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Freedom in the World - Montenegro (2008)

Capital: Podgorica

Population:
600,000

Political Rights Score: 3

Civil Liberties Score: 3

Status: Partly Free

Explanatory Note

The ratings through 2002 are for the Federal Republic of Yugoslavia, of which Montenegro was a part, and those from 2003 through 2005 are for the State Union of Serbia and Montenegro.

Overview

Montenegro signed a Stability and Association Agreement with the European Union (EU), considered to be the first step toward EU membership, in October 2007. Also that month, the parliament approved a new constitution after heated debate over wording concerning the country's ethnic and religious identity. Meanwhile, Montenegro continued to face a variety of other problems, including a relatively poor economy and concerns over the extent of official corruption.

Montenegro was first recognized as an independent state in 1878. In 1918, it voted to join 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 amid ethnic conflict in the early 1990s, Montenegro in 1992 voted to maintain its ties to Serbia as part of the truncated Federal Republic of Yugoslavia, dominated by Serbian leader Slobodan Milosevic. In 1997, however, a younger generation of Montenegrin politicians, led by then prime minister Milo Djukanovic, broke ranks with Milosevic and set Montenegro on a slow course toward independence.

Milosevic's ouster in 2000 did not significantly improve relations between Montenegro and its larger federal partner. In 2002, under pressure from the European Union (EU), the two republics signed an agreement that loosened their bond, and federal Yugoslavia was formally replaced by the State Union of Serbia and Montenegro in 2003. The new state suffered from numerous problems, due largely to the disparities between the two republics. Montenegro was only one-tenth the size of Serbia in population and accounted for a negligible part of the overall economy, but it enjoyed parity representation in most institutions of government. Furthermore, the state union's charter stipulated that each state could hold an independence referendum after three years.

Djukanovic, who had served as either president or prime minister of Montenegro since 1991, left the presidency to reclaim the premiership in 2002. Filip Vujanovic, a Djukanovic ally, was elected president in 2003 after low turnout invalidated two earlier ballots and the law was changed to remove the 50 percent turnout requirement; 48 percent of eligible voters participated in the successful 2003 election.

Voter turnout for Montenegro's independence referendum on May 21, 2006, was 86 percent. Religious and ethnic minorities tended back independence, along with the portion of the Orthodox Christian population that considered itself Montenegrin rather than Serb. The results were received without violence, and the country formally declared independence in June. Voters confirmed their choice by giving the pro-independence coalition a majority in September parliamentary elections. With many of his goals achieved, Djukanovic retired from the premiership in October. However, the independence campaign remained a divisive issue in 2007. In May, two police officers reported that they had been pressured by Djukanovic's Democratic Party of Socialists (DPS) to solicit votes in favor of independence and for the government in the parliamentary elections. An independent investigation turned up 16 other police officers who reported the same problems.

Montenegro enjoyed several successes at the international level after achieving independence. In December 2006, it joined NATO's Partnership for Peace program, and in October 2007 it signed a Stability and Association Agreement with the European Union (EU), considered the first step toward EU accession. In July 2007, World Bank officials hailed Montenegro's "amazing progress" in the year since independence. Economic growth in 2006 was over 6 percent, and foreign direct investment increased threefold. Nevertheless, the country still struggled with corruption and other economic weaknesses, such as high levels of foreign indebtedness, and large fiscal and current accounts deficits. Lingered ethnic divisions also threaten future stability.

Political Rights and Civil Liberties

Montenegro is an electoral democracy. International observers reported that both the independence referendum and parliamentary elections of 2006 were conducted freely and fairly, albeit with minor irregularities. Members of the unicameral, 81-seat Assembly (Skupstina) are elected for four-year terms. Seventy-six seats are allotted according to results in all of Montenegro, while four seats are allotted according to results in majority Albanian areas. Group voting, in which the head of a household votes on behalf of family members, was reported in 8 percent of polling places, generally those in majority Albanian areas. The president, directly elected for up to two five-year terms, nominates the prime minister, who must be approved by the legislature.

