thanks to the government economic program “Europe Now”, which abolished contributions to health insurance and employers were obliged to transfer this cost to salary increases. Salaries thus increased on average from 100 to 150 euros, and minimum wage from 250 to 450 euros. However, this created new problems, considering that the salaries of employees who work with secondary schools are fixed in some local public broadcasters, and amount to 450 euros.

“We are not satisfied with the “Europe Now” program, and the reason for the dissatisfaction is that people who do different jobs with a high school diploma have a fixed salary of 450 euros, regardless of what jobs they do and how many jobs they do. What is most difficult for them and what is incomprehensible to them is the fact that their salary does not include years of service, but that this salary is fixed.”⁵⁷

A specific problem occurs in private media where people are not paid equally for the same job. However, a part of local public broadcasters faces the same problem, as well as the fact that the coefficients are determined without analysis, but are adjusted according to the amount of the net salary.

“Our salaries have been reduced several times, salaries are secret and there is discrimination in salaries because different amounts are paid for the same job. For example, two journalists who have the same job and the same volume of work, receive a salary that differs by 200 euros, one receives 550 and the other 750.”⁵⁸

In 2022, two representative trade unions in the field of media, the Trade Union of Media of Montenegro and the Trade Union of Information, Graphic, and Publishing, requested from the media owners and their organization, the Montenegrin Employers Federation (MEF), to start negotiating a new Branch Collective Agreement for the media sector.⁵⁹ Several preparatory meetings have been held and negotiations are expected to begin in 2023. In a joint proposal, the two unions requested a 15 to 20 percent salary increase for media employees and the introduction of winter allowance and anniversary awards for 10, 20, and 30 years of work in the same media.⁶⁰

At the end of 2022, a new General Collective Agreement was adopted in Montenegro. According to it, if the Branch Collective Agreement is not concluded in the first 6 months of 2023, from the middle of that year, employees in the media will receive daily wages increased by 80 percent for working on Sundays, which will lead to an increase in the income of those employees who work on Sundays.⁶¹

In what state are journalists’ working conditions?

The Covid-19 pandemic weakened during the second half of 2021 and no longer affects the work of journalists. Nevertheless, every third surveyed journalist believes that his/her position is worse since the pandemic break-

54 [M.M.Lj.](#), “Gasi se štampano izdanje Dневnih novina” [The printed edition of Dnevne novine is shutting down], Dec 31, 2021, URL: <http://www.rtcg.me/vijesti/drustvo/347000/gasi-se-stampano-izdanje-dnevnih-novina.html>, accessed Dec 31, 2022

55 source: www.eprj.gov.me, (site of the Revenue and Customs Administration of Montenegro) accessed during Dec 2022

56 Agency for Electronic Media, “Emiteri i operatori” [Emitters and Operators], URL: <https://gemcg.org/emiteri-i-operatori/>

57 Focus group II, January 2022

58 Focus group I, December 2022

59 Trade Union of Media of Montenegro, “Granski kolektivni ugovor za medije neophodan” [Branch Collective Agreement for the media is necessary], URL: <https://sindikatomedia.me/saopštenja/granski-kolektivni-ugovor-za-medije-neophodan/>, accessed Dec 20, 2022

60 MINA, “Kračković: Insistiraćemo na uvećanju zarada medijskim radnicima” [Kračković: We will insist on increasing the salaries of media workers], [Vijesti.me](#), Jan 5, 2023, URL: <https://www.vijesti.me/vijesti/drustvo/637737/krackovic-insistiracemo-na-uvecanju-zarada-medijskim-radnicima>, accessed Jan 10, 2023

61 Ibid.

out.⁶² The pandemic also affected the change in working hours and working environment, so it was increasingly difficult to prove how long the working day was and whether there was overtime. Nevertheless, during 2022, employees mostly returned to the newsrooms. In the new Branch Collective Agreement, the Trade Union of Media of Montenegro proposed the regulation of working from home and remote work and requested the right to partial disconnection of employees from employers' calls outside of working hours, which are legal institutes that are slowly being introduced in the West.

“There is no single reason why I left journalism because the situation is not black and white. On the one hand, it is a very demanding and difficult job. There is also insecurity in terms of salaries, which are low and often irregular, as well as physical insecurity because there have been such situations.”⁶³

Working conditions in the media have not changed much. There are still the same problems related to illegal work and the payment of part of the salary “in hand” (mainly in portals, many of which do not report to the Revenue and Customs Administration that they have employees and produce media content), overtime work (which is often not paid), censorship and self-censorship in part of the media, selection of only desirable interlocutors and placing others on the “black list”. Another problem is that in the media, holiday allowances, which employees are entitled to by law, are not paid.

When it comes to plans for the future, many journalists want to leave this profession. On the other hand, among journalism students, many do not see themselves in the media but in some other profession, such as PR, as shown by some earlier TUMM's research. As the biggest problems, young journalists cite the lack of trust of their interlocutors, the environment restraining and the public's bad attitude towards their work, as well as the fact that they do not have adequate protection, that their contracts are insecure, and that they often work overtime.⁶⁴

“Our problem is burnout, we work beyond all limits and possibilities, overtime, and in return, we have nothing to force us to continue practicing the journalistic profession.” The problems of journalists are present in all

generations, the only difference is that young journalists are financially less “respected”.⁶⁵

What are the biggest problems they face in the workplace?

A big problem in the last few years is the overload of journalists. The newsrooms of the Montenegrin media are mostly small compared to the media content they produce. There are a lot of local and global events that journalists need to inform the audience about, but also to win in the big competition of over 200 media. All this increased the average workload of journalists who often work for several media at the same time (e.g. for both radio and portal). At the same time, there is still no systematic approach to journalists' training.

“Although there is often a will among employees, the media either do not listen to it or do not have enough people to enable the smooth operation of the newsroom during the education of a team member.” In addition, stress is a common problem for employees in almost all newsrooms. Lack of equipment or old equipment is also a common problem.”⁶⁶

Some of the problems, especially those related to the economic position of journalists, could be solved through the adoption of the new Branch Collective Agreement for the media sector or the adoption of individual collective agreements in the media.

B2 Editorial independence in the private media

Have private media adopted organizational regulations to keep the newsrooms separate and independent from managers and marketing departments?

The newsrooms of the majority of private media in Montenegro do not have documents that define that the newsrooms are separated from managers and marketing departments, so journalists still often work closely with marketing departments, while the influence of managers, often depicted through the influence of editors, goes without saying. The tacit agreement not to write negatively about advertisers and reporting in accordance with the editorial policy of the media, which is not defined, are some of the most common challenges for

62 Camovic Velickovic, Marijana, Konatar, Bojana, “Indikatori nivoa medijskih sloboda i bezbjednosti novinara 2021” [Indicators on the Level of Media Freedom and Journalists' Safety 2021] (Trade Union of Media of Montenegro: Podgorica, 2022), URL: <https://safejournalists.net/wp-content/uploads/2022/05/MNE-MNE-2021-1.pdf>, accessed Dec 20, 2022

63 Interview, Matija Otasevic, interviewed by Trade Union of Media of Montenegro, November 2022

64 Focus group I, December 2023

65 Focus group I, December 2023

66 Interview, Radomir Krackovic, interviewed by Bojana Konatar, December 2022

private media journalists. Covert advertising in electronic media (radio stations and televisions) has been partially reduced in recent years due to warnings issued by the regulator – the Agency for Electronic Media.

Do private media have other rules adopted to safeguard editorial independence from media owners and managing bodies? Are those rules respected? Do private media outlets' newsrooms have internal codes of ethics or do they comply with a general code of ethics?

Private media are slowly starting to take more seriously the importance of internal rules for the functioning of the newsroom, which is indicated by the fact that some adopted internal ethical guidelines in 2021. However, most private media still do not have internal codes of ethics or rules that would ensure editorial independence from media owners or governing bodies.

What are the most common forms of pressure that media owners and managers exert over the newsrooms or individual journalists? What is the most illustrative example of the pressure of media owners and managers over the newsroom or a certain journalist during the previous year?

There are no known special cases of pressure from media owners or managers on newsrooms or specific journalists in private media. However, what journalists are witnessing is the increased volume of work, especially since the beginning of the Covid-19 pandemic.

“Private media is a problem in and of itself. They recognize and respect only those rules that suit them, that’s why the adoption of the Branch Collective Agreement would in some way protect us in the private media and provide us with some security.”⁶⁷

B3 Editorial independence in the Public Service Broadcaster

Does Public service broadcaster have special codes of ethics and editorial independence? Do journalists comply with these codes?

Public Service Broadcaster Radio-Television of Montenegro is the first media company that adopted the Code of Ethics for employees several years ago. In 2021, the Council adopted an innovative document, only for the new leadership to initiate amendments to this document⁶⁸ a few months later, which were not adopted. This document offers basic principles specifying the professional rights and obligations of “journalists and creative staff” of the Public Service. The most polemic in the proposed solution was caused by provisions related to limiting the freedom of employees to express their opinions on social networks, which some members of the Council interpreted as a violation of their right to freedom of expression guaranteed by the Constitution.⁶⁹

Do the public service broadcasters have a setup of internal organizational rules to keep the newsrooms independent from the public service broadcasters' managing bodies? Are those rules respected?

