

## Montenegro

**Country:**Montenegro**Year:**

2016

**Freedom Status:**

Partly Free

**Political Rights:**

3

**Civil Liberties:**

3

**Aggregate Score:**

70

**Freedom Rating:**

3.0

**Overview:**

Police took efforts to limit antigovernment demonstrations that erupted in the fall of 2015. Protests were banned in 14 towns, while in the capital a number of people were injured in clashes between antigovernment demonstrators and police. Separately, an LGBT (lesbian, gay, bisexual, and transgender) group reported that authorities in Nikšić banned a local pride march three times over the course of the year, citing security considerations each time.

Despite the ongoing concerns of the European Commission (EC) about the independence of the judiciary and the public broadcaster, as well as numerous failures to effectively prosecute past attacks against media workers, Montenegro is steadily progressing toward European Union (EU) membership. In December 2015, the North Atlantic Treaty Organization (NATO) formally extended a membership offer to Montenegro, with accession talks set to open in 2016.

**Trend Arrow:**

↓

**Political Rights and Civil Liberties:****Political Rights: 27 / 40 [Key]****A. Electoral Process: 9 / 12**

Members of the unicameral, 81-seat Parliament—the Skupština—are directly elected for four-year terms. The president, directly elected for up to two five-year terms, nominates the prime minister,

who requires legislative approval. International observers have deemed past national elections generally free and fair.

In 2012, legislators dissolved the Skupština and called early elections to allow the government to begin talks with the EU with a fresh mandate. A coalition led by Prime Minister Milo Đukanović's Democratic Party of Socialists (DPS) won the polls with a simple majority of 46 percent, or 39 seats. The Democratic Front (DF) took 20 seats, followed by the Socialist People's Party with 9, Positive Montenegro with 7, and the Bosniak Party with 3. The Croat Citizens' Initiative and two Albanian parties won 1 seat each. The DPS-led coalition took power with support from Albanian and Croatian minority parties, and Đukanović, who has served as Montenegro's prime minister or president for most of the last two decades, was elected to his seventh term as prime minister.

In 2013, President Filip Vujanović was reelected with 51 percent of the vote. Miodrag Lekić of the Democratic Front followed with 49 percent. Numerous violations were reported during local elections in May 2014, prompting reruns in some locations. The EC noted a lack of trust in the electoral process among voters in its progress report that year. Ultimately, DPS won the majority of seats in 11 of Montenegro's 12 municipalities. A caretaker government administered Podgorica until a coalition between the DPS and the Social Democratic Party (SDP) was struck in September 2014.

The conduct of elections in Montenegro is facilitated by a comprehensive legal and administrative framework.

## **B. Political Pluralism and Participation: 11 / 16**

Numerous political parties compete for power, though the opposition is weak. The DF, Montenegro's biggest opposition faction, comprises the reform-minded Movement for Changes and the New Serb Democracy. The current coalition government includes the DPS, its ally, the SDP, and a handful of lawmakers from parties that represent Montenegro's ethnic minorities. The Roma ethnic minority is underrepresented in politics.

## **C. Functioning of Government: 7 / 12**

Corruption remains a widespread problem. Legislative frameworks to improve transparency in party financing and public procurement, among other anticorruption efforts, are in place, but implementation is mixed. A new anticorruption agency is scheduled to open in 2016, but local nongovernmental organizations (NGOs) have complained that its framework fails to include adequate protections for whistleblowers or effective requirements that public servants disclose assets. Graft and misconduct remain widespread in areas including health care and public procurement. Organized crime groups have significant influence in both the public and private sectors.

Law enforcement traditionally has not taken an active approach toward corruption investigations, particularly those involving top officials. However, several high-profile arrests took place in 2015. The former mayors of Bar and Budva were indicted on corruption-related charges toward the year's end, and the former president of the now-defunct state union of Serbia and Montenegro was arrested on similar grounds in December. The developments were widely described as a response to EU pressure, but some observers suggested that they were just as much a product of infighting within the DPS. Montenegro was ranked 61 out of 168 countries and territories surveyed in Transparency International's 2015 Corruption Perceptions Index.

Civil society participates in state and local government, though the EC has urged closer cooperation.

## **Civil Liberties: 43 / 60 (-1)**

### **D. Freedom of Expression and Belief: 12 / 16**

A variety of independent media operate in Montenegro. The government does not explicitly censor media outlets, and libel was decriminalized in 2011, but indirect censorship exists. Journalists who are critical of Đukanović or the governing party have faced costly civil defamation suits. Attacks against journalists continued in 2015, but the number of such instances decreased compared to 2014. Investigative journalist Zorica Bulatović's car was severely damaged by an unknown attacker in May 2015; at the time, she was writing an article on corruption in local government. A commission devoted to investigating violence committed against journalists, established by the government in 2013, continued to operate in 2015. Investigations have thus far led to some arrests amid growing international concern about a culture of impunity.

