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'TRAFFIC LIGHTS REPORT' 2017 **MONTENEGRO**

Monitoring Report of the 'EU Guidelines for Media Freedom and Media Integrity 2014-2020' for 2017

1. Introduction

In 2017, [TACSO](#) was responsible for establishing a monitoring system and conducting the monitoring, in coordination with other stakeholders, relevant to the constituting parts of the Results Framework¹ of the '[EU Guidelines for Media Freedom and Media Integrity 2014-2020](#)' (**Media Guidelines**). The Media Guidelines is a monitoring tool that serves as an important source providing useful information on the European Union's (EU) political and financial support for media development in the region and enabling governments and media communities in the EU enlargement countries to use the comprehensive data for their own policies and actions. The aim of the monitoring exercise is to provide a systematic, comprehensive and efficient assessment of the situation in the EU enlargement countries by applying the same methodology and approach in all the countries concerned. The monitoring was conducted in six countries: Albania, Bosnia and Herzegovina, Kosovo*, the former Yugoslav Republic of Macedonia, Montenegro and Serbia.

The following report contains the monitoring methodology and information about the situation according to the indicators of the Results Framework of the Media Guidelines in Montenegro.

2. Methodology for the monitoring

The methodology for monitoring the Media Guidelines was primarily developed by a team of media consultants and professional researchers; some instruments used for the monitoring were developed in consultation with key media experts and media professionals from the six countries included in this project.

The main features of the monitoring system include the following:

- The need for a unified methodological approach in all countries of the region;
- Regional comparison and tracking of national progress;

¹ In addition to representatives of the EU, elements of the Results Framework were developed in 2013 through regional and national consultations encompassing media experts and media professionals from the countries of the Western Balkans and Turkey.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.



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- For the majority of the indicators, no data is available from reliable sources of information in the region;
- The need for a synthesized and comparative way of presenting the monitoring findings;
- Sound and reliable research methodology, along with innovative and participatory approaches.

Information collected for the purpose of monitoring was developed from the following sources:

- 1) Expert panel country meetings, discussing and assessing the full list of indicators;
- 2) On-line survey with members of expert panels, assessing the full list of indicators;
- 3) In-depth interviews with representatives of relevant interest group organisations/ institutions, assessing selected indicators from the full list;
- 4) On-line survey with representatives of relevant interest group organisations/ institutions, assessing selected indicators from the full list;
- 5) General population survey among adult citizens in all target countries.

For the purpose of information collection, survey instruments were developed for each part of the methodology:

- The questionnaire used in the expert panel country meetings, as well as the on-line survey of experts and representatives of relevant interest group organisations/ institutions;
- The interview guide used for the in-depth interviews with representatives of relevant interest group organisations/ institutions;
- The questionnaire used in the general population survey.






The basis for all survey instruments was the 'EU Guidelines for Media Freedom and Media Integrity 2014-2020' (Media Guidelines), which specifies 4 objectives and 20 indicators. The survey instruments are in fact an operationalisation of the Media Guidelines.

In order to quantify indicators, in the process of monitoring media freedom and media integrity in the region, an index system was developed. The main purpose was to include all the gathered data, to summarise it and calculate measures, i.e. indices that enable comparison between the target countries on all indicators.

Each of the listed methodological sections is explained in Annex 1, along with the instruments developed and the process of index creation.

Given that the Media Guidelines (which formed the basis for the survey instruments) do not provide us with target values for items or indicators (nor for different countries in the region), the best possible solution was to create a system allowing comparison between the target countries on all indicators, in order to identify those areas where the situation seem to be the most favourable, but also those areas where the situation is critical and requires rapid intervention. This is why the system of indices is a relative system, which depends on the countries included in the calculation, as well as the indicators, which are compared altogether. All results ought to be considered relative to other countries included in the survey and relative to other indicators being covered.