In 2021, the composition of the main governing body – the Council – was changed, and a new RTCG management was elected. After those changes, the work of the Public Service received some positive evaluations from the European Commission in the Report 2022 Montenegro.⁷⁰ However, attention is still drawn to the work of the Council and the fact that earlier dismissals of former members of that body were declared illegal in 2021.⁷¹ Some of the criticisms of the NGO sector relat-

68 Radio Television of Montenegro, “Etički kodeks Radio i Televizije Crne Gore”, [Code of Ethics of Radio and Television of Montenegro], May 10, 2021, URL: <https://www.rtcg.me/upload/media/2021/6/1/1144515/Eticki%20kodeks%2010052021.pdf>, accessed Jan 10, 2023

69 Zdero, Borko, “Savjet RTCG razmatra Etički kodeks te medijske kuće”, [The Council of RTCG is considering the Code of Ethics of that media outlet], *Vijesti.me*, Oct 29, 2021, URL: <https://www.vijesti.me/vijesti/drustvo/573087/savjet-rtcg-razmatra-eticki-kodeks-te-medijske-kuce>, accessed Feb 10, 2022

70 European Commission, Report 2022 Montenegro, Brussels, Oct 12, 2022, URL: <https://rb.gy/m937cr>, accessed Jan 10, 2023

71 Camovic Velickovic, Marijana, Konatar, Bojana, “Indikatori nivoa medijskih sloboda i bezbjednosti novinara 2021” [Indicators on the Level of Media Freedom and Journalists’ Safety 2021] (Trade Union of Media of Montenegro: Podgorica, 2022), URL: <https://safejournalists.net/wp-content/uploads/2022/05/MNE-MNE-2021-1.pdf>, accessed Dec 20, 2022

67 Focus group II, January 2023

ed to the potential conflict of interest of individual members of the Council.⁷²

At the very beginning of 2023, the Basic Court in Podgorica issued a first-instance verdict annulling as illegal the decision of the RTCG Council on the election of the General Director of the Public Service Boris Raonic, which was made on August 6, 2021. One of the arguments cited by the court is the conflict of interest because Raonic was a member of the Council of the Agency for Electronic Media at the time of his appointment as General Director, which is in contradiction with the provisions of the Law on National Public Broadcaster Radio and Television of Montenegro and the Law on Prevention of Corruption⁷³. RTCG's legal representatives have announced an appeal against this decision⁷⁴.

What are the most common forms of pressure that the government exerts over the newsrooms or individual journalists in the public service broadcasters? What was the most illustrative example of the pressure exerted by the government over the work of entire newsrooms or individual journalists in the past year?

Pressures on the Public Service and employees in that media have not been publicly reported. On the other hand, with the change of government in Montenegro in 2020 and the change of management of the Public Service in 2021, there was also a change in editorial policy, as politicians from the currently ruling parties, who were not previously possible to be seen in TV shows, appear more often in the program and the broadcasts.

In 2022, in that media, they also discussed the Act on Systematization, which was intended to abolish ten jobs. The Trade Union of RTCG Employees objected to that.⁷⁵

“There is a great fear among the employees in the Public Service. The number of disciplinary procedures increased significantly, and even ten of our colleagues were fired before the end of the year.”⁷⁶

The situation is worse with local public broadcasters. Employees in those media live and work in relatively small areas, and pressures from founders-representatives of local authorities are more common. The stable financing of these media depends on them, so pressures are sometimes not even necessary because it is understood that they will rarely be criticized or not at all.

“The socio-economic situation and working conditions are particularly difficult in local public broadcasters, which are directly exposed to influence on editorial policy and financial control by local authorities.” 2022 EC Report

B4 Independence of journalists in the non-profit sector

Have non-profit media adopted a code of ethics and editorial independence? Do journalists adhere to that code?

Montenegro has three non-profit media (Radio Homer, Radio Fatih, and Radio Svetigora). Radio Svetigora received the status of a non-profit broadcaster at the end of 2022, until which time it was registered as a commercial broadcaster. Overall, this sector is quite underdeveloped. Although the Law on Electronic Media and the draft Law on Audiovisual Media Services provide rules regarding the program scheme, which these broadcasters must follow, the monitoring reports of AEM still note deviations from the planned structure.

There are also some non-profit online portals, which are financed through donations and projects. However, they usually do not have formal newsrooms and employees, but hire journalists on a case-by-case basis, depending on project activities.

72 Zdera, Borka, “Članovi Savjeta RTCG čute o mogućem sukobu interesa” [Members of the RTCG Council remain silent about a possible conflict of interest], *Vijesti.me*, July 16, 2021 URL: <https://www.vijesti.me/vijesti/drustvo/556639/clanovi-savjeta-rtcg-cute-o-mogucem-sukobu-interesa>, accessed Jan 10, 2022

73 CdM, “Privostepena presuda: Raonić nezakonito imenovan za generalnog direktora Javnog servisa” [First-instance verdict: Raonic was illegally appointed as the General Director of the Public Service], Jan 09, 2023 URL: <https://www.cdm.me/drustvo/osnovni-sud-u-podgorici-odluka-o-najimenovanju-raonica-nezakonita>, accessed Jan 10, 2023

74 *RTCG.me*, “Uložićemo žalbu, odluka Savjeta o izboru generalnog direktora RTCG valjano obrazložena” [We will file an appeal, the decision of the Council on the election of the General Director of RTCG is properly explained], Jan 9, 2023 URL: <https://rtcg.me/vijesti/drustvo/394769/ulozicemo-zalbu-odluka-savjeta-o-izboru-generalnog-direktora-rtcg-valjano-obrazlozena.html>, accessed Jan 10, 2023

75 Pobjeda, “Javni servis ukida 10 zanimanja” [The Public Service abolishes 10 occupations], *Portal Analitika*, Dec 16, 2022 URL: <https://www.portalanalitika.me/clanak/javni-servis-ukida-10-zanimanja>, accessed Dec 20, 2022

76 Focus group II, January 2023

B5 Freedom of journalists in the process of news production

How much freedom do journalists have in choosing the stories they work on and in deciding which aspects of the story to highlight??

Multi-year researches by the TUMM show that journalists still have a high opinion of their autonomy in their work, but this assessment does not always reflect the true state of affairs. Less than half of the journalists have absolute freedom in the choice of stories, and the situation is somewhat better when it comes to the choice of interlocutors, although it is clear that a large number of media have the so-called desirable interlocutors whom they always invite, while, on the other hand, there are those who are never invited, because of their views or closeness to certain political views. The RTCG public service is an exception here and tries to include the widest possible circle of interlocutors.

„I am especially sorry that there are fewer and fewer journalists of my age in this profession. I believe that this experience, knowledge, and all that we acquired in a difficult time that was not always favorable for journalism, could help better information in the service of the public.”⁷⁷

Journalists emphasize that it is necessary to work on education, but also on providing legal and psychological assistance to journalists and other media workers, in order to succeed in resisting the pressures they work under.

How often do journalists participate in editorial boards?

In principle, editorial boards are always attended by editors of columns or news programs, but quite often journalists are also present.

What are the thoughts of journalists in relation to journalistic ethics?

In Montenegro, there is still great polarization regarding the establishment of a single self-regulatory body. Currently, there is a Media Council for Self-Regulation (which some media such as RTCG left in 2022), as well as ombudsmen in Vijesti, Monitor, Dan and RTCG.

Journalists always respond positively to direct questions about compliance with ethical principles. However, there are situations in practice when these ethical rules are violated. The practice of ignoring the ombudsman's opinion by journalists and the editorial staff of their own media was also noticed, which makes all ethical procedures problematic.

The relevant Ministry previously announced that the Draft of the new Law on Media stipulates that the Fund for Encouraging Media Pluralism and Diversity can only be accessed by media that have a self-regulatory mechanism, whether they are in a collective self-regulatory body or have established their own internal self-regulatory bodies. According to them, this is another way to strengthen self-regulation.⁷⁸

Representatives of international organizations, at public events recently, have been “feeling the pulse” regarding the possible formation of a single self-regulation for all media, but there are no concrete developments in that direction. A particularly big problem is hate speech in comments on certain portals and social networks, which is why some media outlets or their editors were sued in 2022.

What is the perception of journalists about the extent to which their work is affected by various risks and sources of influence?

Research by the Trade Union of Media shows year after year that editors have an exceptional, strong or partial influence on the work of journalists. According to these surveys, almost half of the journalists say that media owners influence them. Journalists mostly agree that journalistic ethics are what they must adhere to.⁷⁹

„Before every election, someone appears who wants to influence our work. Sometimes it's political parties, sometimes it's someone from the local government, and sometimes it's the director. We fight as hard as we can.”⁸⁰

⁷⁷ Interview, Dejan Lucic, interviewed by Trade Union of Media of Montenegro, November 2022

⁷⁸ M.K., “Rudovic: Medijskom strategijom predviđene mjere za borbu protiv dezinformacija” [The media strategy provides measures to combat disinformation], *Vijesti.me*, Nov 25, 2021, URL: <https://www.vijesti.me/vijesti/drustvo/63212/rudovic-medijskom-strategijom-predvidjene-mjere-za-borbu-protiv-dezinformacija>, accessed Dec 20, 2022

⁷⁹ Konatar, Bajana, „Socio-ekonomski položaj medijskih radnika u Crnoj Gori” [Socio-economic position of media workers in Montenegro], (Trade Union of Media of Montenegro: Podgorica), December 2021, URL: <https://sindikatomedija.me/publikacije/11655/>, accessed Dec 20, 2022, p. 6

⁸⁰ Focus group II, January 2023

How many journalists reported censorship by editors? How many journalists reported that they succumbed to self-censorship due to fear of losing their jobs?

Although journalists testify to great freedom in their work, the situations they face still indicate pressures and problems. The political influence on the work of numerous journalists and media is most obvious during elections, but in Montenegro, it has been very pronounced throughout the last three years, due to the great socio-political polarization in the country.

B6 Position of women in journalism

Do female journalists work in worse conditions than their male colleagues? Do they sign employment contracts as often as men?

