Montenegro

By Bojan Baća & Kenneth Morrison

Capital: Podgorica
Population: 622,781
GNI/capita, PPP: $17,870

Source: World Bank *World Development Indicators.*

Nations in Transit Ratings and Averaged Scores

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NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. If consensus cannot be reached, Freedom House is responsible for the final ratings. The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year. The opinions expressed in this report are those of the author(s).
EXECUTIVE SUMMARY

In 2017, Montenegro became a full member of the NATO alliance and made more progress towards membership in the European Union (EU). Internally, however, the country’s political crisis continued, with the opposition continuing their partial boycott of the parliament. This ongoing crisis, as well as persisting tensions between the opposition and the government fueled by antagonism over the October 2015 protests and 2016 parliamentary elections, characterized the political scene in the country in 2017. Milo Đukanović’s departure in late 2016 may have resulted in a temporary easing of tensions, but has done little or nothing to improve relations between the government and the opposition. As Chairman of the Democratic Party of Socialists (DPS) he retains significant control over the party and he played a significant role in their local election campaigns in 2017. Moreover, throughout the year speculation grew that Đukanović will return to run as a candidate for the presidency in 2018—despite his having previously ruled out the possibility, stating that the DPS had sufficiently strong candidates for the role—has continued to enflame tensions.

Looming large in the background has been the judicial proceedings of those accused of organizing a coup planned for the evening of the parliamentary elections on October 24, 2016. The accused include members of the opposition Democratic Front (DF), who argue that the judicial process is flawed and the case fabricated by the ruling DPS. In December 2016, Montenegro issued warrants for two Russian citizens allegedly involved in the plot, though they have not been apprehended by Russian authorities. The court case began in earnest in June 2017, and continued throughout the year, generating significant public interest. In October, a key cooperating witness in the case, Aleksandar Sindjelić, claimed that the DF leadership had not only concocted the coup attempt but had travelled to Moscow on several occasions to generate support for this endeavor—accusations that the DF vehemently denied.

Despite Jean Claude Juncker’s statement in September that no Western Balkan country would join the European Union (EU) before 2025, the European Commission (EC) president suggested that Serbia and Montenegro would most likely be the first to join in this timeframe. Despite the many challenges facing Brussels and the questionable appetite among EU member states for further expansion (particularly while the EU deals with the ongoing Brexit negotiations), Montenegro remained on track, and made modest progress, towards EU membership. Four new chapters of the acquis were opened in 2017, while one, Chapter 30 (External Relations), was provisionally closed in June. Montenegro continued to face significant challenges in meeting EU standards, but work has been done to address the deficit in capacity required to do so effectively.

Montenegro joined the NATO alliance in June. Though membership in NATO was a divisive issue, it provided tangible evidence of the government’s ongoing commitment to wider Euro-Atlantic integration. United States Vice President Mike Pence visited Podgorica to welcome Montenegro into the alliance in August. Pence is the highest-ranking US official to visit Montenegro since the establishment of diplomatic relations between Montenegro and the US in 1905, and his visit was viewed by the Montenegrin government as a solid endorsement of Montenegro’s Euro-Atlantic path and a cementing of the strategic partnership between the two countries.

Though operating in a difficult environment, civil society organizations (CSOs) continued to play a vital role in Montenegro’s public space, with their work, though subject to resistance, being relatively impactful. Their contribution to improving the functioning and transparency of state institutions, helping the state fight corruption and organized crime, and bolstering the integrity of electoral processes remained of great importance.

While diverse for a country with such a small population, Montenegro’s media landscape remained deeply polarized. This was particularly evident in daily reporting and interpretations of political events. The public broadcaster, Radio Television Montenegro (RTCG), faced significant internal flux and private media organizations continued to struggle financially as circulation figures dropped and advertising revenues decreased. Journalists—particularly those working for independent media—claimed that their working environment remained difficult. Attacks on journalists continued to be evident throughout 2017, while critics of the government, particularly those critical of the current DPS Chairman Milo Đukanović or his family, often became targets of expensive libel suits.
Corruption remained a problematic area and was regarded as such by Montenegrin citizens, though the Montenegrin government has made progress in some key areas. While a number of laws have been passed that should facilitate corruption prosecutions, the appropriate implementation of these laws was problematic. Furthermore, there was little progress on the prosecution of high-level corruption cases.