The monitoring report for each country therefore incorporates the results of quantitative analysis of the survey, which are presented in the main graph and in the colours specified near each indicator and objective. The colours indicate the following:

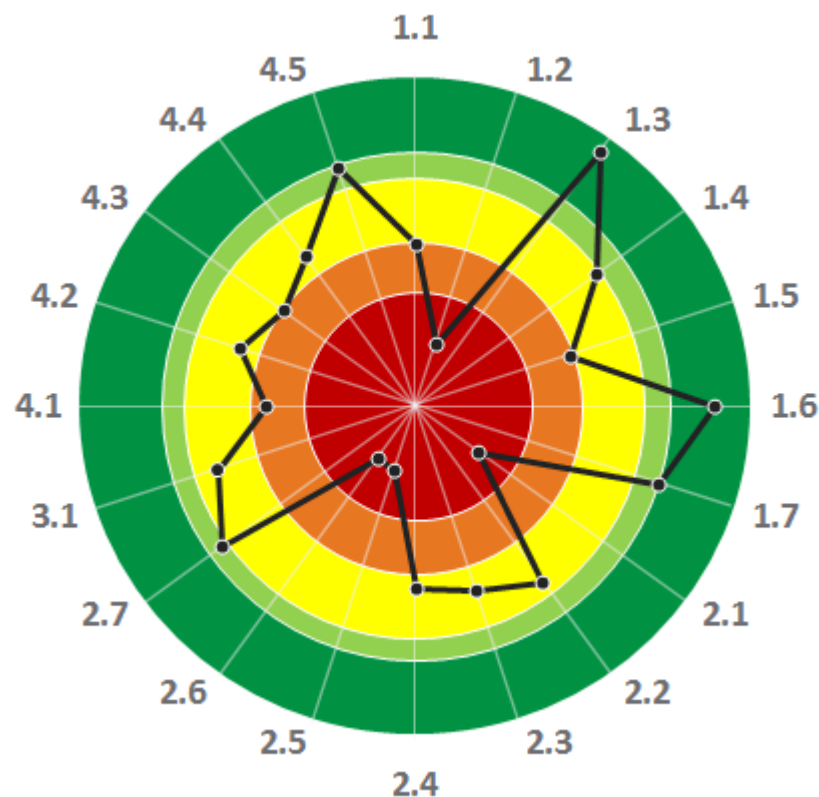
Red		The worst evaluated indicators in the region
Orange		The second worst evaluated indicators in the region
Yellow		The middle of the regional ranking
Light green		The second best evaluated indicators in the region
Green		The best evaluated indicators in the region

At the same time, the monitoring report summarises the results of the qualitative methods applied: i.e. the main points from the assessments presented during the expert panel meetings and in-depth interviews with representatives of relevant interest group organisations and institutions.

It is important to note that some items within certain indicators are excluded from the quantitative analysis (index creation/traffic lights) in all target countries, given the small number of quantitative answers provided by the experts and representatives of relevant interest group organisations and institutions. On the other hand, those items might have been discussed during the expert panel meetings and in-depth interviews with relevant interest groups and therefore covered by qualitative analysis. The whole list of indicators and items, regardless of whether they are included in both quantitative and qualitative analysis, or qualitative analysis only, is listed in an Annex 1 providing detailed explanation of the methodology used for the monitoring. It is clearly marked which items were included in quantitative analysis and which ones were excluded.

All findings provided in the narrative report are based on information and assessments provided by the experts and relevant interest groups in all target countries. The final technical review of the text and its composition was done by the project team.

3. Quantitative and qualitative findings obtained by expert panel and representatives of relevant interest group organisations/ institutions - Montenegro



1.1. Legal guarantees and review of their implementation

1.2. The judiciary acts in conformity with Article 10 of the European Convention on Human Rights and applicable case law

1.3. State institutions ensure media pluralism and their independence; law enforcement in media outlets and access to information of public character

1.4. Independent and professional regulators preserve media pluralism and prevent unfair competition in the media market

1.5. State institutions and public authorities stimulate public demand for quality journalism

1.6. Public Service Media – ensure content pluralism in the media environment in an independent and accountable manner

1.7. Initiative and creativity by state institutions in using tools at their disposal to promote free speech and media diversity

2.1. Media outlets voluntarily adhere to principles of transparency

2.2. Media outlets voluntarily subscribe to and implement adequate labour standards

2.3. Self-enforcement of ethical norms and professional standards

2.4. Structures strengthened for basic and continuous training and education of journalists and journalist students on professional standards, freedom of expression and media integrity

