



FREEDOM IN THE WORLD 2020

Montenegro

62

PARTLY FREE

/100

<u>Political Rights</u>	22 /40
<u>Civil Liberties</u>	40 /60

LAST YEAR'S SCORE & STATUS

65 /100 **Partly Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

While numerous political parties compete for power in Montenegro, the opposition is fragmented and its leaders are frequently harassed, and the governing Democratic Party of Socialists (DPS) has been in power since 1991. Corruption is a serious issue. Investigative journalists and journalists critical of the government face pressure, as do many nongovernmental organizations (NGOs).

Key Developments in 2019

- In January, businessman and regime insider Duško Knežević released secret video-recordings—and later, secret audio-recordings and documents—implicating numerous public figures from the state’s key institutions in bribery scandals. Those implicated in what became known as the “Envelope Affair” include Slavoljub Stijepović, the former mayor of Podgorica and current advisor to the president, as well as the supreme state prosecutor and former high officials of the Central Bank of Montenegro.
- Beginning in February, the revelations of the Envelope Affair inspired a citizen-led, grassroots wave of antigovernment protests for democratization of the country that was eventually supported by all opposition parties, prominent NGOs, and many media outlets. By June, however, the momentum was lost and protests gradually dissipated.
- Two leaders of the opposition Democratic Front (DF) charged with plotting an attempted coup in 2016, Andrija Mandić and Milan Knežević, were found guilty in May and given sentences of five years in prison. The legal proceedings throughout the case were marked by confusion and opacity.
- In December, after more than 100 opposition amendments were rejected, a controversial bill regulating religious property was adopted. Its measures targeting exclusively the Serbian Orthodox Church (SPC), the main denomination in the country, and a wave of road blockades and protest marches swept the country upon its passage.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

3/4

The president is chief of state and is directly elected for up to two five-year terms. In April 2018, Milo Đukanović of the Democratic Party of Socialists (DPS), who has served as either prime minister or president for most of the last three decades, was elected president with 53.9 percent of the vote. Independent candidate Mladen Bojanić finished second with 33.4 percent. Đukanović refused to participate in public debates with the other candidates during the campaign. While some irregularities such as misuse of public resources were reported, the Organization for Security and Co-operation in Europe (OSCE), which monitored the election, stated that the polling was generally credible and respected fundamental rights. However, the mission noted that Đukanović and the DPS enjoyed significant institutional advantages that reduced the poll's competitiveness.

The president nominates the prime minister, who requires legislative approval. Parliament confirmed Prime Minister Duško Marković of the DPS, an ally of Đukanović, in November 2016, following legislative elections.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

2/4

Members of the unicameral, 81-seat Parliament—the Skupština—are directly elected for four-year terms.

Đukanović's DPS posted the strongest performance in the 2016 polls, taking 36 seats—5 seats short of a governing majority—and formed a coalition government with several smaller parties. The main opposition Democratic Front (DF) took 18 seats. Alleging electoral fraud, the opposition rejected the results and initiated a boycott of Parliament. The majority of opposition members returned to Parliament by 2018, with the exception of the Democratic Montenegro (DCG) and United Reform Action (URA) parties.

While OSCE election monitors assessed the 2016 polls as credible, numerous violations were reported. The nongovernmental organization (NGO) MANS accused the government of trading tax or debt relief for votes, estimating that the DPS could have effectively bought as many as six legislative seats through such efforts. The government also suspended some mobile messaging applications on election day, citing “illegal marketing” on the platforms.

On election day, authorities arrested 20 people on charges of plotting a coup that allegedly involved plans to assassinate Đukanović. Đukanović accused the DF of plotting the alleged coup, but offered no evidence for his claims; the DF in turn accused Đukanović of manufacturing the events as a means of securing support for the DPS in the elections, and decreasing turnout. A number of people, including two DF leaders, Andrija Mandić and Milan Knežević, were charged in connection with the alleged coup; in May 2019, the two DF leaders were found guilty and sentenced to five years in prison. They have appealed the decision. Other sentences ranged from parole, to up to eight years' imprisonment.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

3/4

The conduct of elections in Montenegro is facilitated by a comprehensive legal and administrative framework. In October 2018, Parliament voted to form a committee, composed of seven members from the ruling coalition and seven from the opposition, tasked with formulating new legislation to reform electoral laws, taking

into consideration recent recommendations of the OSCE and the European Commission. In August 2018, the committee's mandate was broadened in order to reestablish political dialogue and draft systematic reform of the electoral legislation, and as such was supported by the European Commission.