Score Changes:

- **National Democratic Governance rating declined** from 4.25 to 4.50 due to the opposition’s continued boycott of parliament, which called into question the legitimacy and functioning of the government.

As a result, Montenegro’s Democracy Score declined from 3.89 to 3.93.

Outlook for 2018: Broadly, Montenegro has continued on the course of economic and political development, though it remains a relatively fragile economy with high levels of public debt and ongoing challenges with corruption and organized crime. Now that Montenegro is a full NATO member, the government’s key objective will continue to be EU accession. Montenegro has made moderate but steady progress towards EU membership; the country’s institutional capacity continues to improve and investment in the country is relatively buoyant.

However, Montenegro remains in the grip of an internal political crisis that shows little sign of abating. While the opposition may return to parliament, there seems little possibility the government will meet the opposition’s demands to hold fresh parliamentary elections by the spring of 2018. In the meantime, the opposition will continue to refuse to recognize the results of the October 2016 elections, and while they have signaled a return to parliament, the DF has stated that they will continue protests while two of their leading members face criminal prosecution for their alleged involvement in the “state coup” (the trial for which will conclude in 2018). A continuation of the febrile political landscape will be detrimental to further democratic consolidation, while the ongoing trial will provide a strong test for the credibility of the Montenegrin judiciary.

Political tensions could further rise if Milo Đukanović runs in the presidential elections in April 2018. It is unlikely that the opposition would respond positively to a situation where Đukanović was president (or even another DPS stalwart such as Milica Pejanović-Djurišić) and Duško Marković prime minister. Local elections in Berane and Ulcinj in February 2018 should provide an insight into how successful their campaigns in those municipalities have been in preparation for crucial local elections in Podgorica. In the context of the presidential elections, the opposition remains rather fragmented and is unlikely to support a single or joint candidate (as they did in the case of Miodrag Lekić in 2013). At least two independent candidates, Dragan Hajduković and Djordije Blazić, will also contest the election.
National Democratic Governance

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- The results of the October 2016 election and the subsequent formation of the government meant that the DPS has been in power since Montenegro’s first multi-party elections in 1990. The new government elected in October 2016 and led by Prime Minister Duško Marković settled-in despite the opposition’s continuing boycott and demands for a re-run of the October 2016 parliamentary election. Relations between the government and the opposition, particularly the Democratic Front (DF), were poor, with little sign of immediate improvement. The opposition boycotted the subsequent inauguration of the new government in the city of Cetinje in December 2016 and announced that they would not return to parliament until new elections were scheduled. This boycott was maintained throughout most of 2017, despite appeals by the EU for opposition parties to return to parliament. However, in December the DF indicated that they may end their boycott and return to parliament in January 2018. This shift resulted from a failure to form a joint platform with other opposition parties. The DF had called upon them to jointly organize protests, but the failure to reach an agreement led to the DF’s proposed return to parliament.

- In policy terms, the new government was one of continuity, though Duško Marković’s government comprised many new and relatively unknown figures. He was flanked by three Deputy Prime Ministers: Milutin Simović, Zoran Pazin, and Rafet Husović, while the former Dean of the Faculty of Political Sciences at the University of Montenegro, Srdjan Darmanović, became Foreign Minister; Dragan Sekulić became the Minister of Economy; Sanja Damjanović became Minister of Science; and Darko Radunović became Minister of Finance. Most were uncontroversial appointments, though Radunović’s was something of a surprise. The former head of Prva Banka (which is owned by Milo Đukanović’s brother, Aleksander), Radunović led a bank that has been at the center of a number of financial scandals.

- The issue of NATO membership dominated domestic politics in the first six months of 2017, with the opposition continuing to insist upon a referendum to determine whether Montenegro should join the alliance; they argued that such a plebiscite should take place on March 24, the 18th anniversary of the NATO bombing of the Federal Republic of Yugoslavia in 1999. The government, though concerned about the comments about the future of the NATO alliance by United States (US) President Donald Trump, countered that parliament would resolve the issue without recourse to a referendum.

- In the midst of the opposition’s agitation for a referendum, details of the alleged ‘state coup’ began to emerge. In February, the British newspaper The Daily Telegraph published further allegations of Russian involvement in the failed coup attempt, citing unnamed sources within the British government.