2.5. Media outlets promote professional training (including in professional ethics)

2.6. Investment in professional management of companies

2.7. Regaining audience confidence

3.1. Improved conditions for quality investigative journalism including modern/innovative approaches to increase the quality and credibility of investigative journalism

4.1. Media organisations/journalists' associations act on the basis of long-term vision and strategies to achieve impact. Productive dialogue with authorities established

4.2. Regular dialogue within the media community established on press freedom and integrity issues

4.3. Media organisations monitor and evaluate the results and impact of their own work

4.4. Platforms (journalists' professional organisations, CSOs, media owners and editors) set up and actively promote professional standards and ethics

4.5. Labour standards developed and upheld

1.1. Legal guarantees and review of their implementation - parliaments (and governments) in enlargement countries: put forward and adopt policy and legislative proposals in line with the European Convention on Human Rights / conduct periodic assessments of the state of media freedom

The Montenegro Constitution and national legislation guarantee the right to freedom of expression and information and are in line with Article 10 of the European Convention on Human Rights. In the Media Law, the provision that the law will be interpreted in line with ECHR practice was introduced in 2002. Constitutional and legal provisions on the media traditionally remain unenforced in practice, owing to the lack of political will and strong pressure from media owners and centers of economic power.

There is no formal routine by any authority for assessing the state of media freedom or the implementation of the legal framework affecting media.

In 2017, an initiative was launched by the Government, the EU Delegation to Montenegro and the Council of Europe to conduct “the Montenegro Media Sector Inquiry” within the framework of the EU integration process. It is expected that the findings and recommendations of this inquiry will serve as a guide for national media policies, and preparation of the action plan for Chapters 23 and 24 of the EU acquis.

Independent assessments of the state of media freedom and media pluralism are carried out by non-state actors, such as IREX – Media Sustainability Index; Freedom House – Freedom of the Press; the Centre for Media Pluralism and Media Freedom (CMPF) – Media Pluralism Monitor; the local Centre for Civil Education and Montenegro Media Institute, but none of these have been taken into consideration by authorities.

The Supreme Court of Montenegro introduced systematic monitoring of all court decisions in which judges refer to Article 10 of ECHR. Monitoring or periodic assessment have been done on an ad hoc basis by several civil society organisations, such as Human Rights Action’s monitoring violations of the Code of Ethics and Civic Alliance’s monitoring of media conduct during the pre-election campaign.

The Trade Union of Media of Montenegro (TUMM) is preparing draft amendments to the Law on Electronic Media in order to provide legal guarantees for journalists’ independence from managers, owners and advertisers. TUMM also plans to propose a draft law on local media that are financed from municipal budgets to ensure their greater independence and economic viability, along with measures to enable the Agency for Electronic Media to be more active in promoting and defending professional media standards.

1.2. Judiciary acts in conformity with Article 10 of the European Convention on Human Rights and applicable case law.

The Center for Training in Judiciary and State Prosecution Service provides education and training for judges and prosecutors, which includes topics about rights pursuant from the European Convention on Human Rights and other instruments for human rights protection. The Center was established in 2015 and significant progress has been made since then. A major project with the Council of Europe and the European Union is underway, through which it is envisaged that eight national judicial training sessions will be implemented. In 2017, two training sessions were held, with 25 judges in one training session. The Center expects around 200 judges, out of a total of about 450, to undergo this training.

Nevertheless, the respondents warn that Montenegro has no independent judiciary and, as a consequence, many controversial decisions have been made. In most cases, there are completely different practices in the lower and upper courts when dealing with libel claims. According to respondents, the lower courts largely follow the practice of the European Court for Human Rights, but when the case comes to the higher courts, they annul such decisions and are much more rigid than the lower courts. Journalists in Montenegro are very keen to see improvement in judicial practice, since in the last 10 years, 23 physical attacks have been recorded on journalists and their property, 90% of which resulted in no reaction by the judicial system. The basic problem is that the vast majority of the most difficult cases from the past have not been solved, producing long-term negative consequences.