Numerous political parties compete for power. The main proindependence parties have been Milo Djukanovic's Democratic Party of Socialists (DPS) and the Social

Democratic Party (SDP), led by parliamentary speaker Ranko Krivokapic. The pair took a combined 41 seats in the latest elections. Two alliances of pro-Serbian parties captured a combined 23 seats, and a handful of additional seats went to parties catering to the ethnic Albanian and Bosniak (Muslim Slav) minorities. Most minorities have traditionally voted for the major parties instead of the small ethnic parties, but there are indications that this may change in the coming years. A former nongovernmental organization (NGO) called the Group for Changes also plays a prominent role as a political party, having captured 11 seats in the latest vote.

Corruption is a serious problem, partly as a legacy of the struggle against the authoritarian Yugoslav regime in the 1990s, when the state turned to various forms of smuggling to finance government operations. Italian prosecutors have accused Djukanovic of involvement in cigarette smuggling, and they continued to press their case against him and other Montenegrin officials in 2007. Montenegro was ranked 84 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of the press is generally respected, but journalists who are critical of the government have been attacked on a number of occasions. In 2004, Dusko Jovanovic, the publisher of a major opposition daily, was assassinated, and his killers have never been found. In September 2007, Zeljko Ivanovic, editor of the leading daily *Vijesti*, was beaten on the street in Podgorica. He said he had been attacked because *Vijesti* had begun investigating links between Djukanovic and organized crime. In late 2005, the government moved to increase its control over public broadcaster Radio-Television Montenegro (RTVCG), and the Organization for Security and Cooperation in Europe (OSCE) found that broadcast media, particularly public television, favored the government during the 2006 election campaign. Criminal libel is not punishable by imprisonment, but the threat of fines forces journalists to engage in self-censorship. Access to the internet has not been restricted.

According to the current constitution, all citizens enjoy freedom of religious belief. In May 2007, the Venice Commission (a body of constitutional experts that advises the Council of Europe) recommended sweeping changes (199 in all) to the draft Montenegrin constitution proposed by the government, especially in the areas of minority rights and the judiciary. One of the major issues was whether Montenegro should be defined as a community of citizens or a community of constituent ethnic groups. Although the mainly Serb-led opposition favored the latter, the government-sponsored proposal that the constitution declare Montenegro to be a community of citizens was eventually adopted. The canonically recognized Serbian Orthodox Church and a self-proclaimed Montenegrin Orthodox Church have repeatedly clashed over ownership of church property and other issues.

Montenegro's independence drive has had implications for academic freedom. A group of professors in the city of Niksic were dismissed in 2005 for refusing to

teach language courses named “mother tongue” in place of what had been called Serbian.

Citizens enjoy freedom of association and assembly. Foreign and domestic NGOs are able to pursue their activities without state interference. A large number of Montenegro’s workers—75,000, or 45 percent of all employees—belong to unions, and the ability of workers to engage in collective bargaining is relatively strong. 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.

The judicial system lacks independence from political authorities, and judicial corruption remains a significant problem. In July 2006, the Constitutional Court struck down two provisions of a law guaranteeing ethnic minorities a fixed number of seats in parliament, which the government had promised in advance of the independence referendum. Leaders of Bosniak and Albanian minority parties accused Djukanovic of engineering the ruling after tricking them into supporting the referendum. Prison conditions meet some international standards, but facilities are antiquated, overcrowded, and often unhygienic. Montenegro’s human rights ombudsman reported in June 2007 that the human rights situation was “unsatisfactory.” He said the public had filed 495 complaints with his office in 2006.

Ethnic minorities have their own political parties and associations, and media in their own languages. Ethnic Albanians, however, claim that they are underrepresented in the civil service, particularly in the police and the judiciary. Albanians, who make up roughly 7 percent of the population, have also sought proportional representation in government and greater autonomy at the municipal level. In September 2006, over a dozen ethnic Albanians were arrested for alleged involvement in a terrorist plot. Several were tortured or severely beaten. In June 2007, a delegation of Montenegrin Croats met with lawmakers in Croatia to discuss their claims that their community—numbering about 7,000 people—had difficulty exercising their legal rights as an ethnic minority. The government had reportedly reneged on earlier promises to provide them with various government and diplomatic posts.

Although women are legally entitled to equal pay for equal work, traditional patriarchal attitudes often limit women’s roles in the economy. In general, women are underrepresented in higher levels of government. Only 14.6 percent of the candidates in the 2006 parliamentary elections were women. Eleven women currently serve as deputies.