- In March, the US Senate approved Montenegro as a full NATO member, paving the way for the country to formally join the alliance in June. Though NATO membership was a divisive issue, it provided tangible evidence of the government’s ongoing commitment to wider Euro-Atlantic integration. US Vice President Mike Pence visited Podgorica in August to affirm US commitment to NATO and to welcome Montenegro into the alliance. Pence is the highest-ranking US official to visit Montenegro since the establishment of diplomatic relations between Montenegro and the US in 1905, and his visit was viewed by the Montenegrin government as a solid endorsement of the country’s Euro-Atlantic path and a cementing of the strategic partnership between the two countries.

Electoral Processes

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- Delegates of the unicameral 81-seat national parliament are elected by secret ballot, in a single nationwide constituency, under a proportional closed-list system and for a maximum four-year
The reform of this law in 2014 led to the creation of a centralized electoral register and biometric voter identification to prevent electoral fraud. The reforms also required that 25 percent of candidates should be from a less-represented gender, in addition to the mandatory 30 percent quota for either gender introduced in the 2011 reforms.9

There were no parliamentary or presidential elections in Montenegro in 2017, though local elections were held in the opštine (municipalities) of Nikšić on 12 March, Herceg-Novi on May 7, and in Cetinje, Mojkovac, Tuzi, and Petnjica on November 26. Local elections will take place in Berane, Podgorica, Ulcinj and in nine other municipalities in the course of 2018.

Despite having prepared their campaigns for the March local elections in Nikšić, the opposition announced that it would boycott the vote after the government revealed that two DP lawmakers, Andrija Mandić and Milan Knežević, would be stripped of their immunity and arrested for their alleged involvement in the October 2016 attempt.10 The turnout in Nikšić was consequently low at 45 percent, and with no opposition to contest the election, the DPS won 80 percent of the seats in the municipal assembly, with the Social Democrats (SD) winning 8 percent. Veselin Grbović of the DPS was elected mayor of the city as the DF candidate, Miodrag “Daka” Davidović, had withdrawn from the contest.11

The elections in Herceg-Novi were, however, contested by all parties and the DPS emerged with the largest share of the vote. They won 31 percent of votes, followed by Aleksa Bečić’s Democratic Montenegro (DCG) with 24 percent, and the Democratic Front with 11 percent. Stevan Katić of the DCG was subsequently elected mayor of the town.12

Local elections took place in Cetinje, Mojkovac, Tuzi and Petnjica on November 26. The DPS won majorities in both Mojkovac (the birthplace of the Montenegrin Prime Minister, Duško Marković) and Petnjica, but failed to win overall majorities in Cetinje and Tuzi. The elections were marked by controversy and claims of vote-buying and attacks upon members of party officials and activists.

In Cetinje, the civic movement United Reform Action (URA) claimed that DPS activists attacked their representatives. Opposition activists further claimed that they had identified locations in Cetinje where the DPS were “purchasing votes”. DPS activists, conversely, claimed they had been attacked by Democratic Montenegro (DCG) activists. Tensions remained high throughout the day and it later emerged that Montenegro’s “Special Anti-Terrorist Unit” (SAJ) had been deployed in Cetinje as a “preventative measure”.13 URA also submitted complaints to the Constitutional Court and to the Prosecutor’s Office, as well as to the OSCE and EU delegations and various embassies, over what they alleged was clear evidence of electoral abuse in Mojkovac.14

Presidential elections are also scheduled for 2018, to determine the successor to the current Montenegrin President, Filip Vujanović (DPS), who has served the maximum of two terms allowed by the constitution. The date was still to be confirmed by year’s end, but will be no later than early April 2018, which marks the end of Vujanović’s term in office. There was significant speculation that Milo Đukanović would return to run as a candidate for the presidency in 2018, but he has ruled presidential ambitions for 2018, stating that the DPS had sufficiently strong candidates for the role and that the party’s candidate would be confirmed by November—though no candidate had been announced by December 31.15

Civil Society

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In 2017, antagonism between the non-government sector and the government became so heightened that DPS Chairman Milo Đukanović called civil society organizations’ (CSOs) critical role of the government as akin to “parapolitical organizations”, whose ultimate goal was to topple the DPS.16
Broadly, the government’s tone towards criticism emanating from civil society appeared progressively combative.  