Women share the same working conditions in journalism as men, but women face additional risks simply because they are women. Difficulties in balancing private and business obligations are the main burden that women face every day. There is no data on the number of women in the media, nor on the number of female journalists, but the situation on the ground indicates that more than half of the employees are women, and more than half of the journalists are women. Women also appear more often as recognizable faces (hosts) of central news shows compared to men. In the earlier period, there were cases in which media managers, when hiring female journalists, inquired about their plans regarding marriage and children.

“I’m not sure anyone has lost their job because of it, but yes, management has been asking about these things in the past.”⁸¹

Journalists who participated in the focus group pointed out that in certain situations, the way of talking and assigning editors’ tasks was different when it comes to women or their male colleagues. Also, there are cases where newsrooms understand the additional obligations of female journalists, especially those who also have family obligations.

Do women cover leading editorial positions in the newsroom to the same extent as men? What are their earnings compared to men?

The majority of editorial positions are occupied by women, while a significantly smaller number of them are in key decision-making positions (managers, directors, etc.). So, for example, the general director of the national public service RTCG is a man, the director of the Television of Montenegro is a woman, and the director of the Radio of Montenegro is a man. The situation for women is best in private televisions with a national frequency. Out of 4 such televisions, two have female directors and two have female editors. In the three print media, the leading positions are dominated by men (all three chief editors and two of the three directors). There are women in leading positions in local public broadcasters, and they also appear as directors or chief editors of private radio stations and smaller portals.⁸²

“I left journalism more than three years ago. There were several reasons, but I made the decision the moment I decided to start a family. And then I realized that one couldn’t go with the other, at least it couldn’t for me under the given circumstances and in the medium in which I was working at the time. The media took up too much of my time, I had almost no free time, and I was paid too little.”⁸³

The trend of increasing the number of original TV shows hosted and edited by female journalists continued. Some media, considering that they have more women in their collective, hire more female journalists in editorial positions.

“What I notice is that in the past ten years that I have been working in this newsroom, only once has there been a woman at the head of that media, which is symptomatic, especially since women are more and more often in editorial positions.”⁸⁴

When it comes to salaries, earlier research by the Trade Union of Media of Montenegro did not show any statistically significant differences in earnings, and the testimonies of female journalists support that claim.

⁸¹ Focus group with women III, January 2023

⁸² Data obtained from the Revenue and Tax Administration (source: www.eprijava.tax.gov.me) and media impressum, in December 2022 and January 2023

⁸³ Interview, Bojana Velimirovic, interviewed by the Trade Union of Media of Montenegro, November 2022

⁸⁴ Focus group with female journalists, January 2023

Are female journalists exposed to gender-based pressures?

No gender-based pressures on female journalists were recorded. However, there are still many problems in the workplace, especially when starting a family and balancing business and private obligations. Also, the number of threats and pressures on female journalists has increased significantly in recent years.



C1 Statistics on security and impunity

In 2022, 28 cases of attacks and threats were registered in the database of the Trade Union of Media of Montenegro on the website www.safejournalists.net. The police administration registered 21 cases in the same period, that is, even 7 cases (or 25%) were not reported to the police. In the last three years, 81 cases of threats, attacks or threats to journalists and media were registered in Montenegro.

Out of the total number of registered cases in the Police Directorate, the competent prosecutor qualified 12 incidents as criminal offenses that are prosecuted ex officio, seven incidents were investigated and the perpetrators were prosecuted, while five incidents were not investigated. In addition, in two incidents misdemeanor proceedings were initiated against the offender, while in three incidents, the competent state prosecutor assessed that there were no elements of the commission of a criminal offense that was prosecuted ex officio. The Police Administration states that four cases have been submitted to the prosecutor for assessment, decision-making and legal qualification.

Non-physical threats and harassment

The number of threats, attacks and pressures on journalists and the media is still very pronounced and this trend continued in 2022. The largest number of cases from this category occurred at protests or various protest gatherings. In October, Gradska

Television journalists Milica Pavicevic and Senad Pecanin received threatening and insulting messages via e-mail from the e-mail address slaktislatka@hotmail.com under the username Bane LA. Pobjeda journalist Dusko Mihailovic is also mentioned in the controversial emails. The threats came from the same address from which the editor of the M portal Danica Nikolic was previously threatened with death. Vijesti photojournalist Luka Zekovic was reporting from the “There’s a lot of us” protest, which was organized in front of the Parliament of Montenegro, when one of the demonstrators insulted him as “Zekovic, you spy”. No data is available on the epilogue of this case. Journalist and civil activist Vuk Vujisic posted a video on his Facebook profile showing how an unknown man is trying to prevent him from performing his work. He was on assignment for writing a story about the illegal exploitation of gravel from the Moraca River. On the video, an unknown man can be heard threatening him, saying “Come and film if you can.”

Vijesti journalist Sinisa Lukovic was threatened and insulted by several anonymous profiles on the social network Facebook. The threats followed after he published the text “Sharroving of Split and the role of Dragan Samardzic”. The Kotor Prosecutor’s Office opened a case based on his report and concluded that it was a criminal act of endangering security. The Prosecutor’s Office ordered the Police Directorate to determine who is behind the Facebook profile “Grandson of a Committee”, from which Lukovic received threats, including: “You should know that you will not have protection from Chetniks forever, because the Chetniks’ days in Montenegro are over.” The user of that profile accused the journalist of “slandering honest Montenegrins”, and then insulted him by writing that he was “a sold piece of s*it”, “a nit”, “a scumbag”...

Gradska Television journalist Tamara Nikcevic was threatened by S.V. and behaved insolently towards her. The police officers of the Podgorica Security Department identified S.V., who was admitted to the Special Psychiatric Hospital in Dobrota on the instructions of the Clinical Center of Montenegro. The state prosecutor in the Basic State Prosecutor’s Office in Podgorica was informed of the content of the report, the taken measures and the actions, and she ordered that the case files be submitted to her for evaluation and legal qualification.

Pobjeda journalist Slobodan Cukic was verbally attacked in front of the Cetinje monastery by two people. Cukic, who was not on official duty at the time of the incident, said that after the verbal attack, a physical attack was also attempted, which was prevented by the police.

The journalist of TV Prva, Ljubica Vukcevic, filed a report against an unknown person who, via the social network Facebook – messenger application, sent a mes-

sage with threatening content to her account from the account “Zarko Zare Krivokapic”, which caused her to fear for her safety. According to her, the threatening message is a consequence of the show she hosted. The competent prosecutor was familiar with the case files, and stated that the aforementioned actions constitute the elements of the criminal offense of endangering security.

Dusko Mihailovic, a journalist from the daily newspaper Pobjeda, received a threatening message on the Twitter social network on July 16, “You fascist s*it, you are everywhere! It seems that you are well paid, but fascism will come to an end”. Mihailovic reported the case to the police and pointed out that he was worried about his safety. Those threats were preceded by a case of threats against the same journalist in Niksic. Namely, threats were sent to Mihailovic by a group of citizens while he was reporting from a gathering on the occasion of July 13, Statehood Day. The journalist was threatened on a national basis. During the celebration of Statehood Day in Niksic on July 13, there was a conflict between two groups of citizens. The incident occurred when Mihailović asked a group of citizens with Serbian characteristics to which organization they belonged. On the same day, the cameraman of RTV Niksic was also threatened. During the National Day celebration (July 13) broadcast in Niksic, a group of people threatened and verbally attacked the cameraman of Radio Television Niksic, Zoran Ivanovic. He filed a complaint for assault.

Russian citizen Alexey Kozlov from Saint Petersburg, owner of “The Moscow Post” agency, submitted a report in which he stated that a message with threatening content had arrived on the agency’s website. The prosecutor on duty at the Basic State Prosecutor’s Office in Bar was informed about the content of the report, and ordered that measures and actions be taken to identify the user – the owner of the IP address from which the disputed message was sent. Since that person could not be identified, the prosecutor assessed that the reported actions do not constitute the elements of a criminal offense that is being prosecuted ex officio, and that the case should be archived.

Officials of the Podgorica Security Center acted on the report of columnist Semsudin Radoncic, which was submitted after several comments by two people, D.D. and Police Department officer D.J., which were published on social networks under the text he authored, and which caused him to feel threatened. The prosecutor on duty at the Basic State Prosecutor’s Office in Podgorica stated that in this particular case, there are no elements of the commission of a criminal offense, but the police officers of CB Podgorica file a Petition for misdemeanor proceedings against D.D. due to the commission of a misdemeanor from Article 19 of the Law on

