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Freedom in the World 2010 - Montenegro

Capital: Podgorica
Population: 628,000

Political Rights Score: 3 *
Civil Liberties Score: 2 *
Status: Free

Status Change Explanation

Montenegro's civil liberties rating improved from 3 to 2 and its status from Partly Free to Free due to the successful organization of parliamentary elections in March, progress in adopting anticorruption legislation, and an overall stabilization of country conditions.

Overview

Parliamentary elections in March 2009 resulted in the best showing to date for longtime Montenegrin leader Milo Djukanovic's Democratic Party of Socialists. Also during the year, international monitoring organizations reported that Montenegro had made progress in combating corruption and reforming the judicial system. In December, the European Union (EU) granted visa-free travel privileges to Montenegrins, although the country had not yet achieved official EU candidate status.

Montenegro was first recognized as an independent state in 1878. In 1918, it joined the newly formed Kingdom of Serbs, Croats, and Slovenes, which after World War II became the Socialist Federal Republic of Yugoslavia. As that state collapsed in the early 1990s, Montenegro in 1992 voted to maintain its ties to Serbia as part of the truncated Federal Republic of Yugoslavia (FRY), dominated by Serbian leader Slobodan Milosevic. In 1997, however, a group of former Milosevic cohorts in Montenegro, led by then prime minister Milo Djukanovic, decided to break with Milosevic and set Montenegro on a slow course toward independence.

Milosevic's fall from power in 2000 did not improve relations between Montenegro and its larger federal partner, and the two republics signed an agreement in 2002 that loosened their bond, replacing the FRY with the State Union of Serbia and Montenegro. The deal allowed either republic to hold an independence referendum after three years, and Djukanovic chose to exercise this right in May 2006. Referendum voters approved the final break with Serbia by a relatively small margin, and in July the Montenegrin parliament officially declared independence.

The September 2006 parliamentary elections confirmed voter support for the ruling proindependence coalition. Djukanovic retired from the premiership that October, but he returned to the office 18 months later. Aside from that hiatus, he has served as either president or prime minister of Montenegro since 1991.

Independence and national identity remained divisive issues, and a 2007 investigation stoked suspicions that Djukanovic's Democratic Party of Socialists (DPS) had manipulated the 2006 referendum and elections. Several police officers reported being pressured by the DPS to solicit votes in favor of independence and for the government. The government drew additional criticism from pro-Serbian factions in October 2008, when it officially recognized Kosovo's independence.

In January 2009, President Filip Vujanovic, a close Djukanovic ally, called snap parliamentary elections, allegedly because the government was concerned that the effects the global economic crisis could erode voter support by the time its full term ended. The early balloting, held in March, yielded the best outcome for the ruling party to date. With voter turnout at 66 percent, the DPS-led coalition won a comfortable majority of 48 seats in the 81-seat parliament. The opposition Socialist People's Party took 16 seats, followed by New Serb Democracy with eight, Movement for Change with five, and four small ethnic Albanian parties with one seat each.

Montenegro has pursued European Union (EU) and NATO membership, joining NATO's Partnership for Peace program in 2006 and signing a Stabilization and Association Agreement with the EU in 2007. In December 2008, Montenegro submitted its application for EU membership and remained a potential candidate in 2009; the EU granted Montenegrins visa-free travel privileges in December 2009. Meanwhile, heavy Russian investment has generated significant controversy within the country. Some accounts suggest that as much as \$13 billion in Russian capital has entered Montenegro since the 1990s, making it the largest recipient of foreign investment per capita in Europe.

Political Rights and Civil Liberties

Montenegro is an electoral democracy. All recent elections have been considered free and fair, though with minor irregularities. Members of the unicameral, 81-seat Assembly (Skupstina) are elected for four-year terms. The president, directly elected for up to two five-year terms, nominates the prime minister, who must be approved by the legislature. Two presidential elections in 2002 failed to achieve the required voter turnout; the law was subsequently amended to eliminate the 50 percent turnout rule, and Filip Vujanovic of the DPS was finally elected in 2003 with a 48 percent turnout. He was reelected in April 2008 by a wide margin.