- Civil society organizations continued to play a vital and visible role in Montenegro’s public space during the year, with their work often being highly impactful. Their contribution to improving the functioning and transparency of state institutions, helping the state fight corruption and organized crime, and bolstering the integrity of electoral processes has been particularly important, and in recent years their investigative work shed light on a number of corruption cases. In the absence of effective political opposition, CSOs and independent media—often through joint projects—played an important role in holding the government to account.  

- The number of registered civil society organizations, including domestic and branch offices of foreign CSOs, is high for such a small country. The Ministry of Public Administration recorded 4,213 registered associations, 153 foundations, and 115 foreign CSOs as of January 2017. It is, however, unclear how many of these organizations were actually active during the year. CSOs generally function in a climate that allows them to conduct their operations, though the 2016 European Commission (EC) Progress Report cautioned that the continuation of smear campaigns and intimidation attempts against CSO activists remained a matter of concern. The public funding of CSOs continued to present a challenge for their further development and for the sustainability of the entire non-government sector.  

- The key legislation governing the civil sector is the 2012 Law on Non-Governmental Organizations. The law regulates procedures for the registration of CSOs, as well as the requirements for management bodies and other aspects of CSO operation. CSOs generally “enjoy the freedoms and legal guarantees necessary to carry out their work without political or institutional interference”.  

- The strongest CSOs, generally based in the Montenegrin capital Podgorica, tend to be influential hybrid advocacy organizations—focusing predominantly on issues of corruption, transparency, accountability, human rights, civil society development, and environmental protection. Smaller CSOs are often locally-oriented and work in the areas of culture, art, formal and informal education, agriculture and rural development, social and health care, and protection of cultural heritage.  

- The CSO landscape, like that of the media, remained polarized in 2017, with some demonstrably close to the DPS and the government, and others highly critical of them. This polarization is paralleled in Montenegro’s two major trade union associations, with the official Confederation of Trade Unions of Montenegro essentially coopted by the state, and the Union of Free Trade Unions remaining relatively independent, often openly fighting against labor policies and legislation reforms that go against workers’ interests.  

- Overall, CSOs continued to play a vital role in democratization processes in Montenegro throughout the year, monitoring and offering expertise to state institutions in issues related to the country’s Europeanization process. Experts from the non-government sector were included in working groups for negotiations with the EU, as well as in legislative processes on numerous issues. In addition, CSOs often served as brokers between civil society and the state, occasionally creating mechanisms for ordinary people to influence decision-makers outside the parameters of party-political structures.  

- Funding remained a key challenge in the process of further development of the civil sector, since only 0.3 percent of the annual state budget is allocated to financing of CSOs—a sum the civil sector regards as insufficient. In 2017, about a third of ministries did not plan cooperation with civil sector in some key areas of public interests—namely, internal affairs, public finance, foreign affairs, science, sustainable development and tourism, and public administration. This can be interpreted as a sign of growing lack of cooperation between the government and non-government sector.  

- Several CSOs have alleged that the government’s draft “Strategy for the Improvement of Environment for the Functioning of Non-Governmental Organizations, 2018–2020” does not provide clear strategic guidelines for the role of the government in this area, while being ambiguous with regard to a clear strategy or mechanisms for the sustainable development of the civil sector. Overall, most CSOs agreed that the draft strategy does not meet the needs of the sector and does not improve the current relationship between CSOs and the government.  

- Throughout the first half of the 2017, waves of demonstrations occurred in Podgorica. The so-called Protests of Mothers saw hundreds of legally-defined “mothers of three or more children”
protesting in front of the Montenegrin parliament, imploring the government to reverse its decision to reduce state aid for them. A law guaranteeing lifetime cover for the mothers of three and more children was adopted ahead of the election in October 2016, but in January 2017 the government decided to cut this aid by 25 percent in a move designed to bolster fiscal stability. The protests lasted, with some interruptions, from mid-February to early December. Several dozen mothers participated in a hunger strike. However, the government remained steadfast in its refusal to roll back the reduction of state aid and by the end of March the protests gradually dissipated, with only occasional protests taking place thereafter.