Table 2: The number of registered threats and attacks on journalists in 2022

Categories	Number	Description
<p>Non-physical threats and harassment</p> <p>Non-physical threats and harassment include:</p> <ul style="list-style-type: none"> – supervision or monitoring; – harassing phone calls; – arbitrary judicial or administrative harassment; – aggressive statements by public officials; – other forms of pressure that may jeopardize the safety of journalists in the performance of their work. <p>These types of threats do not include mobbing and harassment in the workplace.</p>	15	<ul style="list-style-type: none"> – Gradska Television journalists Milica Pavicevic and Senad Pecanin received threatening and insulting messages via e-mail from the e-mail address slaktislatka@hotmail.com under the username Bane LA. Pobjeda journalist Duško Mihailovic is also mentioned in the controversial emails. – Vijesti photojournalist Luka Zekovic was reporting from the “There are a lot of us” protest, which was organized in front of the Parliament of Montenegro when one of the demonstrators insulted him “Zeković, you spy”. – Journalist and civil activist Vuk Vujsic posted a video on his Facebook profile showing how an unknown man is trying to prevent him from performing his work. On the video, an unknown man can be heard threatening him, saying “Come and film if you can.” – Gradska Television journalist Tamara Nikcevic was threatened by S.V. and behaved insolently towards her. S.V. was identified and admitted to the Special Hospital in Dobrota. – Vijesti journalist Sinisa Lukovic was threatened and insulted by several anonymous profiles on the social network Facebook. The Kotor Prosecutor’s Office opened a case based on his report and assessed that it was a criminal act of endangering security. – Pobjeda journalist Slobodan Cukic was verbally attacked in front of the Cetinje monastery by two people. Cukic, who was not on official duty at the time of the incident, said that after the verbal attack, a physical attack was also attempted, which was prevented by the police. – Prva TV journalist Ljubica Vukcevic filed a complaint against an unknown person who sent her threatening messages via the Facebook social network, which followed the publication of her show. The prosecutor assessed that in that case there are elements of the criminal offense of endangering security. – Journalist of the daily “Pobjeda” Dusko Mihailovic, received a threatening message on the Twitter social network on July 16, “You fascist s*it, you are everywhere! It seems that you are well paid, but fascism will come to an end”. Mihailovic reported the case to the police and pointed out that he was worried about his safety. – “Pobjeda” journalist Dusko Mihailovic was threatened by a group of citizens while he was reporting on the gathering on the occasion of July 13, Statehood Day. The journalist was threatened on a national basis. – During the National Day celebration (July 13) broadcast in Niksic, a group of people threatened and verbally attacked the cameraman of Radio Television Niksic, Zoran Ivanovic. He filed a complaint for assault. – Officials of the Bar Security Center acted on the report of Russian citizen Aleksey Kozlov from Saint Petersburg, owner of the agency “The Moskow Post”, in which he stated that a message with threatening content had arrived on the agency’s website. The acting prosecutor stated that since the owner – user of the disputed IP address cannot be determined, the reported actions do not constitute the elements of a criminal offense that is prosecuted ex officio, and that the case should be archived. – At the end of March, the journalist of RTV Budva, Lidija Bojovic, reported threats in connection with the report she was working on. Even in this case, the prosecutor on duty did not find elements of a criminal offense that is being prosecuted ex officio. – Journalist of the Center for Democratic Transition, Goran Delic, reported that on February 1, 2022, he received a threatening call from a foreign number via the “Viber” application. The event was qualified as a security threat. – Columnist Semsudin Radoncic filed a report in January due to several comments by two people that were published on social networks under the text he authored, and which caused him to feel threatened. The prosecutor stated that there are no elements of a criminal offense in this case. – Since reporting on the protest held on January 21, 2022 in Podgorica, TVCG journalist Ana Popovic has been receiving threatening messages on her Instagram profile. The journalist filed a report with the police on January 25, but also that on January 27, she received blackmail from the same profile asking her to give 5,000.00 euros or her freedom as a journalist.

Categories	Number	Description
<p>Threats to the life and physical safety of journalists</p> <p>These may include:</p> <ul style="list-style-type: none"> – Calling for the murder of a journalist, their family, friends or a source; – Calling for physical harm to journalists, friends, family or sources. <p>These threats can be:</p> <ul style="list-style-type: none"> – committed directly or through third parties; – performed electronically or face-to-face communications; – can be implicit as well as explicit. 	2	<ul style="list-style-type: none"> – The editor of the M portal, Danica Nikolic, reported on September 11 to the Podgorica Security Center that she received death threats sent to her official email address. In this case, the basic state prosecution instituted a case. – Vijesti journalist Sinisa Lukovic reported that his daughter received threats on the Instagram social network because of him and his journalistic work.
<p>Actual attacks on journalists</p> <p>This type of attack can include actual physical or mental injuries, kidnapping, breaking into a house/office, confiscation of equipment, arbitrary detention, failed assassination attempts, etc.</p>	6	<ul style="list-style-type: none"> – During the citizen's protest as a sign of "protecting the electoral will of August 30", Slobodan Doknic, TVCG correspondent, was attacked in Niksic. Doknic was reporting from the protest, when an unknown man approached him, preventing him from performing his work task. – Vijesti journalist Jadranka Cetkovic was attacked in front of the High and Basic Court building in Bijelo Polje while she was on a work assignment. The incident occurred when one of the men present ran up to her while she was filming the area in front of the court. – Vijesti journalist Jadranka Cetkovic was attacked in front of the High Court building in Bijelo Polje, while she was on a work assignment. Cetković followed the trial in Bijelo Polje, and after the trial, she went outside the building to take photos of the defendants when E.P. ran towards her threatening her. – RTCG correspondent Darko Bulatovic, while reporting on the elections in Savnik, was approached by T.Z. who tried to take away the mobile phone and disable it from working. Bulatovic reported the case to the police. – Vijesti journalist Jadranka Cetkovic was attacked in front of the High Court building in Bijelo Polje, while she was on a work assignment. Cetkovic followed the trial in Bijelo Polje, and after the trial D.D. repeatedly tried to prevent her from taking his photo by waving his hands in her direction. – The journalist of the Television of Montenegro, Darko Bulatovic, reported on the celebration of Statehood Day in Niksic on July 13, where there was a conflict between two groups of citizens. During the performance of his work task, Bulatović was approached by an unknown man who tried to take the phone with which he was recording the event, which had a clearly displayed PRESS sticker on it.
<p>Murders of journalists (in the last 15-20 years)</p> <p>Types of homicides can include crossfire deaths, homicides, bomb blasts, beatings to death, and so on.</p>	1	<ul style="list-style-type: none"> – The editor-in-chief of Dan Dusko Jovanovic was killed, and so far only the co-perpetrator, who is in prison, has been found. Nothing has been done to find out who ordered the murder.
<p>Threats and attacks on media institutions, organizations, media and journalists' associations</p> <p>Actual attacks on the property of the media and organizations, their staff, confiscated equipment, aggressive statements by public officials, etc. Also, threats and attacks may include some of the above categories.</p>	5	<ul style="list-style-type: none"> – Gradska Television team was verbally attacked in front of the Cetinje Monastery by two people while they were performing their journalistic assignment. After the verbal attack, a physical attack was also attempted, which was prevented by the police. – While reporting on the laying of the foundation stone for the Mental Health Clinic in Podgorica, Prime Minister Dritan Abazovic made indirect threats to Gradska Television journalists: "You are free to ask (questions), I will always answer you. But don't think that there will be no reaction to your hate speech. So, if we managed to block that Sputnik, Gradska is not far from it". – On May 13, the editorial staff of Radio Antena M received a threatening message via the Facebook social network from a Facebook profile under the name of Milomir Sarac. The message read: "Ustasha fascist portal, be careful not to get bombed." The editors informed the state prosecutor about the case, who ordered further measures to be taken. – Zarko Pejanovic from Podgorica, the winner of the 11th competition in lying down, was detained after he entered the premises of the Dan editorial office, physically attacked the journalists who were there and broke part of the inventory. As a reason, Pejanovic stated that he was dissatisfied with the text published by Dan, and he was ordered into pretrial detention for 30 days. – Nephew and the brothers of the President of the Municipality of Budva, Marko Bato Carevic, insulted and attacked a journalist and a cameraman of the Gradska Television who was on duty. They were filming a feature about a wild dump near the Platac quarry when S.C. started getting in the face of journalist Dubravka Perovic, insulting her and shouting at her, and he forbade cameraman Hari Markovic to film.

Public Order and Peace was submitted to the Court for Misdemeanors in Podgorica.

RTV Budva journalist Lidija Bojovic reported to CB Budva officials that at the end of March, she and a cameraman were making a report about a property dispute – the ownership of an apartment, between V.B. and his stepmother M.B. After taking a statement from V.B., journalist Bojovic contacted M.B. by telephone and scheduled a meeting with the aim of making a statement regarding the property dispute. During the meeting, M.B. refused to have her statement recorded regarding the said dispute, and after returning to the newsroom she threatened the journalist with a physical attack, both her and all employees, if she published the recorded material and mentioned her in the context of this property-legal dispute. The state prosecutor from the Basic Prosecutor's Office in Kotor declared that the reported actions do not contain elements of the commission of a criminal offense that is prosecuted ex officio.

On February 1, 2022, the journalist of the Center for Democratic Transition, Goran Delic, reported to the officials of the Niksic Security Center that he received a call to his phone number via the "Viber" application from a foreign phone number under the name "Lazar Grdinic". After establishing a telephone connection, this person sent him threats. The prosecutor on duty declared that it was a criminal act of endangering security. Police and prosecutorial activities are underway, together with international partners, intending to identify the user who threatened Delic, and take other measures and actions to clarify and process the event.

Since reporting on the protest held on January 21, 2022, in Podgorica, TVCG journalist Ana Popovic has been receiving threatening messages on her Instagram profile. The journalist filed a report with the police on January 25, but also that on January 27, she received blackmail from the same profile asking her to choose to give 5,000.00 euros or to give up her freedom as a journalist. It is also the first case of extortion from journalists in Montenegro. Vladimir Ratkovic from Niksic was sentenced to three months in prison for persecuting Radio and Television of Montenegro journalist Ana Popovic.⁸⁵

Threats to the life and physical safety of journalists

In 2022, the number of death threats to journalists was halved, of which there were two.

The editor of the M portal, Danica Nikolic, reported on September 11 to the Podgorica Security Center that she had received death threats sent to her official email address. As stated on the M portal, she received three emails with threatening content, in which, among other things, it is stated that she will be "hanged on the flagpole as an example". Threatening emails arrived from the address slaktislatka@hotmail.com. In this case, the basic state prosecution initiated a court case.

