

HOW MUCH LONGER MUST WE LIVE IN FEAR OF SUCH COWARDS?

MEDIA FREEDOM IN MONTENEGRO

Tara Lipovina

"Any threat to the safety of journalists will be punished and whoever the perpetrators and warrants are the government will prosecute them," the Prime Minister of Montenegro, Duško Marković, said in October 2018.¹ It was a welcoming statement but also one that does not reflect the assessment of the European Commission. In the most recent report, published in May 2019, the Commission concluded that "concerns persist on freedom of expression and the overall climate of media freedom, with particular regard to the investigations into attacks against journalists."² The Commission also noted "no progress was made" since March 2018 and asked authorities in Montenegro to "significantly step up and prioritize efforts to investigate cases of attacks against journalists."

Statements by officials in Montenegro about freedom of media are consistent for many years. They insist on maximum freedom of expression and punishment of all attacks against journalists. These statements, however, are rarely followed by concrete actions.

Olivera Lakić is a 49 years old investigative journalist working since 2002 for the Montenegrin daily newspapers Vijesti. On Tuesday evening, 8 May 2018, Olivera was driving to her apartment after finishing her shift and dropping-off her friend to the airport. As she approached the entrance to her building one man shot her in the right leg. Reacting to the attack, Olivera's chief editor, Mihailo Jovović, wrote:

"I am speechless. For how much longer will this be happening? A lot of stories she wrote have not been investigated [by the authorities]. For how much longer must we live in fear of such cowards?"

This was not the first physical attack on Olivera. In 2012, again in front of her apartment, Olivera was beaten. A perpetrator was later found and sentenced to prison, but those who were behind the attack were never found. Over the years, Olivera also received countless threats and for two years and seven months she was under police protection. In Montenegro and the Western Balkans region Olivera is known for her investigative journalism and articles about links between the state and organised crime, as well as high level corruption.

A couple of days after the attack, on 11 May 2018, the EU commissioner in charge for the Western Balkans, Johannes Hahn, came to Podgorica and visited Olivera in her apartment. Hahn described the attack on her as "unacceptable."³ When in September 2018, the president of Montenegro, Milo Đukanović, was asked to comment the investigation of the attack on Olivera he said that "it is not desirable that there is no progress" in the investigation but that "it was normal."⁴ Adding that "as we all know, neither in Montenegro, nor in more developed EU member

¹ Newspaper Vijesti, "Premijer Marković, Sloboda Medija i bezbjednost nijesu uslov za pristupanje Crne Gore Evropskoj Uniji, već je to moralna obaveza, 2018 <http://www.predsjednik.gov.me/vijesti/192422/Premijer-Markovic-Sloboda-medija-i-bezbjednost-novinaranijesu-uslov-za-pristupanje-Crne-Gore-Evropskoj-uniji-vec-je-to-moralna.html>

² European Commission, "Montenegro 2019 Report", 29 May 2019. - <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-montenegro-report.pdf>

³ Al Jazeera Balkans, "Hahn u Podgorici: Napad na novinarku je napad na drzavu", 11 May 2018. <http://balkans.aljazeera.net/vijesti/hahn-u-podgorici-napad-na-novinarku-je-napad-na-drzavu>

⁴ Al Jazeera Balkans, "Đukanović: 'Normalno' je što nema pomaka u istrazi o napadu na novinarku", 20 September 2018. <http://balkans.aljazeera.net/vijesti/dukanovic-normalno-je-sto-nema-pomaka-u-istrazi-o-napadu-na-novinarku>

states those wishes are not always in line with real capacity of the state apparatus.”⁵ If EU member states like Slovakia struggle to clarify attacks on journalists, the authorities of Montenegro claim, then Montenegro should not be expected to do better.

But what happened to Olivera Lakić is not a single event or an incident. It is one of many attacks against journalists lacking a proper follow-up and is part of a wider climate existing in Montenegro. From 2014 until 2019 there were 33 attacks against journalists officially recorded. Four of them were physical attacks, 14 cases of anonymous threats, 13 cases of attacks on the property of the journalists and media offices.⁶

Little over a month before the attack on Olivera, on 1 April 2018, in the centre of small town in Montenegro, Bijelo Polje, an explosive device was activated under a car parked outside the home of the Radio Free Europe journalist Sead Sadiković. The perpetrator was later charged with only three months prison for assault and endangering security. During 2018, there were four serious attacks on journalists: two against Sead Sadiković, one against Olivera Lakić and threats against Jelena Jovanović. All of them were directed against journalists working in the daily newspaper Vijesti.