- The Montenegro Pride march, organized by the CSO Queer Montenegro, was held in Podgorica in September. It was the fifth such event in Montenegro and although previous demonstrations—including the inaugural pride march in 2013—were marred by instances of violence, the September parade passed without incident. However, the LGBT community remained one of the most vulnerable social groups in Montenegro in 2017, despite general improvements.

### Independent Media

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- Despite the small size of the Montenegrin media market, a variety of independent media outlets operate in the country. Circulation rates of print media are, however, falling. The government does not explicitly censor media outlets, but indirect censorship exists nevertheless. Media coverage often tends to be partisan and combative. In 2007, the Montenegrin constitution confirmed freedom of the press as a legal right, and this right was reaffirmed in the decriminalization of defamation in 2012. Montenegro’s media scene remained fragmented and combative during 2017, and political divisions were clearly reflected in the media landscape.

- After almost three decades of DPS control, the management of the public broadcaster Radio-Television Montenegro (RTCG), with the support of its Council (board), asserted greater independence from the DPS. After a lengthy process, RTCG appointed a new director, Andrija Kadija, in March. Kadija, an experienced journalist who tended to distance herself from political disputes, had been acting interim director since April 2016, whereupon she replaced Radojka Rutović. The opposition had criticized Rutović as a mouthpiece of the ruling DPS, and all opposition parties had demanded Rutović’s resignation ahead of the October 2016 parliamentary elections. Kadija’s editorial position appeared more balanced than her predecessor.

- In October, however, the government attempted to wrestle control of RTCG back from its now independent Council through an Agency for Prevention of Corruption (ASK) investigation of board members’ alleged conflicts of interest—though strong opposition to the investigation prevented the DPS from recovering control of the public broadcaster. CSOs and opposition political parties roundly criticized this move as “politically motivated”. The US Embassy in Podgorica supported the government’s critics by declaring its support for “an independent and responsible media” over Twitter. Moreover, the US Deputy Assistant Secretary of State for Europe and Eurasia, Brian Hoyt Yee, criticized the DPS action as one that would “limit media freedoms”, further warning that the government’s credibility would be undermined if the editorial freedom of RTCG was not preserved.

- However, after a series of anonymous reports to the ASK—which mainly pinpointed the most active members of the RTCG’s Council and the Agency for Electronic Media (AEM)—the Administrative Board of the Parliament of Montenegro started an initiative aimed at dismissing members of the aforementioned councils. Thereafter, the government succeeded in dismissing two members of the RTCG Council and one member of the AEM. Those who were relieved of their duties announced that they intended to challenge in court what they argued was a series of unlawful decisions made by parliament.

- The instability within RTCG was reflected elsewhere. Independent (private) media outlets continued to struggle financially as circulation figures dropped and advertising revenues decreased. Journalists, particularly those working for media critical of the government, claimed that their
working environment remains problematic.40

- One of the key features of Montenegro’s media scene in 2017 was its highly polarized character, evident in the media’s daily reporting and their divergent interpretations of the same political events and developments. Such polarization manifested in the manner in which different media outlets have reported the investigation and trial of those accused of plotting the October 2016 coup.41

- The concentration of media ownership in Montenegro in the hands of three owners raises questions over the plurality of media and the quality of reporting in general.42 Montenegro has four daily newspapers: Pobjeda and Dnevne novine are progovernment (and owned by the government’s strategic partner, Petros Sthatis’s Media Nea), while Vijesti (owned by four Montenegrin founders, the Austrian media company Styria Medien, and Media Development Loan Fund (MDLF), which was founded by George Soros) and Dan (owned by Jumedia Mont) are critical of the government. In addition to these newspapers, the weekly independent magazine, Monitor (owned, effectively, by Miodrag Perović), is also critical of the government. The circulation of these papers remains unknown, as newspapers do not make circulation figures public, but insiders often state that it has been declining each year. Vijesti remained the most popular and influential media outlet in Montenegro during the year.43

- Attacks on journalists, both verbal and physical, continue to be a matter of concern. In April, Reporters without Borders published their World Media Freedom Index, in which Montenegrin press freedom was rated the second worst in the Balkans, behind only Macedonia.44 According to official statistics, since 2014, 33 attacks on journalists in Montenegro were recorded,45 while 90 percent of cases remained unresolved by year’s end.46