Vijesti journalist Sinisa Lukovic reported that his daughter received threats on the Instagram social network because of him and his journalistic work. M.L. insulted the journalist and his daughter and then threatened her that Lukovic "will not write for a long time", after which he sent her a photo of a refugee column of Serbs from Krajina after the operation "Storm" carried out by the Croatian army in 1995. The Police Administration said that the Higher State Prosecutor's Office assessed that there were no elements of a criminal offense that would be prosecuted ex officio, which is why the case was returned to the police. M.L. was questioned in the premises of the Security Department Tivat, after which the files were forwarded to the Cetinje Security Department because M.L. was in the territory of the Old Royal Capital of Cetinje at the time he sent the messages.

Actual attacks on journalists

Unlike the previous category, compared to 2021, the number of physical attacks on journalists increased to six. Unfortunately, half of the total number refers to the correspondent of the independent daily Vijesti, Jadranka Cetkovic, while the remaining three cases refer to the correspondents of the Public Broadcasting Service.

Vijesti Journalist Jadranka Cetkovic was attacked in April 2022 in front of the building of the High and Basic Court in Bijelo Polje while she was reporting on the rape trial to a Bijelo Polje citizen A.Z. The incident occurred just before the verdict was pronounced when one of the men present ran up to her while she was filming the area in front of the court. As Cetkovic said, he shouted at her and momentarily reached for her phone, interrupting the recording. Cetkovic was interrogated in the Bijelo Polje Central Court, and the state prosecutor of the Basic State Prosecutor's Office in Bijelo Polje ordered the detention of the suspect A.Z. for a duration of up to 72 hours due to the existence of grounds for suspicion that he committed the criminal offense of coercion. Also, in mid-June, she was attacked in front of the High Court building in Bijelo Polje, while she was on a work assignment. Cetkovic followed the trial in Bijelo Polje, and after the trial ended, she went outside the building to take photos of the accused. As she stood with the phone in her hand, E.P. walked towards her with quick

⁸⁵ M.L.B., "Zbog proganjanja novinarka, Ratkoviću tri mjeseca zatvora" [For stalking a journalist, Ratkovic was sentenced to three months in prison], [RTCG.me](https://www.rtcg.me/vijesti/cma_hronika/360537/zbog-proganjanja-novinarke-ratkovicu-tri-mjeseca-zatvora-.html), URL: https://www.rtcg.me/vijesti/cma_hronika/360537/zbog-proganjanja-novinarke-ratkovicu-tri-mjeseca-zatvora-.html, accessed Jan 10, 2023

steps and spreading his arms and told her in a threatening tone: “Don’t take a picture! Why are you filming, you mother***er? Why are you filming?”, and he uttered other curses and insults at her. Due to the suspicion that he committed the criminal offense of coercion, he was deprived of his liberty by the order of the prosecutor, who ultimately declared that there was no element of a criminal offense in that case. Cetkovic was also attacked in September in front of the same building. She followed the trial in Bijelo Polje, and after the trial D.D. who is on trial for smuggling around 200 kg of marijuana, repeatedly tried to prevent her from taking his photo, waving his hands in her direction. D.D. also called the police, forbidding her to pass by him. Cetkovic introduced herself several times and said that she was just doing her job.

Slobodan Doknić, a TVCG correspondent, was attacked in Niksic during a citizen’s protest as a sign of “protecting the electoral will of August 30”. Doknic was reporting from the protest, when, as can be seen in the video published on the RTCG portal, an unknown man approached him, preventing him from performing his work task. According to reports, he verbally attacked Doknic and then pulled him. He also asked Doknic to delete the recordings and tried to take his phone away. Doknic gave a statement to the police about the said event. The day after the attack, Doknic told the RTCG portal that shortly after the attack, he received a message of apology from the man who attacked him, and that he accepted the apology.

Two cases refer to RTCG correspondent Darko Bulatovic. The first case occurred while reporting on the celebration of Statehood Day in Niksic (July 13), where there was a conflict between two groups of citizens. During the performance of his work task, an unknown man approached Bulatovic and tried to take the phone with which Bulatovic was recording the event, which had a PRESS sticker clearly displayed on it. Bulatovic reported the case to Niksic Security Center and attached a video recording of the disputed event as evidence. Another case happened when, while reporting on the election in Savnik, T.Z. approached and tried to take away the mobile phone and disable it from working. Bulatovic reported the case to the police. The Police Administration announced that “the police collected information regarding the circumstances of the event, and informed the prosecutor at the Basic State Prosecutor’s Office in Pljevlja about everything, to whom the case will be forwarded for assessment and opinion.”

Murders of journalists

During 2022, there was no progress in the case of the murder of the editor-in-chief of the newspaper Dan, Dusko Jovanovic, which happened more than 18 years ago. The previous Government of Zdravko Krivokapic

launched an investigation in this case in 2021, intending to discover the “instigator and not the perpetrator of the attack.”⁸⁶ A few months later, Deputy Prime Minister Dritan Abazovic said that a “synchronized action was carried out in an attempt to destroy the most important investigation led by the prosecution”⁸⁷ – the investigation into the murder of editor Jovanovic. At the beginning of 2022, Abazovic revealed that he was being threatened⁸⁸ because of the investigation in this case, in which the accomplice Damir Mandic has been convicted so far.

Threats and attacks on media institutions, organizations, media and journalist associations

The largest number of threats and attacks on media institutions and organizations related to attacks on Gradska Television. In this category, the number of attacks increased and there were a total of five registered cases according to Gradska Television, Dan and Antena M Radio.

The first attack on Gradska TV took place on April 10, 2022, when the nephew and brothers of the President of the Municipality of Budva, Marko Carevic, insulted and attacked a journalist and a cameraman who were on assignment. They were filming a feature about a wild dump near the Platac quarry when S.C. started getting in the face of journalist Dubravka Perovic, insulting her and shouting at her, and he forbade cameraman Hari Markovic to film. It was announced to the Police Administration that the case was not reported by the injured parties and that they took actions within their jurisdiction when they learned about this event, as well as that they are working on its clarification in cooperation with the state prosecutor in the Basic State Prosecutor’s Office in Kotor. The second case happened in Podgorica. Namely, after the foundation stone for the Mental Health Clinic in Podgorica was laid, several press teams took statements from Prime Minister

86 Tomović, Predrag, „Nova istraga ubistva Duška Jovanovića nakon 17 godina” [A new investigation into the murder of Dusko Jovanovic after 17 years], *Slobodnaevropa.org*, 27.05.2021, URL: <https://www.slobodnaevropa.org/a/nova-istraga-ubistva-du%CS%A1ka-jovanovi%C4%87a-nakon-17-godina/31276809.html>, accessed Dec 22, 2022

87 Jovanović, Jelena, „Abazović: Ugrožena istraga ubistva Duška Jovanovića ali i životi”, [Abazović: The investigation into the murder of Dusko Jovanovic, but also lives, are at risk] *Vijesti.me*, Oct 16, 2021 URL: <https://www.vijesti.me/vijesti/cna-hronika/571114/abazovic-ugrozena-istraga-ubistva-duska-jovanovica-ali-i-zivoti>, accessed Dec 22, 2022

88 BETA, „Abazović: Prete mi zbog istrage ubistva novinara Duška Jovanovića” [Abazović: I’ve been threatened because of the investigation into the murder of journalist Dusko Jovanovic], *NI Srbija*, Jan 06, 2022, <https://rs.n1info.com/region/abazovic-prete-mi-zbog-istrage-ubistva-novinara-duska-jovanovica/>, accessed Dec 22, 2022

Dritan Abazovic. Among them was the journalist of Gradska Television, Bojana Dabovic. As can be seen in the video that was published on the YouTube channel of this television, after giving statements to the journalists present, the Prime Minister asked if Gradska TV had any other questions and said: “You are free to ask (questions), I will always answer you. But don’t think that there will be no reaction to your hate speech. So, if we managed to block that Sputnik, Gradska is not far from it”. The crew of Gradska Television was verbally attacked for the third time in front of the Cetinje Monastery, by two people, while they were performing their journalistic assignment. According to the media, after the verbal attack, a physical attack was also attempted, which was prevented by the police. Journalist Danica Jankovic and videographer Vladimir Bracanovic made a statement at the Cetinje Security Center on that occasion, and the Police Directorate announced that they had informed the competent prosecutor, who will subsequently declare the legal qualification of the act.

Zarko Pejanovic from Podgorica, a winner of the 11th competition in lying down, was detained after he entered the premises of the Dan editorial office, physically attacked the journalists who were there and broke part of the inventory. As a reason, Pejanovic stated that he was dissatisfied with the text published by Dan, in which he was called “the biggest slanderer in Montenegro”. The incident happened at the end of August, and Pejanovic was ordered into pretrial detention for 30 days.

On May 13, the editorial staff of Antena M Radio received a threatening message via the Facebook social network from a Facebook profile under the name of Milomir Šarac. The message read: “Ustasha fascist portal, be careful not to get bombed”. As they announced, the newsroom informed the state prosecutor about the case, who ordered further measures to be taken. Already on May 18, the media reported that the police had identified the perpetrator.

C2 Behavior of state institutions and political actors in relation to the protection of journalists

Are there special provisions in laws or other mechanisms aimed at supporting the safety of journalists, offline and online?

Amendments to the Criminal Code entered into force at the beginning of 2022, and their adoption represented a kind of encouragement because they provide more rigorous sanctions for attackers of media employees. These are changes for which a group of civil sec-

tor organizations, including the Trade Union of Media of Montenegro, has been advocating for a whole decade. The amendments specified the term “work of public importance” and the five existing criminal offenses were expanded with a part that specifies the punishments in the case when a person engaged in work of public importance is attacked, and the attack is related to their work.