However, numerous opposition parties have refused to participate in the committee's efforts, since the majority of the opposition see the establishment of a technical government—composed of all parliamentary parties, independent experts, and civil society representatives—as the key precondition for any new electoral framework to be implemented and yield results. The opposition has further threatened a total boycott of elections scheduled for 2020 if this does not happen. By the end of 2019, due to adoption of the controversial religious property bill, DCG left the committee, effectively creating an impasse in negotiations for comprehensive electoral reforms.

B. Political Pluralism and Participation

B1 0-4 pts

<p>Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?</p>	<p>2/4</p>
---	-------------------

Political parties are for the most part able to form and operate without direct interference. The DCG gained eight seats in the 2016 elections. However, the DPS-led government has relentlessly worked to delegitimize political activity that deviates from its preferred policies, characterizing it as a threat to the state or public order. During 2019, several party and civil society activists were arrested for taking part in political protests or disruptive performances, and for attempts to record legal violations by staff of state institutions.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

2/4

The DPS has been in power since 1991, which provides it with significant structural advantages over opposition parties. The line between DPS party structures and government institutions is often blurred, further disadvantaging the opposition.

While numerous political parties compete in elections, the opposition is fragmented and weak, and frequently boycotts political processes. The position of opposition parties weakened further in 2018, as they suffered defeats in both the April presidential election and May municipal elections. The opposition failed to capitalize on the energy produced by a wave of mass antigovernment demonstrations that took place in the first half of 2019, beginning in February. With protests eventually losing momentum and gradually dissipating, lack of hope and political apathy among citizens has increased.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

2/4

While voters are generally free to express their political choices, extensive patronage systems and widespread corruption encourage loyalty to the ruling party, which has been in power for nearly three decades. Many members of the ruling party are believed to have ties to organized crime, further cementing the DPS's grip on power. Both public-sector and private-sector employers with links to the state pressure employees to vote for the ruling coalition.

B4 0-4 pts

Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral

3/4

opportunities?	
-----------------------	--

All citizens have full political rights and electoral opportunities. Small political parties representing minority interests participate in the political sphere, and minorities are represented in larger parties, though the Romany minority is underrepresented. Early initiatives for including a Romany representative in the parliament were undertaken in 2019. In the 2016 elections, voter materials were provided in the Albanian language, but not Romany.

Women are underrepresented in political leadership positions and politics generally. The government has taken steps to increase women's participation, including through gender quotas on electoral lists, though implementation is uneven. Draginja Vuksanović, the first female presidential candidate in Montenegrin history, won 8 percent of the vote in the 2018 poll.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?	2/4
--	------------

Đukanović has wielded vast personalized power for decades through his tenure as both prime minister and president, as well as during his time outside of government as chair of the DPS. He maintains extensive control over most public institutions. Although the constitution provides for a parliamentary system of government, Parliament passed a new law after Đukanović's April 2018 election that greatly expanded presidential powers, including by allowing the president to form councils, committees, and working groups. Critics claim that the changes could amount to a de facto move toward a semipresidential system of government.

Parliament remains weak and has limited capacity to exercise its oversight functions. Opposition boycotts of Parliament have further diminished the power of the

legislative branch to act as a check.

C2 0-4 pts

Are safeguards against official corruption strong and effective?	1/4
---	------------

Corruption and cronyism remain widespread, and modest efforts by authorities to address the problem, prompted in part by European Union (EU) accession requirements, have not produced significant results. A new anticorruption agency began its work in 2016, but a European Commission report published in May 2019 questioned the credibility and independence of the agency, in addition to its priority-setting, and noted the continued prevalence of high-level corruption and an overall lack of independence of various public institutions. Senior officials implicated in corruption schemes rarely face prosecution. Civil society organizations and independent media provide some accountability by reporting on official corruption and its effects.