- In September, Vladimir Otašević, a journalist for the pro-opposition newspaper Dan, claimed that he had been threatened by Velizar Marković, the brother of the Montenegrin Prime Minister, Duško Marković.47 This was the most recent of a series of threats and intimidation directed at journalists. In November, in a landmark case, investigative journalist Tufik Sofić—who was seriously injured in a violent attack in 2007 in Berane and survived an attempted 2013 bomb attack due to the publication of an article detailing the activities of a criminal group involved in drug trafficking—was awarded €7,000 ($8,600) for the harm caused by the Montenegrin authorities’ failure to effectively investigate the two violent attacks aimed at silencing him. The Basic Court in Podgorica found that there was a “lack of an effective investigation into attacks on a journalist”, noting, furthermore, that the authorities had not acted expeditiously enough in hearing the testimony of the victim, interviewing suspects, and collecting evidence.48

- In 2017 there were six reported attacks—predominantly verbal threats—against journalists. CSOs were vocal in their condemnation of the government for failing to substantially penalize the aggressors.49 Overall, threats to journalists continued to be a matter of concern.

- The ever-present potential for expensive defamation suits to occur remained a key feature of the Montenegrin media landscape in 2017, a context that led to self-censorship among journalists. While defamation was effectively decriminalized in 2012, journalists still face the possibility of being sued in civil suits by those who feel “offended” or “hurt” by their work, which, in turn, disincentivizes journalists from targeting powerful actors.

- In September, the independent daily Vijesti proposed a dialogue to the government in the form of a round-table so that representative of all political parties could air their views on how to over come a year-long institutional and political crisis. However, this call for internal dialogue between all political subjects in the country was failure.50 The Prime Minister, Duško Marković, refused the invitation and instead argued that the crisis should be resolved on a formal basis, through and within political institutions.

Local Democratic Governance

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- The Constitution of Montenegro recognizes the opština (municipality) as the basic form of local
governance and administration. Since 2014, there have been 23 municipalities in Montenegro. The administrative capital Podgorica—which also has two urban municipalities—and the historical/honorary capital Cetinje have special legal status. The Union of Municipalities (UOM) of Montenegro is the national association that coordinates the organization, work, and functioning of local governments. In 2017, the UOM created a comprehensive document covering and listing all competencies and tasks of local self-governments.  

- In practice, most local self-government units in Montenegro suffer from chronic financial, organizational, transparency and accountability problems and shortcomings. For instance, in 2017, seven municipalities—Cetinje, Bijelo Polje, Kolašin, Plav, Mojkovac, Rožaje and Andrijevica—were significantly late with the payment of new tax obligations to the state and thus violated agreements with the government. Moreover, eight municipalities failed to adopt a budget for 2017 within the legally prescribed timeframe. Most municipalities in Montenegro have an excessive number of employees, often lacking necessary professional skills, so the government adopted new legislation aimed at improving this situation. In the past three years number of employees in local self-governments has, for example, risen by approximately 400 positions.

- Overall, the work of municipalities remained some way from meeting the criteria for good governance and there continued to be a need for strengthening the transparency, efficiency, and accountability of local self-government units. Public decision-making, especially within municipalities, remained below the satisfactory level.

### Judicial Framework and Independence

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- Judicial reforms in Montenegro have been ongoing for 17 years and, broadly, Montenegro’s judicial system continued to endeavor to improve the transparency of its work in 2017. The “Strategy for the Reform of the Judiciary, 2014–2018” consists of numerous measures geared toward the improvement of transparency, openness, and accountability in the judicial system. International organizations and local CSOs, in addition to reporting on judicial reform by national media, have contributed to the judiciary’s increasing openness. The judiciary’s willingness to adopt greater transparency in its operation was evident not least by the statements of senior judges. However, throughout 2017, the consistent implementation of these proclaimed principles remained a key challenge.

- The Regional Index of Openness demonstrated that, in comparison with neighboring countries, Montenegro’s judiciary fared relatively well, particularly with regard to meeting public expectations on openness of the judicial system. While, on average, courts in the region meet 48 percent—and prosecutors’ offices, 40 percent—of performance indicators, Montenegrin courts and prosecutors’ offices fulfill around 75 percent of indicators of openness.