The lawyer and legal advisor of the Trade Union of Media of Montenegro, Mirko Boskovic, believes that such legal changes should, to the greatest extent, give results on a general-preventive plan⁸⁹, simply put, the fact that there is more severe punishment for the same criminal offenses if they are committed to the detriment of journalists (or other persons performing tasks of public importance), should serve as an additional deterrent to potential perpetrators. Boskovic points out that it is possible to achieve this in two ways, by better familiarizing citizens with the amended parts of the law, but also through the processing and sanctioning of specific cases, applying the amended provisions, that is, qualified forms of criminal offenses.

The latest report of the European Commission notes progress in the legal framework protecting journalists and other media workers.

“Although the initial institutional response to recent cases of violence against journalists has generally been swift, the lack of an effective judicial response in important older cases remains a matter of serious concern.”⁹⁰

However, the beginning of the application of this law has indicated potential challenges.

“I have the opportunity, as a lawyer and representative of injured journalists, to participate in two criminal proceedings prosecuted under the amended legislation. Given that these are proceedings that have not yet been legally concluded, I do not want to make legal observations, but I would like to point out that as one of the typical forms of defense, which the defendants and their lawyers present (or could present in the future) is based on the alleged ignorance that in the specific cases, those were journalists, which, in the criminal-legal sense, would lead to the existence of a real delusion in relation to the qualifying circumstance, so they could be held accountable only for the basic form of the criminal act.”⁹¹

⁸⁹ Interview, Mirko Boskovic, interviewed by Bojana Konatar, Jan 15, 2023

⁹⁰ European Commission, 2022 Montenegro Report, Brussels, Oct 12, 2022, URL: <https://rb.gy/m937cr>, accessed Jan 10, 2023

⁹¹ Interview, Mirko Boskovic, interviewed by Bojana Konatar, Jan 15, 2023

In order to avoid such situations in the future, Boskovic recommends that journalists, if possible, wear some insignia, such as vests or credentials, so that it would be visually clear what kind of work they are doing, and so that this argument of the defendants would be unfounded. He adds that it is realistic to expect certain doubts regarding the interpretation of legal standards introduced by legal amendments and that judicial practice remains to clarify issues and dilemmas of a normative nature.

Are there documents (protocols, rules of procedure, etc.) adopted by state institutions that give additional guidelines to the Army and the police on how to treat journalists?

There is no public information that the Army and the police have worked on adopting additional protocols or procedures to design special access for journalists. For more than 12 months, we have been waiting for the adoption of the systematization of jobs in the Ministry of Internal Affairs, which will also open jobs for people responsible for monitoring cases of attacks on journalists. There were no changes regarding the establishment of the contact point, the person designated to coordinate all police-prosecutor activities at the level of Montenegro regarding attacks on journalists.

Are there mechanisms for monitoring and reporting on threats, harassment and violence against journalists? Do state institutions publish data on attacks on journalists and impunity?

Statistical data concerning attacks, threats and pressures on journalists, media workers and the media themselves can still be obtained only upon request, as there is no practice of proactively publishing this information. In general, all information related to the safety of journalists can be obtained from state authorities upon request. It is necessary to work on improving the database of attacks on journalists run by the Ministry of Interior, so that it is more precise and indicates the connection between the incidents and the victim's work.

In 2022, the Police Administration worked on the "Register of Journalists at Risk". As previously explained by that authority, the plan is to continue working on the working version of that document, in cooperation with the Council of Europe Office in Podgorica as part of the "Jufrex 2" project, which will be the basis for the analysis of journalists' vulnerability.⁹²

⁹² Letter of the Police Administration, No. 215/22-3833/1 of Feb 16, 2022

Do state institutions recognize attacks on journalists as a violation of freedom of expression and criminal laws? Do officials make clear statements condemning attacks on journalists?

All cases of attacks on journalists and media property, as well as almost all serious threats to journalists and other media workers, get condemned by representatives of state authorities, political parties and the civil sector. However, in the majority of cases, everything ends with those public condemnations, without a true will to change the environment in which journalists work.

Do state institutions cooperate with journalistic organizations regarding the safety of journalists?

When it comes to the cooperation of state authorities dealing with the safety of journalists and the civil sector, it could be said that it is good. State institutions and bodies in charge of this issue, at the request of interested organizations, hold meetings and exchange ideas on the safety of journalists. The representatives of these bodies stress their readiness to change the situation.⁹³

In cases of electronic surveillance, do state institutions respect freedom of expression and privacy? What is the latest case of electronic surveillance of journalists?

Journalists and media did not report new cases of electronic surveillance. The last publicly available data refer to the period before the last parliamentary elections when in 2020 journalists Petar Komnenic and Nevenka Cirovic were illegally monitored.

⁹³ TUMM, "Indeks bezbjednosti novinara: Crna Gora ponovo treća u regionu" [Journalist safety index: Montenegro is again third in the region], *Safe Journalists.net*, Dec 15, 2022, URL: <https://safejournalists.net/index-bezbjednosti-novinara-crna-gora-ponovo-treca-u-regionu/?lang=me>, accessed: Dec 15, 2022

C3 The judiciary's attitude towards threats and violence against journalists

Are there special departments in judicial institutions dedicated to investigations and prosecution of threats and violence against journalists?

After the change of some articles⁹⁴ of the Commission for monitoring the actions of competent authorities in investigations of cases of threats and violence against journalists, murders of journalists and attacks on media property, this body issued two new reports in 2022, and a total of four since its establishment. All these reports were adopted by the Government, and in 2022 the Commission made 15 reports on individual cases.

"From June 2021 until today, the commission has drawn up four work reports and in them has dealt with a total of 35 cases of attacks on journalists. During the past two years, it is noticeable that the police and the prosecutor's office investigate and resolve cases of attacks on journalists more quickly, but there is no significant progress when it comes to older cases, especially the most serious ones."⁹⁵

Ever since the formation of this Commission, which followed the change of government, more effective cooperation with state authorities has been established.⁹⁶ This can be partly seen through the reports of the Commission, which for the first time received the statement of the prosecutors from the Supreme State Prosecutor's Office in relation to the cases that were dealt with in the third report of the Commission.⁹⁷

"Despite the promised cooperation, the Commission still does not receive all the documentation, primarily from the prosecution, without which it cannot have complete insight into the actions of the authorities during the investigation of attacks on journalists. Therefore, it cannot even point to possible omissions and mistakes that occurred during investigations by the police or the prosecution."⁹⁸

In the same report, it is stated that cooperation has been established with the Ministry of Culture and Media in terms of work on the Media Strategy⁹⁹, and the goal is to establish the possibility of engaging international experts who would assist the Commission in certain cases. In 2022, the Commission also worked on establishing international cooperation with embassies and international organizations. Thanks to the OSCE, the Commission will also receive an electronic database¹⁰⁰, and soon they should also receive their own website, which would increase the transparency of the work of this body. However, the problem still remains the fact that some members of the Commission do not yet have permission to access data with the highest level of secrecy, which greatly complicates the work of this body.

"The authorities should ensure effective follow-up of the Commission's recommendations while providing it with all the necessary resources to effectively perform its work. The relevant authorities should fully and effectively respond to the specific recommendations of the previous commission regarding critical old cases of attacks on journalists." 2022 Montenegro Report of the European Commission.

In both work reports, the Commission made a series of recommendations, emphasizing that there are cases in which the competent authorities did everything within their competence to resolve individual cases. However,

94 TUMM, „Vlada formira novu Komisiju za istrage napada na novinare“ [The government is forming a new Commission to investigate attacks on journalists], [Safejournalists.net](https://safejournalists.net), Mar 04, 2021, URL: <https://safejournalists.net/vlada-formira-novu-komisiju-za-istrage-napada-na-novinare/?lang=me>, accessed Feb 04, 2022

95 Interview, Predrag Nikolic, interviewed by Bojana Konatar, December 2022.

96 Camovic Velickovic, Lakovic Konatar, "Indicators of the level of media freedom and safety of journalists in 2021", (Trade Union of Media of Montenegro: Podgorica, 2022), URL: <https://safejournalists.net/wp-content/uploads/2022/05/MNE-MNE-2021-1.pdf>, accessed Jan 10, 2023

97 Government of Montenegro, "Izveštaj o radu Komisije za praćenje postupanja nadležnih organa u istragama slučajeva prijetnji i nasilja nad novinarima, ubistva novinara i napada na imovinu medija, za period od 10. februara 2022. do 23. juna 2022. godine" [Report on the work of the Commission for monitoring the actions of competent authorities in investigations of cases of threats and violence against journalists, murders of journalists and attacks on media property, for the period from February 10, 2022, to June 23, 2022], Sep 22, 2022, URL: <https://www.gov.me/cyr/dokumenta/0ffc3b2d-9dcb-4eb9-ae0f-0eb1d13e45cf>, pristupljeno 10.01.2023.

98 Interview, Predrag Nikolic, interviewed by Bojana Konatar, Dec 2022.

99 Government of Montenegro, "Izveštaj o radu Komisije za praćenje postupanja nadležnih organa u istragama slučajeva prijetnji i nasilja nad novinarima, ubistva novinara i napada na imovinu medija, za period od 10. februara 2022. do 23. juna 2022. godine", [Report on the work of the Commission for monitoring the actions of competent authorities in investigations of cases of threats and violence against journalists, murders of journalists and attacks on media property, for the period from February 10, 2022, to June 23, 2022], Sep 22, 2022, URL: <https://www.gov.me/cyr/dokumenta/0ffc3b2d-9dcb-4eb9-ae0f-0eb1d13e45cf>, accessed Jan 10, 2023

100 Government of Montenegro, "Izveštaj o radu Komisije za praćenje postupanja nadležnih organa u istragama slučajeva prijetnji i nasilja nad novinarima, ubistva novinara i napada na imovinu medija, za period od 23. juna do 5. decembra 2022. godine", [Report on the work of the Commission for monitoring the actions of competent authorities in investigations of cases of threats and violence against journalists, murders of journalists and attacks on media property, for the period from June 23 to December 5, 2022] Dec 28, 2022, URL: <https://www.gov.me/cyr/dokumenta/82cf2184-3448-4d66-9761-c297061db4f9>, accessed Dec 28, 2022

there are also a number of recommendations that refer to other cases, in which there were omissions.