According to the Center for Training in Judiciary and State Prosecution Service, the Supreme Court introduced a special type of electronic record, including all decisions where the courts invoke Article 10 of the ECHR. When adjudicating a case, a judge is obliged to state, whenever a Human Rights Convention is referred to, which article of the Convention is applicable. All decisions are public and are on the web site. This information is unknown to journalists and media representatives, who claim that only some CSOs (Human Rights Action and Civil Alliance) are making analyses of court decisions in relation to Article 10, and only from time to time and not systematically.

1.3. State institutions, public authorities and others influencing self-censorship in the media or restricting access to information by the media

Research by the Trade Union of Media of Montenegro (TUMM) has shown that 54% of journalists surveyed say that censorship affects their work and that in the media, the list of 'prohibited topics' mostly concerns politics, but also takes into account pressure from advertisers and large companies. At the same time, some respondents belonging to media management structures claimed that there was no censorship or self-censorship in the media in Montenegro.

In Montenegro, the situation concerning threats to journalists has changed somewhat, as there have been no recent murders of journalists, as in the past. Physical attacks on journalists have been replaced by more 'sophisticated' methods of attacks: intimidation, sending messages including death threats through social networks and threats to journalists' children. Between 2013 and 2016, 41 attacks occurred, and during 2017 there were 8 attacks, averaging 10 cases a year. The government commission for monitoring attacks on journalists concluded that there had been serious omissions by the police and the prosecution at the very beginning of police investigations, that evidence was not collected and that not all witnesses were heard. They believe that outdated court cases and unpunished perpetrators send a negative message to all journalists and to the whole country, and exert a strong influence on the spread of self-censorship. Nevertheless, most respondents believe that economic reasons are the main cause of self-censorship; fear of losing one's job is familiar to many more journalists and therefore constitutes a stronger impetus for self-censorship than fear of pressure and threats.

During 2017, the Law on Free Access to Information was amended, but the new legal stipulations have been more rigid than the old ones, making access to information of public importance even more difficult. There have recently been a number of cases where the authorities have denied information of public importance to the media. In Montenegro, a specific, more efficient practice exists, thanks to CSO activities. The non-governmental organisation Network for Affirmation of the NGO Sector (MANS) has taken over technical procedures for seeking information of public importance specified in the law. MANS service is used by citizens and journalists to place requests. In 2016 alone, according to respondents, there were only 20 or 30 cases where journalists formally addressed institutions themselves. They traditionally rely more on informal sources and are particularly unwilling to enter into disputes and subsequent explanations of why the formal request was rejected, or why incomplete information was provided by the authorities. Therefore, MANS is an important resource, and several investigative stories have resulted from data acquired by MANS and forwarded to journalists. Respondents estimate that half the state institutions at the municipal and state levels ignore the obligation to provide information, well aware that no sanctions will be applied.

1.4. Independent and professional regulators preserve media pluralism and prevent unfair competition in the media market

Two national regulators, the Agency for Electronic Media and the Agency for Electronic Communications, manage licensing of electronic (broadcast) media. There are also the Agency for Protection of Competition and the Agency for Personal Data Protection and Free Access to Information, which have some competences as regulators relevant for the protection of media pluralism.

Most respondents, especially journalists and media representatives, believe that the regulatory bodies have plenty of room for improving performance. The government or its officials undertake actions that would qualify as interference in the independence of the regulatory bodies. The essential question concerns the composition and election of the governing boards. Financing from the state budget also endangers Agency independence.

The Agency for Electronic Media assumes that the Government takes into account the regulator's opinion when legal changes are on the agenda, but as a rule, in the final stage the will of the Government prevails, including cancelling previous agreements with the Agency in the working group.

The Agency for Electronic Media publishes its decisions on the web site, with narrative explanation and legal description. The annual report of the Agency for Electronic Media also includes information on the remuneration paid by the media to the regulatory body. Every year, the Agency provides a report on the ownership structure of the media, although it is well aware that there exists a level of hidden ownership not covered in their report.

Data on economic effects and financial statements pertaining to the media's yearly activities fall under the competence of the tax administration. These Tax Authority data are not easily available and require serious research effort. All companies in Montenegro must submit balance sheets; so far, no one has analysed this data to assess reliably the economic status of media companies.