In 2019, revelations of corrupt activities of public figures continued to reflect deep systemic problems in Montenegro. In January, businessman and regime insider Duško Knežević released secret video recordings—and later, secret audio recordings and documents—implicating numerous public figures from the state’s key institutions in bribery scandals. Those implicated in wrongdoing in what became known as the “Envelope Affair” include Slavoljub Stijepović, the former mayor of Podgorica and current advisor to the president; as well as the supreme state prosecutor, Ivica Stanković; and former high officials of the Central Bank of Montenegro.

Score Change: The score declined from 2 to 1 due to widespread, unchecked corruption among government officials.

C3 0-4 pts

Does the government operate with openness and transparency?	2/4
--	------------

The government publishes some information online, but citizens have few opportunities for meaningful participation in public consultations on legislation and policy reforms. Budget plans are not widely available, nor is information on government contracts.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	2/4
---------------------------------------	------------

A variety of independent media operate in Montenegro, and media coverage tends to be partisan and combative. The government frequently denies opposition media outlets advertising contracts from publicly owned or controlled entities. Journalists self-censor to avoid threats, political pressure, costly defamation suits, or job loss. Reporters who cover corruption and organized crime risk violence. In May 2018, investigative journalist Olivera Lakić, who reports on crime and corruption among government elites, was shot in the leg outside her apartment. In February 2019, nine suspects were arrested on suspicion of involvement, but the investigation into the shooting was still ongoing at the end of the year. Separately, in December, investigative journalist Vladimir Otašević was assaulted by a bodyguard of the controversial DPS-affiliated businessman Zoran Bećirović, who watched the attack in the presence of his friend, state prosecutor Miloš Šoškić.

Despite protests from civil society activists, the public broadcaster RTCG remains under tight control of the DPS. In December 2019, after the attack on Otašević, RTCG broadcast a doctored video from which the actual assault on Otašević was deleted, claiming there had been no physical contact during the incident.

In January 2019, a court convicted investigative journalist Jovo Martinović of drug trafficking and being a member of a criminal group, and sentenced him to 18 months in prison, in a long-running case related to his investigation of such groups as a journalist. An appeals court revoked the decision in October, and at year's end he was to be retried.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?	3/4
---	------------

The constitution guarantees freedom of religious belief. However, the canonically recognized Serbian Orthodox Church (SPC) and a self-proclaimed Montenegrin Orthodox Church continue to clash over the ownership of church properties. In December 2019, after the adoption of a highly controversial bill regulating religious property—targeting exclusively the SPC—a wave of road blockades and protest marches swept the country.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?	3/4
---	------------

Academic freedom is guaranteed by law and generally upheld. However, in 2017, the rector of the University of Montenegro, who was appointed in 2014 and enacted a series of reforms, was removed by the new government, violating university autonomy. University professors and researchers remain disengaged from critical discussions of the sociopolitical situation in the country, as they may face repercussions; about a dozen of them publicly supported the 2019 protests.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?	3/4
---	------------

People are generally free to engage in public discussions. The existence of extensive, DPS-linked patronage networks has fostered an environment where vocal opposition to the government or its policies is widely believed to jeopardize employment opportunities, both in the public and private sector.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	3/4
-------------------------------	-----

While citizens generally enjoy freedom of assembly, authorities in the past have attempted to limit protests organized by the DF, and violence at demonstrations erupts occasionally. The 2019 protests were peaceful, with no incidents or attempts of violent suppression, but were often characterized by the DPS-controlled media as “anti-state.”