“The Commission recommends that competent bodies (e.g. Department for Internal Control of the Police, Ethics Committee, Disciplinary Commission) determine whether there are specific improper actions/inactions on the part of police officers in the conduct of investigations of attacks on journalists and media property and establish responsibility for them, and competent prosecution managers to examine whether there is a basis for establishing ethical, disciplinary and/or criminal responsibility in the actions of the prosecutors, as well as for the competent prosecution offices to establish whether there is criminal responsibility in the actions of police officers.”¹⁰¹

Do the Prosecutor’s Office and the Ministry of Internal Affairs provide adequate resources to cover investigations into threats and violence against journalists? Are investigations of crimes against journalists, including intimidation and threats, carried out quickly, independently and effectively?

At earlier meetings with representatives of the Basic State Prosecutor’s Office in Podgorica, the representatives of that institution agreed that prosecutors need additional training¹⁰² when it comes to cases of attacks on journalists, but, it was said several times, that the measures and actions taken in those cases cannot be different in relation to cases that are within their competence and do not concern the media, and that they need to do everything that is in accordance with their capabilities and the law.¹⁰³

For the second year in a row, the Ministry of Internal Affairs, although without any new procedures, is showing greater efficiency in investigations of attacks on jour-

nalists, and a large number of cases are concluded legally within a short period of time.

Nevertheless, investigations of older and serious cases still take a long time, and some old cases, such as the murder of Dusko Jovanovic, editor-in-chief of the newspaper Dan, or the attempted murder of journalist Olivera Lacic, are still not solved. A big threat still remains the possibility of the statute of limitations for certain cases. In the last report of the Commission for the period from June 23 to December 5, 2022, a partial report on the work of the police and the prosecution in the case of the murder of Dusko Jovanovic was published.

“This is the first time that we have the facts about this most serious crime against journalists in Montenegro in one place, with clear recommendations in order to make progress in the investigation, in which there have been no significant results in the past decades.”¹⁰⁴

Are there protective measures that are provided to journalists when they are necessary in response to real threats to their physical safety?

Although the number of attacks on journalists in Montenegro decreased in 2022, the safety of journalists is still very much at risk, and reporting from mass gatherings appears as a special problem.

The trends of attacks on journalists continue¹⁰⁵, in some areas there has been an increase in the number of attacks, and the sanctions imposed in those proceedings that have been conducted are extremely low and do not deter the attackers and those in charge of attacks on journalists.

According to available data, two journalists received police protection. There are no special documents in the form of regulations or instructions in cases of attacks on journalists. During 2022, not a single older case of attacks on journalists received a final judicial epilogue.

“In 2022, the officers of the Police Administration carried out a security threat assessment for nine journalists and two media houses, and based on the assessments carried out and according to the Decision of the

101 Government of Montenegro, “Izveštaj o radu Komisije za praćenje postupanja nadležnih organa u istragama slučajeva prijetnji i nasilja nad novinarima, ubistva novinara i napada na imovinu medija, za period od 10. februara 2022. do 23. juna 2022. godine”, [Report on the work of the Commission for monitoring the actions of competent authorities in investigations of cases of threats and violence against journalists, murders of journalists and attacks on media property, for the period from February 10, 2022, to June 23, 2022], Sep 22, 2022, URL: <https://www.gov.me/cyr/dokumenta/0ffc3b2d-9dcb-4eb9-ae0f-0eb1d13e45cf>, accessed Jan 10, 2023, p. 6

102 Trade Union of Media of Montenegro, „Razmotriti specijalizaciju državnih tužilaca za slučajeve napada na novinare” [consider the specialization of state prosecutors in cases of attacks on journalists], [Sindikatomedija.me](https://sindikatomedija.me), Feb 14, 2022, URL: <https://sindikatomedija.me/aktivnost/11994/>, accessed Jan 14, 2022

103 State Prosecutor Vukas Radonjic, “Media Freedom Days in Montenegro” conference, Podgorica, December 16-17 2021

104 Interview, Predrag Nikolic, interviewed by Bojana Konatar, Dec 2022

105 Trade Union of Media, “Političari da bezuslovno podržavaju medijske slobode” [Politicians to unconditionally support media freedoms] sindikatomedija.me, Dec 17, 2021, URL: <https://sindikatomedija.me/saopstenja/politricari-da-bezuslovno-podrzavaju-medijske-slobode/>, accessed Jan 17, 2022

Government of Montenegro, they are implementing protection measures in relation to two journalists.”¹⁰⁶

In cases of final judgments, are sanctions imposed only on the perpetrators or also on the instigators/instigators?

Sanctions are generally imposed only on the perpetrators of the attacks, and there are almost no cases in which the mastermind is punished, nor are they known. Of the 28 recorded cases of incidents and attacks on journalists in 2021, 21 of them were reported to the police or the police acted on official duty.¹⁰⁷

Do the institutions organize appropriate training for the police, prosecutors, lawyers and judges regarding the protection of freedom of expression and journalists? Do they organize these trainings in cooperation with journalists’ associations?

Although trainings are organized¹⁰⁸ with representatives of the Prosecutor’s Office and with representatives of the Police Administration, the question arises as to how much of this knowledge is later applied in practice. Through the JUFREX 2 program of the Council of Europe, work continued on additional education on the topic of protecting the rights of media workers and freedom of speech.

¹⁰⁶ Letter from the Police Administration, No. 215/22-3833/1 of Feb 16, 2022

¹⁰⁷ Letter from the Police Administration, No. 215/22-3833/1 of Feb 16, 2022

¹⁰⁸ Council of Europe, „Evropska unija i Savjet Evrope podržavaju bolju saradnju između novinara, policije i pravosuđa u Crnoj Gori” [The European Union and the Council of Europe support better cooperation between journalists, the police and the judiciary in Montenegro], *Coe.int*, Nov 13-14, 2021, URL: <https://bit.ly/3pSyck0>, accessed Dec 20, 2022

Table 3. Chronicle of court cases against journalists

Case	Year	2018.	2019.	2020.	2021.	2022.
1. Jovo Martinovic – was arrested on October 23, 2015, and was detained for 15 months, on suspicion of being part of an international drug-trafficking group.	2017.	On January 04, 2017, Martinovic was released from custody and after 15 months in he was released pending trial. The trial is ongoing. In January, the Higher Court in Podgorica sentenced Martinović to 18 months in prison, the verdict is of the first instance and an appeal is allowed	In January, the Higher Court in Podgorica sentenced Martinovic to 18 months in prison, the verdict is of the first instance and an appeal is admissible. In October 2019, the Appellate Court of Montenegro revoked the conviction. As announced by the court, the sentence was revoked for co-accused Branka Stanisic, who was sentenced to one year and three months in prison, so they will be tried again before the High Court.	In September, after 10 months, the retrial against journalist Jovo Martinovic in the High Court in Podgorica ended. The Panel of Judges of the High Court, headed by Judge Vesna Pean, once again handed down a guilty verdict and sentenced Martinovic to one year in prison for participating in drug trafficking, while he was acquitted of being a member of a criminal organization.	Martinovic was finally convicted on March 29, 2021, due to his connection with drug smugglers from 2014. The appellate court upheld the verdict by which Martinovic was sentenced to one year in prison for mediation in drug smuggling, and he was acquitted of the charge of creating a criminal organization.	In May 2022, the Council of the Supreme Court of Montenegro annulled the second-instance verdict of the Appellate Court against journalist Jovo Martinovic for the criminal offense of unauthorized production, possession and distribution of narcotic drugs, and sent the case back for a new decision. Martinovic was completely acquitted in 2023.

Year	2018.	2019.	2020.	2021.	2022.
Case					
2. Gojko Raicevic – was attacked twice by the police in the period from October 17-24, 2015, when he reported from the protests of the opposition Democratic Front	In 2017, the Basic Court issued a verdict in favor of Raicevic, in which it was established that he was subjected to treatment prohibited by Article 3 of the Convention on Human Rights. According to the verdict, the state, that is, the Ministry of Internal Affairs should pay Raicevic the amount of 6,000 euros based on compensation for non-pecuniary damage.		The Basic Court in Podgorica ruled in favor of the journalist Raicevic, and the state of Montenegro shall pay him 5,000 euros in the name of non-pecuniary damage caused by the ineffective investigation of the attack. And the High Court in Bijelo Polje made a decision rejecting the appeal of the State of Montenegro, i.e. the representative of property-legal interests, as unfounded, upholding the judgment of the Basic Court in Podgorica.		
3. Sead Sadiković – to whom on April 01, 2018, an explosive device was activated in front of a house in Bijelo Polje	<ul style="list-style-type: none"> – In front of the house of journalist Sead Sadikovic, in Bijelo Polje, on April 01 an explosive device was activated. A car that does not belong to Sadikovic or his family was damaged in the explosion. – On Monday, April 2, the police identified and detained the suspects, Ilhan and Hilmo Pepic from Rozaje. – After about twenty days, the judge of the Basic Court in Bijelo Polje, Dragan Mrdak, sentenced Pepic for the crime of “illegal possession of weapons and explosive substances” in connection with endangering security. Ilhan was sentenced to seven and Hilmija to four months in prison. – It is suspected that the motive for this attack was damaging the reputation of a member of their family, Husnija Pepic, whom Sadikovic previously interviewed in his show “Bez granica”. 				