Numerous political parties compete for power, though the opposition remains relatively weak and divided. The current coalition government consists of the DPS, the Social Democratic Party (SDP), and two smaller parties representing Bosniaks and Croats. Other parties in the parliament represent ethnic Serbs and Albanians.

Corruption has traditionally been a very serious and widespread phenomenon in Montenegro, even by regional standards. Nevertheless, in its progress report on the country in 2009, the EU noted that Montenegro had made considerable advances in enacting anticorruption legislation. The current law on conflict of interest, adopted in December 2008, is seen as a marked improvement over previous such laws. Montenegro was ranked 69 out of 180 countries in Transparency International's 2009 Corruption Perceptions Index. The corruption problem is partly a legacy of the struggle against the Milosevic regime in the 1990s, when the small republic turned to various forms of smuggling to finance government operations. Prime Minister Milo Djukanovic has frequently been accused of involvement in cigarette smuggling, and a number of Montenegrin officials and businesspeople have been indicted in Italy for such activities.

Freedom of the press is generally respected, and there is a variety of private print and broadcast outlets, but journalists who criticize the government are frequently attacked.

In August 2009, the mayor of Podgorica assaulted two journalists working on a story about official abuses of power. While criminal libel is not punishable by imprisonment, the threat of fines forces journalists to engage in self-censorship. Belgrade-based publications remain popular in the country, partly because a large segment of Montenegro's population identifies itself as Serb. Access to the internet has not been restricted.

The constitution guarantees freedom of religious belief. However, the canonically recognized Serbian Orthodox Church and a self-proclaimed Montenegrin Orthodox Church have repeatedly clashed over ownership of church properties and other issues.

Academic freedom is guaranteed by law, but politically charged debates about the nature of Montenegrin/Serb identity and Montenegrin history have sometimes spilled over into the educational realm. The Montenegrin government's decision to officially endorse use of the "Montenegrin language" has been challenged by citizens who consider themselves Serbs and who demand that their children be allowed to use the Serbian language in classrooms. In January 2009, the Serb National Council in Montenegro called for separate classrooms for students using Montenegrin and those using Serbian, although linguistically the two variants are completely mutually intelligible.

Citizens enjoy freedoms of association and assembly. Foreign and domestic nongovernmental organizations are able to pursue their activities without state interference. Some 95 percent of all employees in the formal economy belong to unions, and the right of workers to strike is generally protected. Collective bargaining, however, is still considered to be at a rudimentary level. The country has strict protections against employee dismissal and generous worker benefits, but these are thought to limit efficiency and encourage informality in the economy. Amendments to the Law on Strikes in 2009 expanded the right to strike to public administration employees.

The EU's 2009 progress report on Montenegro cites improvements in the area of judicial reform. The parliament has passed a new criminal procedure code and legislation governing the Constitutional Court. Gains have also been noted with respect to implementation of legislation intended to improve the professionalism of judges and prosecutors. Nevertheless, political interference with court cases remains a problem, and despite some progress, there is still a large backlog of cases. Most prison facilities are antiquated, overcrowded, and often unhygienic.

Ethnic minorities have access to media in their own languages. Ethnic Albanians, who make up roughly 7 percent of the population, claim that they are underrepresented in the civil service, particularly in the police and the judiciary. They have also sought proportional representation in government and greater autonomy at the municipal level.

Although women are legally entitled to equal pay for equal work, traditional patriarchal attitudes often limit their role in the economy. The gender gap in pay has widened in recent years to 19 percent. In general, women are underrepresented at higher levels of government. Only 11 percent of the current members of parliament are women, and there is one female minister in the 23-member government. Women make up 80 percent of the population considered to be illiterate in the country. Montenegro was ranked on the Tier 2 Watch List in the U.S. State Department's 2009 Trafficking in Persons Report, performing worse than all of its Balkan neighbors in efforts to combat human trafficking.

**Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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