- Looming large (and a test of the independence and effectiveness of the judiciary) has been the so-called trial of the century of those alleged to have been involved in organizing a coup on the evening of the parliamentary elections on October 24, 2016. Doubt has been cast on the credibility of the judiciary and judicial independence in 2017 due to the process, led by the special state prosecutor, against the suspects of the alleged October 2016 coup d’état plot (a number of whom are opposition party leaders).

- Those accused include members of the opposition Democratic Front (DF), such as Andrija Mandić and Milan Knežević, who argue that the judicial process is flawed and the case fabricated and aimed against Montenegro’s Serbs by the ruling Democratic Party of Socialists (DPS). In December 2016, Montenegro issued warrants for two Russian citizens, Eduard Shirokov and Vladimir Popov, allegedly involved in the plot, though they had not been apprehended by the end of 2017. Court proceedings began in June 2017 and continued throughout the year, generating significant interest within the public sphere. In October, the key prosecution witness in the case, Serbian citizen Aleksander Sindelić, who was originally accused of involvement before agreeing to testify against his co-conspirators, claimed that the DF leadership had organized the coup attempt
and had travelled to Russia on several occasions to generate support for this endeavor, accusations that the DF vehemently rejected. Some doubt remained regarding the official version of events.

- On paper, Montenegro’s constitution guarantees permanent tenure and functional immunity for judges, implying a certain professional respect for judicial offices. However, the handling of “the trial of the century” has severely shaken public trust in the judiciary, which fell by eight percentage points to 45 percent in 2017. Namely, while independent media and CSOs tended to ridicule the process, public broadcasts of the trial have also brought into question of the competence of judges, prosecutors, and the entire judiciary.

### Corruption

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- Montenegro has made incremental advances in tackling corruption, though it remained one of the key challenges for the government in 2017, particularly in the context of addressing Chapter 23 and 24 of the EU accession process. Little progress has been made with regard to ongoing high-profile cases of corruption and no new major cases were brought forward in 2017, despite prominent CSOs constantly reminding the government that corruption continues to be a major issue at the local, regional, and national levels. Overall, the Montenegrin authorities failed to achieve much progress prosecuting cases of high and mid-level corruption throughout the year.

- In August 2016, the government adopted a “Public Administration Reform Strategy”, which is to be implemented by 2020. The “Law on the Prevention of Corruption” came into force in January 2016, which aimed to identify and prevent conflicts of interest, set limits on political party and campaign financing, and regulate lobbying. However, despite these incremental advances, approximately two-thirds of Montenegrin citizens continued to view corruption as an important issue.

- In a highly politicized public administration, recruitment and promotion of civil servants, for example, remained “clientelistic” in that it provides of a pool of “safe votes” for the DPS. Additionally, a lack of court proceedings related to corruption in seven sensitive areas identified as particularly vulnerable to corruption (public procurement, privatization, urban planning, education, health care, local government, and the police) have contributed to what is perceived as a negative situation.

- No data exists on the implementation of local anticorruption action plans, public campaigns aimed at promoting the code of conduct of public officials are not conducted, and citizens rarely report instances of corruption to state bodies.

- One persistent problem in 2017 was the severely flawed implementations of new anticorruption regulations, producing modest results, despite the adoption of anticorruption laws and a number of by-laws. According the CSO MANS, a “survey of international organizations show[s] that no major progress in the fight against corruption has been made.” Moreover, while the legal framework proposes the protection of whistleblowers, there is little protection in practice.

- Another key problem in 2017 was the lack of progress in preventing conflicts of interest and the illicit enrichment of public officials. The number of public officials accused and prosecuted for these issues remained very low, and the penalties imposed did not inhibit any future violations of the law. The work of the Agency for Prevention of Corruption (ASK) remained barely transparent and the results of its endeavors were somewhat modest. CSOs and the opposition therefore viewed the ASK as an institution under DPS control.

- An additional corruption-related issue was control of electoral campaign financing (transparency of which should be guaranteed by the Law on the Prevention of Corruption). Important information on the financing of political parties was not publicly available by the end of the year, while only part of the data on the financing of political parties and election campaigns was made freely available to the public.
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