The data about media revenues from state advertising are not publicly available, either. For four to five years, the Center for Civil Education has conducted research on this controversial topic by sending questionnaires to all state institutions at the national and municipal levels, with questions about budget funds expended on advertising. Although the Center received responses from only 60% of examinees, this percentage was sufficient to show the tendency for the majority of funds to be directed to media close to the authorities. State advertising has a major influence on the economic viability of the media companies it favours and produces serious market distortions. State advertising requires further regulation, especially in the domain of procedures, criteria, mandatory tenders, etc.

The independence of reporting is not legally protected against informal economic pressures, and advertising contracts can be terminated without any problems or legal consequences. The relevant authorities are not involved in detecting informal economic pressures.

The privatisation of state media has been completed, but the privatisation process was insufficiently transparent.

There is also a unique system of municipal media: i.e. broadcasters financed from local budgets but established as privately-owned companies. According to respondents, the role of these broadcasters is important for local politicians, particularly during elections.

The media concentration data are transparent; the Agency publishes them on the web site, but there is considerable doubt about unauthorised media concentration, since regulations date from 2002 and are considered anachronistic. There are neither systematic audience surveys nor data on media market shares. According to respondents, there is a need for much greater activity of the regulator in promoting freedom of expression, media pluralism, public interest and media literacy.

1.5. Stimulate public demand for quality journalism. Increase media literacy and understanding of the role of professional and ethical journalism in off-line and online media.

The state initiated some programs for media literacy in the previous year, but this effort is insufficient, and it is one of the priority areas that need to be launched and implemented. In civil society sector, the Montenegro Media Institute (MMI) is currently implementing a media literacy project with students of vocational schools.

In Montenegro, there are no regulations aimed at blocking Internet content. There is no state strategy for promotion of new/online and alternative media. Only the Directorate for Media within the Ministry of Culture is co-financing program content in local print media and scientific media journals in the amount of 100,000 euros per year.

1.6. Public Service Media – ensure content pluralism in the media environment in an independent and accountable manner.

With the changes to the Law on Electronic Media that came into force on 1 September 2017, it is expected that stable sources of funding for public service media RTCG will be secured, and that the annual budget will increase. Before the changes, RTCG received 0.3% of GDP from the state budget, which amounted to 11 million euros last year. The obligation to sign a three-year contract with the Government to cover programming and funding was introduced. It is expected that the public service media will be more independent in the forthcoming period, than in the previous 12 years.

In 2017, the management of RTCG was changed. According to respondents, dependence of RTCG on the authorities has decreased, primarily in the editorial policy of news programs.

The governing body (Council) consists of nine members, appointed by the Parliament. The law specifies which groups and organisations nominate candidates for the Council. The Council elects the Director General on the basis of competitive bidding. Council sessions are public and open to the media, and the conclusions are published on the RTCG web site.

RTCG has its own Ethical Code, which is a point of reference in employment contracts. There is an internal mechanism for addressing objections by the audience in the form of the Complaints and Appeals Commission, which consists of three members of the Council. Citizens file their complaints by filing out a form on the RTCG web site.

RTCG has its own investigative journalism department. Two years ago, they broadcast an investigative serial (Mechanism) which revealed misuse of power and resulted with trials against top-level officials. A new series of Mechanism is expected, with the support of the European Union.

According to the General Director's estimates, RTCG does not have sufficient resources to function and fulfil its mandate. Most of the RTCG budget is spent on employee salaries. In technical terms, a major disadvantage is the outdated equipment and the old building.

1.7. Initiative and creativity by state institutions in using tools at their disposal to promote free speech and media diversity

No specific initiatives by state institutions for promotion of free speech and media diversity were registered.

2.1. Media outlets voluntarily adhere to principles of transparency. Professional associations of media owners/publishers established.

Media outlets in Montenegro adhere to basic legal requirements concerning the transparency of governance and financing, but apart from the legal obligations, and with the exception of public service media RTCG, most other media do not operate transparently.

Within basic legal requirements, the media outlets submit a balance sheet to the designated authority, but financial reports are not available to the public. Only data on media companies' tax arrears are available transparently, thanks to the Tax Administration, which is very strict in publishing tax debts. The data about media revenues from state advertising are not publicly available, either. One ad hoc study showed a tendency for the majority of funds to be directed to media close to the authorities.