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?	3/4
---	-----

Although most NGOs operate without interference, those that investigate corruption or criticize the government face pressure. During his 2018 presidential campaign, Đukanović made a number of inflammatory statements directed at civil society, saying in a television appearance that some NGOs and members of the media are “unscrupulous fighters for power,” willing to destroy the government in the pursuit of foreign donations. Civil society leaders condemned the remarks for creating a hostile environment for NGOs. In September 2019, during a speech organized by the Center for the Development of Nongovernmental Organizations, Prime Minister Marković

invited NGOs to partner with the government as long as they remained disengaged from politics.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	3/4
---	------------

There is freedom for trade unions, which remain relatively strong in the public sector. However, reports of intimidation of labor activists by employers continue.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	2/4
---	------------

Efforts to bolster judicial independence continue, though the judiciary remains susceptible to pressure from the government, and judicial corruption remains a problem.

Secret audio recordings and official documents that were leaked in 2019 implicated Supreme State Prosecutor Ivica Stanković and president of the Supreme Court Vesna Medenica in bribery and corruption affairs. Coupled with the sentencing of the DF leaders following legal proceedings characterized by confusion and opacity, the events of 2019 reflected serious deficiencies in transparency, openness, and accountability in the judicial system.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	1/4
--	------------

Constitutional guarantees of due process are inconsistently upheld. Legal proceedings are lengthy and often highly bureaucratic, particularly when involving business dealings. Police frequently hold suspects in extended pretrial detention while completing investigations. Courts are poorly funded and often overburdened.

Two DF leaders, Andrija Mandić and Milan Knežević, who were charged with plotting an attempted coup in 2016 were found guilty in May 2019 and were each given sentences of up to five years in prison. Legal procedures surrounding the trial were chaotic and opaque, several witnesses recanted testimony, and many details of the alleged plot remained murky after the trial closed with numerous convictions. Aspects of the long-running case were denounced by the opposition as attempts by the DPS to bolster its dominant political position, and overall the affair reflected a lack of due process and adherence to proper procedures in criminal matters.

Score Change: The score declined from 2 to 1 because chaotic and opaque procedures accompanying the trial of those accused of plotting a 2016 coup reflect a lack of due process in criminal matters.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	3/4
---	------------

Violent crime is not a significant problem, although violence connected to organized crime take place, and several apparent executions by criminal gangs of rivals have taken place in recent years. Prison conditions do not meet international standards for education or health care, and prison guards reportedly abuse inmates regularly and with impunity.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?	3/4
--	------------

Romany, Ashkali, Egyptians, LGBT+ people, and other minority groups face discrimination. Women in Montenegro are legally entitled to equal pay for equal work, but patriarchal attitudes often limit their salary levels, as well as their educational opportunities.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?	3/4
--	------------

The freedom of movement and the right of citizens to choose their residence, employment, and institution of higher education, are generally respected in practice. However, many jobs are awarded through patronage, limiting access for those without connections.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?	2/4
--	------------

The state sector dominates much of Montenegro's economy, and related clientelism, as well as corruption, pose obstacles to normal business activity. The minister of Sustainable Development and Tourism resigned in November 2019 after a video recording leaked showing two inspectors from the ministry demanding a kickback from a local businessman.

Score Change: The score declined from 3 to 2 due to new evidence that businesses face demands for bribes from government officials.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?

3/4

The government for the most part does not place restrictions on personal social freedoms. Domestic violence remains a problem. In December 2018, the government passed a draft law that would legalize same-sex unions, but in August 2019 the measure was rejected in the parliament after lawmakers from the ruling parties representing ethnic minorities voted it down.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

3/4

Most workers employed in the private sector remain unprotected from exploitation and arbitrary decisions of their employers.

Trafficking in persons for the purposes of prostitution and forced labor remains a problem. The government does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts in this regard, according to the US State Department's 2019 *Trafficking in Persons Report*.

**On Montenegro**

See all data, scores & information on this country or territory.

See More [>](#)

Country Facts

Global Freedom Score

62/100 Partly Free

Other Years

2019

Be the first to know what's happening.

Email

Join the Freedom House monthly newsletter

Subscribe

ADDRESS

1850 M St. NW Floor 11
Washington, DC 20036
(202) 296-5101

GENERAL INQUIRIES

info@freedomhouse.org

PRESS & MEDIA

press@freedomhouse.org

@2020 FreedomHouse