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[Home](#) > Montenegro

Montenegro

Country:

Montenegro

Year:

2015

FIW Status:

F

PR Rating:

3

CL Rating:

2

Aggregate Score:

71

Combined Freedom Score:

2.5

Overview:

Prime Minister Milo Đukanović's Democratic Party of Socialists (DPS) performed well in local elections held in May. Numerous electoral irregularities were reported, prompting reruns in some locations. Months of post-election deadlock in the Podgorica city council raised the possibility of snap local elections, but the DPS and the Social Democratic Party (SDP) finally struck a coalition deal in September to end the impasse.

Montenegro and the European Union (EU) in 2014 opened a number of negotiation chapters, signaling progress toward the country's EU membership, although the European Commission (EC) stated in June that profound improvements in the rule of law were needed, expressing particular concern about violations in the May elections and attacks against independent journalists in 2013 and 2014. In its annual progress report on Montenegro, issued in October, the EC noted some progress on judicial reforms.

In June, the North Atlantic Treaty Organization (NATO) indicated that it would not extend membership to Montenegro in 2014. While Đukanović has undertaken an active campaign to build support for the alliance, there is low public support for membership in NATO, which carried out a bombing campaign against Serbia and Montenegro in 1999 during the Kosovo War.

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 Parliament and called early elections to allow the government to begin talks with the EU with a fresh mandate. A DPS-led coalition won polls held that October with a simple majority of 46 percent, or 39 seats. The Democratic Front 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 December. 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 2014 progress report. Ultimately, DPS won the majority of seats in 11 of Montenegro's 12 municipalities. A caretaker government administered Podgorica until a DPS-SDP coalition was struck in September.

The conduct of elections in Montenegro is facilitated by a comprehensive legal and administrative framework. Landmark reforms to the electoral law in 2011 aimed to increase gender equality and minority representation in Parliament.

B. Political Pluralism and Participation: 11 / 16

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

C. Functioning of Government: 7 / 12

Corruption remains a serious 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 the framework fails to include adequate protections for whistleblowers and effective requirements that public servants disclose assets. Graft and misconduct remain widespread in areas such as health care and

public procurement, convictions in high-profile cases are low, and oversight of conflicts of interest is relatively weak. Law enforcement does not take an active approach to corruption investigations, particularly those involving top officials. Organized crime groups have significant influence in both the public and private sectors. In an April 2013 report, Europol expressed concern that Russian business magnates were laundering large amounts of money in Montenegro. The report also highlighted the country's persistent drug smuggling problem.

In a December 2014 poll, only 44 percent of respondents voiced trust in Đukanović's government, compared to 55 percent in 2010. Montenegro was ranked 76 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

Civil Liberties: 44 / 60 (-1)

D. Freedom of Expression and Belief: 12 / 16 (-1)

A variety of independent media operate in Montenegro. The government does not explicitly censor media outlets, and libel was decriminalized in 2011, but journalists who are critical of Đukanović or the governing party have faced costly civil defamation suits. Attacks against journalists continued in 2014. Among the worst of the year was an assault against Lidija Nikčević, a journalist at the independent daily *Dan*, who was beaten with a baseball bat in January. Five people were convicted of the attack in December, but convictions in similar cases remain rare. A commission devoted to investigating violence committed against journalists, established by the government in 2013, continued to operate in 2014. Investigations have thus far led to some arrests amid growing international concern about a culture of impunity.

The DPS-led government denies opposition media outlets advertising contracts from publicly owned entities while directing significant funding toward the progovernment newspaper *Pobjeda*, which continued to operate even after the state tax administration declared it bankrupt in July. The public broadcaster is under reform but still lacks sustainable funding. In December, the government assumed its debt of €2.4 million (\$3.2 million). 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: 10 / 12

Citizens generally enjoy freedoms of association and assembly. In February 2014, two journalists and a number of protesters were arrested at an antigovernment demonstration in Podgorica at which participants denounced government corruption and high unemployment. Civil society participates in state and local government, though the EC has urged closer cooperation. NGOs that investigate corruption or criticize the government face pressure. In

particular, MANS, an NGO that 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 progress on judicial reform in its 2014 progress report on Montenegro, noting that Parliament confirmed a chief state prosecutor in October after a vacancy of more than one year. The country's intelligence service has faced sustained criticism from international observers for perceived lack of professionalism; secret service head Boro Vucinić resigned in December, reportedly under pressure from the EU and NATO. In June, Nils Muižnieks, Council of Europe commissioner for human rights, stressed the need to address impunity for crimes committed in the 1990s during the collapse of Yugoslavia. Legal proceedings are lengthy and often highly bureaucratic, particularly for proceedings involving business dealings. Prison conditions do not meet international standards for education or healthcare.

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. In June 2014, the government warned that refugees who had not applied for "resident foreigner" status under a 2011 initiative risked being deemed illegal immigrants and losing state benefits. Ethnic Albanians, who comprise 5 percent of the population, maintain that they are underrepresented in the civil service, particularly in the police and the judiciary, and that authorities neglect the needs of students in Albanian-language schools. Roma, Ashkali, Egyptians, LGBT (lesbian, gay, bisexual, and transgender) people, and other minority groups face discrimination. An LGBT pride march took place in November under extensive police protection.

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 in recent years, with significant foreign investment to develop coastal towns. Official unemployment was reported to be 15 percent at the end of 2014, a decrease from 19 percent reported in 2012. Many workers officially counted as unemployed, however, work in Montenegro's sizeable gray economy. The government frequently bails out indebted state-owned companies, a habit that has drawn complaints about abuse of taxpayer money.

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. New provisions requiring women to comprise 30 percent of candidate lists were implemented in the 2012 elections, but women held only 14 seats in the 81-seat Parliament in 2014. Domestic violence remains problematic. Although gender-selective abortion was outlawed in 2009, it has been a growing trend over the past decade and a half. 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.

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/2015/montenegro>