In its May 2019 report on Montenegro the European Commission concluded that “there is still a lack of progress and resolution of both new and old cases regarding the identification of the physical perpetrators and commissioners of the attack, as well as the shortcomings and setbacks that have hampered the investigation.”⁷ It furthermore noted that “authorities are expected to demonstrate zero tolerance for threats or attacks against the media, and should refrain from making statements that may create an environment not conducive to freedom of expression.”⁸

The only reaction by the government so far has been rhetorical. In September 2019, Zoran Pazin, deputy prime minister and minister of justice since 2015, said that ‘it is evident that there are weaknesses in the system and there are deficiencies in acting, and that it is time to have an answer whether it is the result of objective weaknesses or of subjective omissions. If it is the result of subjective omissions we need to know what those weaknesses are in the system and let's see if there is a place for one's responsibility.’⁹ He also stressed that, if the reason for the omissions was insufficient professionalism, the non-professional people must be removed from service. “But if it is bad intent, it is much more difficult to establish the facts and that requires evidence,” Pazin said, pointing to the aggravating circumstance that certain responsible persons are no longer in positions where the omissions have been made. He emphasized that in order to establish criminal liability for the failures of acting officials in certain cases of attacks on journalists, it is necessary to gather adequate facts and evidences¹⁰.

The environment conducive to freedom of expression is particularly important for the youth in Montenegro. The situation related to the media freedom has an impact on free society and the quality of democracy in every country. To minimise all attempts of manipulation the quality of information they receive through media is important. While free media and journalists in

⁵ Al Jazeera Balkans, “Đukanović: 'Normalno' je što nema pomaka u istrazi o napadu na novinarku”, 20 September 2018. <http://balkans.aljazeera.net/vijesti/dukanovic-normalno-je-sto-nema-pomaka-u-istrazi-o-napadu-na-novinarku>

⁶ Safe journalists, Za tri godine 33 slučaja napada na novinare, SMCG, Podgorica, 14/06/2017, <http://safejournalists.net/me/za-3-godine-33-slucaja-napada-na-novinare/>

⁷ European Commission, “Montenegro 2019 Report”, 29 May 2019. - <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-montenegro-report.pdf>

⁸ European Commission, “Montenegro 2019 Report”, 29 May 2019. - <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-montenegro-report.pdf>

⁹ Cafe del Montenegro, Značajno unaprijeđena zaštita novinara, 10 09 2019, https://m.cdm.me/hronika/pazin-znacajno-unaprijeđena-zastita-bezbjednosti-novinara/?fbclid=IwAR1vrV9AnfRYPe_ELhx6reQ_WIVNnaLjMKqH5sQAQNoBt-1Xbhj8IEQvD8g

¹⁰ Cafe del Montenegro, Značajno unaprijeđena zaštita novinara, 10 09 2019, https://m.cdm.me/hronika/pazin-znacajno-unaprijeđena-zastita-bezbjednosti-novinara/?fbclid=IwAR1vrV9AnfRYPe_ELhx6reQ_WIVNnaLjMKqH5sQAQNoBt-1Xbhj8IEQvD8g

Montenegro are under attack and their space is shrinking, the country's youth is heavily dependent on information that come from outside sources, international and the Western Balkans regional media outlets, such as Al Jazeera Balkans, CNN affiliate N1, Radio Free Europe or Voice of America. Very often, however, the focus of these regional and international media is not on Montenegro but other Western Balkan state.

The fact that professionals whose task it is to inform society in a right and independent manner are being silenced in Montenegro has also an impact on the willingness of young people to express their opinion as well. A 22 years old student, interviewed for this paper, shared experience with restricting free speech:

*"I was researching about protests that recently happened on the streets of Podgorica, and I expressed my own way of interpretation of this current situation, and I got the message from an unknown sender to remove it as soon as possible or I will regret it."*¹¹

According to the Youth Law of Montenegro, access to information for youth is a prerequisite for developing the potential of young people and their participation in society development and decision-making.¹² Info centres for youth exist throughout the country. These are foreseen as places where young people can access some information, but are mostly related to education.

Results of research of how much young people in Montenegro trust local institutions showed that their trust is lowest in the media.¹³ The situation in other countries covered by the research shows that youth in Montenegro scales whether they will express their attitude relative to the current situation in the country. They are cautious about whether they will express their opinion, be it on some online news portal or their social media accounts. They mostly fear that this could lead to someone condemning and marginalizing them in their future career. That is something that leads to increased distrust and poor quality of democracy.

Recommendations

- Montenegro's authorities have an obligation to create a healthy environment where journalist and other citizens of Montenegro are not attacked for speaking out and reporting. This is in the public interest since it would lead to further development of democracy and institutions in Montenegro which are based on rule of law. To achieve this the authorities should react swiftly and work on creating an environment that is favorable for free media.
- The EU institutions and member states have reported about the state of media freedom and attacks against journalists in Montenegro for some time. They have also called upon authorities to react and conduct detailed investigations. A lot of time has passed without concrete results. This is why European Commission and the EU member states should consider, as a matter of priority, to send an expert mission – similar to the one sent to North Macedonia and Bosnia and Herzegovina, led by Reinhard Priebe – to Montenegro to look into the investigation of the attack against Olivera Lakic and several other cases that would result with concrete recommendations for changes in the system.

¹¹ Interview conducted on June 2019.

¹² Zakon o mladima, Youth Law in Montenegro, September 20 2016

¹³ Veseljko Koprivica, Urušavanje medijskih sloboda u Crnoj Gori, 03.05.2019, <https://mediadaily.biz/2019/05/03/urusavanje-medijskih-sloboda-u-crnoj-gori/>