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FREEDOM OF THE PRESS

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Montenegro

[Montenegro](#)[Freedom of the Press 2013](#)

Freedom of the press is guaranteed by the constitution and generally respected in practice, though the media environment is affected by problems including editorial bias and the physical intimidation of journalists. The threat of legal pressure was reduced in 2011, when Montenegro fully decriminalized defamation, relegating it to civil suits with monetary compensation as the only possible sanction. In addition, the Supreme Court has adopted guidelines regulating the level of compensation in cases filed against the media. Despite the reforms, a court in April 2012 reinstated a four-month jail sentence against journalist Petar Komnenić, who had been convicted of criminal libel in 2011 over a 2007 article in the independent *Monitor* magazine, in which he alleged that the government had been improperly monitoring top judges. Press freedom organizations and the European Union harshly criticized the ruling. Consequently, on May 23, the parliament adopted a law that granted amnesty to those convicted of defamation, and the judiciary formally pardoned Komnenić based on the law in December. The European Commission reported a decrease in the number of defamation cases after decriminalization; the amount of damages awarded also declined slightly.

Nevertheless, as of May 2012 there were a reported 15 open court cases against Montenegrin journalists.

The right to access information is guaranteed in the constitution, and journalists can request public information via a 2005 freedom of information law. However, implementation of the law has been problematic, resulting in dozens of court cases over the years. In July 2012, the parliament passed a law requiring government agencies to proactively publish some information.

The country's media regulators are not financially independent and have inadequate monitoring capacity. Licensing and registration are handled by two agencies, the Agency for Electronic Media and the Agency for Electronic Communications and Postal Services (EKIP). A code of ethics for journalists was adopted in 2003, but Montenegrin journalists have struggled to establish a common self-regulatory body since then. In March 2012, the existing self-regulatory body was reconstituted, with 19 news outlets participating. Some independent media outlets declined to join the process and established two separate press councils instead.

Independent journalists continue to face pressure from business leaders and the government. Reporting by both private and state-owned media outlets frequently lacks objectivity. The public broadcaster is accused of favoring the government in its news coverage, and in the absence of strong opposition parties, some private media play the role of political opposition. While the 2010–12 government of Prime Minister Igor Lukšić made some efforts to increase protections for media freedom and independence, Lukšić was replaced in October 2012 by Milo Đukanović, who had served as prime minister or president for most of the previous two decades. In April, Đukanović had criticized independent media outlets and civil society organizations, suggesting that they receive a disproportionately large amount of foreign funds invested in Montenegro. He added that the arrest of “media tycoons” could speed up Montenegro's European integration. His remarks prompted the independent *Vijesti* daily newspaper to compare Đukanović's rule to that of the late Yugoslav leader Slobodan Milošević.

There were a number of attacks against journalists in Montenegro in 2012. In February, an editor and a photographer for the daily *Dan* were assaulted; legal proceedings have since begun against the suspected attackers. In October, a journalist from *Vijesti* and another from *Dan* were assaulted at a preelection rally. The most serious case of violence occurred in March, when *Vijesti* journalist

Olivera Lakić was beaten near her home. She had previously received several threats because of her articles detailing the alleged involvement of police officials in the illegal cigarette trade. A court in July found 29-year-old Ivan Bušković guilty of carrying out the attack and sentenced him to nine months in jail; however, authorities were still investigating whether he was acting under someone else's orders. Also in July, a Podgorica court handed down a six-month suspended jail sentence to the son of the city's mayor for a 2009 attack on two *Vijesti* employees. Rights groups criticized the sentence as too lenient. Many previous cases of violence against journalists remained unsolved at year's end.

The media environment is diverse for such a small country, with about 23 television stations, 53 radio stations, 4 daily print outlets, 3 weeklies, and 30 monthlies operating. Access to the internet is not restricted, and approximately 57 percent of the population had access in 2012. Content is significantly influenced by the business and political interests of media owners, and media ownership is not transparent. In the print sector, major private newspapers such as *Vijesti* and *Dan* compete with *Pobjeda*, a state-owned newspaper with national circulation. At the end of 2012, the state still held a majority stake in *Pobjeda*, despite a 2002 law requiring the government to sell its shares. Fahrudin Radončić, a Montenegrin-born Bosnian politician with close links to Đukanović, offered to buy the paper in late 2011, but abandoned the bid in April 2012. Private media outlets allege that *Pobjeda* carries the most advertisements by state-owned companies and organizations, even though it has the lowest circulation of Montenegro's major dailies.

The global financial crisis exacerbated the financial problems of Montenegro's media environment, in which a large number of broadcast and print media compete for a small advertising pool. The weekly *Monitor* reported that two new daily newspapers with cut-rate issue prices were launched in 2012, and suggested that investors were seeking to drive down Montenegrin newspaper prices in an effort to undermine independent dailies. Journalists are not highly paid, and combined with poor training and political and business influence, this often leads to biased coverage.

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