The DPS-led government frequently denies opposition media outlets advertising contracts from publicly owned or controlled entities. The public broadcaster is under reform but still lacks sustainable funding, and favors the government; it offered limited coverage of the antigovernment protest movement that emerged in the fall of 2015. Internet access is unrestricted.

The constitution guarantees freedom of religious belief. However, the canonically recognized Serbian Orthodox Church and a self-proclaimed Montenegrin Orthodox Church continue to clash over the ownership of church properties and other issues. Academic freedom is guaranteed by law, and private discussion is open and vibrant.

### **E. Associational and Organizational Rights: 9 / 12 (-1)**

While citizens generally enjoy freedoms of association and assembly, in 2015 authorities took efforts to limit opposition protests organized by the DF that began in September. In October, authorities banned antigovernment protests in more than a dozen towns, saying organizers had filed their applications late and that the paperwork was incomplete. The protests went forward in any case; officials threatened legal action but it was unclear at the year's end whether they had followed through. At times, antigovernment demonstrators in Podgorica clashed with police who tried to disperse them, with police on one occasion firing tear gas and stun grenades at protesters demonstrating in front of the Skupština. Separately, organizers of an LGBT pride parade in Nikšić said police banned the event three times over the course of the year on security grounds.

NGOs that investigate corruption or criticize the government face pressure, and NGOs critical of the Đukanović administration risk having their online activities monitored. In April 2015, the Podgorica high court ruled that employees of one such group, the Network for Affirmation of the NGO Sector (MANS), be compensated €500 (\$550) each over illegal police surveillance of their online activities. MANS, which in 2014 publicized information implicating Đukanović and the DPS in electoral violations, has faced pressure from the government and harassment in the press.

Most formally employed workers belong to unions, and the right to strike is generally protected. However, trade union members sometimes face discrimination, and dismissals of striking workers have been reported.

## **F. Rule of Law: 10 / 16**

The EC cited some progress on judicial reform in its 2015 progress report on Montenegro, but nevertheless continued to express concern about the implementation of programs designed to ensure judicial independence. The country's intelligence service has faced sustained criticism from international observers for a perceived lack of professionalism. Legal proceedings are lengthy and often highly bureaucratic, particularly when involving business dealings. Prison conditions do not meet international standards for education or health care.

Approximately 16,000 refugees, most of them displaced in the 1990s Balkan conflicts, live in Montenegro, but only about 1,000 have gained full citizenship. Roma, Ashkali, Egyptians, LGBT people, and other minority groups face discrimination.

An LGBT pride parade took place peacefully in Podgorica in December 2015, though the event took place two months later than originally scheduled in the wake of the fall opposition protests. About 300 people participated in the march, which due to security concerns followed a different route than in previous years.

## **G. Personal Autonomy and Individual Rights: 12 / 16**

The freedom of movement and the right of citizens to choose their residence, employment, and institution of higher education are generally respected in practice. The state sector dominates much of Montenegro's economy, though the tourism industry has thrived, with significant foreign investment to develop coastal towns. Official unemployment has hovered between roughly 15 and 19 percent in recent years. However, many workers officially counted as unemployed work in Montenegro's sizeable gray economy.

Women in Montenegro are legally entitled to equal pay for equal work, but patriarchal attitudes often limit their salary levels and educational opportunities. Women are underrepresented in government and business. Reforms to the electoral law in 2011 aimed to increase gender equality and minority representation in the Skupština. Among them was a 30 percent electoral gender quota, which was implemented for the first time in 2012. The quota yielded a greater percentage of woman candidates, but due to a loophole regarding the placement of names on party lists, only 15 percent of Skupština members are women. Domestic violence remains problematic. Although gender-selective abortion was outlawed in 2009, it has been a growing trend over the past dozen years. Same-sex marriage is constitutionally banned.

Trafficking in persons for the purposes of prostitution and forced labor remains a problem, but the government has taken steps to address the issue, adopting an antitrafficking strategy through 2018. Authorities provide some services for victims of trafficking, who include Roma children subjected to forced begging, and women and girls from Montenegro and other countries in the region who are forced into sex work.

### **Scoring Key: X / Y (Z)**

**X = Score Received**

**Y = Best Possible Score**

**Z = Change from Previous Year**

## **Full Methodology**

**Source URL:** <https://freedomhouse.org/report/freedom-world/2016/montenegro>