Year	2018.	2019.	2020.	2021.	2022.
Case					
4. Olivera Lakić – she was wounded on May 08, 2018, at around 9 p.m. in front of the building where she lives, on the boulevard of St. Peter Cetinjski in Podgorica.	Nine months after the attempted murder of Olivera Lakić (in May 2018), the Montenegrin Police Administration announced that they shed light on the case, but it is still not clear on what basis it was established that Filip Besovic from Podgorica followed and shot the journalist. It was not announced for what reasons she was the target of the criminal group to which Besovic allegedly belongs.		In December, the public learned that a new assassination attempt was planned on journalist Olivera Lakić. According to the testimony of a witness who was an associate in the case against the criminal group, which consists of 23 people accused of planning and committing several serious crimes, everything took place behind the walls of the Spuz prison, and 150,000 to 200,000 euros were offered to “take care of” Lakić. Special State Prosecutor Sasa Cadjenovic announced that two suspects were arrested for planning the murder of journalist Olivera Lakić, while the others are in prison. He confirmed that this group is also suspected of the attempted murder of Olivera Lakić in May 2018.	On December 17, 2021, the High Court ordered Branislav Karadzic and Darko Lalevic to be detained for 30 days due to the suspicion that, before being injured in May 2018, they followed Lakić and passed information to the Kavac criminal clan. Lalovic, who is a policeman, then worked in the same service that was responsible for the police protection of Lakić. In December, the media announced that the Special State Prosecutor’s Office had collected evidence that identified Filip Knezevic as the direct attacker and that an indictment was expected to be filed.	
5. Olivera Lakić – was wounded on May 08, 2018, at around 9 pm in front of the building where she lives, on the boulevard of St. Peter of Cetinje in Podgorica.	– Journalist Olivera Lakić was wounded on May 08, 2018, around 9 pm in front of the building where she lives, on the boulevard of St. Peter of Cetinje in Podgorica. At the same place where she was beaten six years ago, Lakić was met by a man who shot her in the leg. When the wounded woman fell to the sidewalk, she saw at least two other men fleeing.	Nine months after the attempted murder of Olivera Lakić, the Montenegrin Police Administration announced that they had solved the case, but it is 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.		In December, the public learned that a new assassination of journalist Olivera Lakić was planned. According to the testimony of an associate witness in the case against the criminal group, which consists of 23 people accused of planning and committing several serious crimes, everything took place behind the walls of the Spuz prison, and 150,000 to 200,000 euros were offered for “taking care of” Lakić. Special state prosecutor Sasa Cadjenovic announced that two suspects for planning the murder of journalist Olivera Lakić have been arrested, while the others are in prison. He confirmed that the group is also suspected of the attempted murder of Olivera Lakić in May 2018.	On December 17, 2021, the High Court ordered a 30-day detention for Branislav Karadzic and Darko Lalevic on suspicion that before being wounded in May 2018, they followed Lakić and passed information to the Kavac criminal clan. Lalovic, who is a police officer, at that time worked in the same service that was in charge of police protection of Lakić. The media reported in December that the Special State Prosecutor’s Office had collected evidence identifying Filip Knezevic as the direct attacker and that an indictment was expected.

Year	2018.	2019.	2020.	2021.	2022.
Case					
	6. Vladimir Otasevic – was physically attacked in December 2019, when he tried to photograph a controversial businessman in the company of the Senior State Prosecutor in a shopping center in Podgorica	<ul style="list-style-type: none"> – Dan journalist Vladimir Otasevic tried to photograph 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 Mladen Mijatovic – he hit him, threatened him and insulted him. The journalist claims that the prosecutor calmly watched the attack on him the whole time. – The Basic State Prosecutor’s Office in Podgorica rejected the criminal report because Mijatovic’s actions “do not contain essential elements of the nature of that crime, as well as any other crime for which he would be prosecuted ex officio.” 		The attorney of businessman Zoran Coc Becirovic and his bodyguard Mladen Mijatovic, lawyer Branko Colovic, filed a criminal complaint against Otasevic, who is charged with false reporting and giving false testimony. The Basic Court in Podgorica on October 23, 2020, rejected the indictment filed on October 1, 2020, against Otasevic for the criminal offense of false reporting under Article 388 paragraph 1 of the Criminal Code and the criminal offense of giving a false statement under Article 389 paragraph 1 of the Criminal Code of Montenegro. In the opinion of the first instance court, there is no evidence that Otasevic is reasonably suspected of having committed the criminal offenses he is charged with.	

Conclusions and Recommendations

CONCLUSIONS

The line ministry and interested civil society organizations have been working for more than a year on amendments to the umbrella media laws (the Law on Media, the Law on Audiovisual Media Services and the Law on Public Broadcaster Radio Television of Montenegro), as well as on the drafting of the first Media Strategy. Although the preparation of these documents is finished at the level of the working groups, and public debates have been held, it is still not in sight when these documents could be adopted. This process, although inclusive, is unreasonably long, especially considering the fact that amending the Law on AVMS began almost five years ago. In 2022, the work of a large number of state bodies was blocked due to hacker attacks that threatened to endanger the functioning of the entire system, and this also affected the work of journalists and their ability to obtain information. The Agency for Electronic Media as a regulator receives praise for its work, and in 2022 it ordered the blocking of the content of several media houses from Serbia and Russia. At the end of 2022, that institution got a new director. There were no new attempts by the state to help the financial media, as during the Covid-19 pandemic. However, the distribution of money from the Fund for Encouraging Media Pluralism and Diversity helped to a certain extent the financial operations of the media but did not help improve the position of employees in those media. Previous experience, especially when distributing money to print media and electronic publications, has indicated the need to supplement the existing rulebook, so that the money is not used as informal state aid to the media, but to satisfy the basic purpose of the fund.

Data on the number of employees, the number of media and the number of journalists in Montenegro are still very difficult to obtain through research, given that the data of the relevant ministry and state authorities are not completely reliable. For example, in just one year, 20 fewer portals were registered in the records of the Ministry of Culture and Media, while in reality, the number of these media is increasing. Data on average earnings in the media sector are also a secret, but research by the Trade Union of Media of Montenegro has shown that salaries have partially increased thanks to the “Europe Now” program. However, employees in the media still receive salaries that mostly range from the minimum to the average salary in the country. Working conditions have remained almost unchanged, pressures, overtime work, overload, censorship and self-censorship are very pronounced. Social dialogue in the media sector exists only in two media, and the official start of negotiations on the Branch Collective Agreement is expected, which could contribute to the improvement of the situation in this area. The work of the Public Broadcasting Service is generally positively evaluated, especially in the reports of the European Commission, although some organizations indicate the existence of bias in the reporting. The first-instance verdict of the Basic Court in Podgorica as-

sessed that the RTCG’s decision to appoint Boris Raonic as general director of the Public Broadcasting Service was illegal.

The number of attacks on journalists and media property has not decreased for the second year in a row. There are 21 cases in the records of the Police Administration, while the [Safejournalists.net](https://www.safejournalists.net) database contains 28 attacks and threats, which indicates that even a quarter of the attacks were not reported to the competent authorities. The number of non-physical threats and harassment increased during 2022, so more than half of the registered cases (15 of them) were in this category. The biggest risk for journalists and other media workers is reporting from rallies and protests. Amendments to the Criminal Code entered into force in 2022 and several cases have already been qualified under these amended criminal offenses. After the change of individual members of the Commission for monitoring the actions of competent authorities in investigations of cases of threats and violence against journalists, murders of journalists, and attacks on media property, this body issued two new reports in 2022, and a total of four since its establishment.

RECOMMENDATIONS

- It is necessary to exert additional pressure to influence the adoption of amendments to a set of media laws (the Law on Media, the Law on National Public Broadcaster and the Law on Electronic Media) and the first Media Strategy, and to advocate for the adoption of solutions that did not receive majority support this time either, and time has shown that they were necessary and justified. (Trade Union of Media Montenegro, Ministry of Culture and Media, civil sector)
- The adoption of the new Law on Electronic Media is especially necessary as soon as possible, in order to improve financial stability and enable editorial independence of local public broadcasters, which would also lead to a significantly better status of employees in those media, which are the most vulnerable group in the Montenegrin media sector. (Electronic Media Agency, Ministry of Culture and Media)
- The functioning of the Public Broadcasting Service and its transformation into an essential public service should be a priority in the work of the Council of that media. Apart from the formal changes that are taking place, it is also necessary to monitor the essential changes, that is, actions within that media. (RTCG Council)
- It is necessary to establish a consistent application of the current Law on Media, which, among other things, foresees obligations regarding public sector advertising in the media. Competent authorities should make additional efforts to obtain data on how state money is spent in the media. (Trade Union of Media of Montenegro, Ministry of Culture and Media)
- Additional efforts should be made to establish a social dialogue at all levels. A special priority is the adoption of the new Branch Collective Agreement because the previous one has ceased to be valid. Also, only two media outlets currently have collective agreements, while another two are negotiating one. (Trade Union of Media of Montenegro, Montenegrin Employers Federation)
- It is necessary to strengthen self-regulation in the media, through the strengthening of institutes within the media, but also through additional training of media workers. It is necessary to establish cooperation within the media in order to protect professional principles and to set compliance with professional standards as a priority in the work of the media. (Ministry of Culture and Media, Media Self-Regulatory Body, Ombudsmen)
- It is necessary to intensify the training of police officers and employees of the prosecutor's office and sensitize them to issues related to the protection of freedom of expression and journalists. This is especially important considering the doubts that arose during the short implementation of the amendments to the Criminal Code in relation to the media. (Supreme State Prosecutor's Office, Basic Prosecutor's Office, Police Directorate)