The most transparent data about governance and financing in the media sector are the RTCG data. RTCG regularly submits audit reports and publishes all documentation on public procurements, organisational and systematisation changes, RTCG Council decisions and other relevant information on its web site.

Two indicators of media governance are least transparent: ownership structure and funding sources.

There is no data on market share and no industry organisation promoting market research.

2.2. Media outlets voluntarily subscribe to and implement adequate labour standards. Labour relations are no longer a factor in self-censorship.

The 2016 survey of the Trade Union of Media on the economic and social situation of journalists in Montenegro showed that as many as 83% of journalists believe that their economic position over the past five years has deteriorated a lot or to some extent. According to survey results, 18% in 2016, and 30% of respondents in 2017 said they were unable to survive on the earnings they receive as journalists. The number of unemployed journalists is rising, and non-payment of salaries in certain local media is spreading. Between 2013 and 2016, the number of employees in the media sector shrank by 40%, according to the Montenegro Statistical Office. More than 70% of media employees have contracts for an indefinite period, but for most of them this only provides a legal minimum salary of 193 euros. The rest is paid in cash, i.e. in the grey zone. There are many journalists who are working without contracts. The average monthly wage of journalists is lower than the average wage in the country. Up to 30% of journalists work overtime, mostly unpaid. Low earnings and layoff of journalists are on the increase. Only in public service media RTCG and several private media, do journalists receive normal salaries (without being exposed to grey zone) and have their full taxes and contributions paid.

The current conditions of work have a decisive impact on self-censorship.

Internal acts that define the relations between journalists, editors and owners are non-existent in most media in Montenegro.

2.3. Self-enforcement of ethical norms and professional standards.

According to respondents, media outlets in Montenegro have developed an internal system for dealing with audience complaints regarding violations of ethical norms and professional standards, some of them with an Ombudsman position tasked with that role (e.g. Vijesti, Monitor and Dan).

There is also a self-regulatory body on the national level, but in the environment of harsh political polarisation, it operates with little recognition from or participation of one part of the media community.

2.4. Structures strengthened for basic and continuous training and education of journalists and journalism students on professional standards, freedom of expression and media integrity. No legal restrictions on the profession of journalism. Fair, transparent and politically independent accreditation procedures in place.

In Montenegro, formal journalism education is provided by the Faculty of Political Science at the University of Montenegro, and informal educational and training courses are organised by the Montenegro Media Institute (MMI) and some other civil society organisations.

The opportunities for university degree in journalism are satisfactory, but the journalism education at university level lacks modern and practical approach, and cooperation with media.

On the other hand, there are very good informal and practical training courses available occasionally for journalists, including courses in investigative journalism.

MMI representatives believe that the level of professional education of journalists is currently lower than it should be and that professional standards should be higher. They note that there is not enough training inside media outlets, and that there are big differences between individual media companies. The needs for professional capacity building include training on fact-based reporting, respect for accuracy, fairness and impartiality, and other basic principles of ethical journalism standards, but also training for more advanced use of new technologies in journalism, and for empowerment in the field of labour rights.

2.5. Media outlets promote professional training (including in professional ethics)

Media outlets in Montenegro rarely promote professional training. This is explained by the scarcity of resources, since employers work with a minimum number of employees and consider the time allocated for training courses a loss of productivity. According to respondents, only a limited number of media outlets offer opportunities for educated or newly trained journalists to implement their acquired knowledge in practice.

There are very few media with human resources departments or staff development policies.

2.6. Investment in professional management of companies. Improved economic performance of the outlet in changing markets

The Montenegro media market is oversaturated with a particularly high number of broadcast media. It is also burdened with political pressure and divisions. There are no reliable data on media market indicators. Such circumstances discourage investment and the requirements for professional management.

Better regulation of the Montenegro media market is needed to provide for greater market transparency and to allow fair competition, and business operations based on clear and equal conditions for all media.

Only a few media outlets are using professional managerial tools such as business plans. The media with foreign ownership (e.g. the daily Vijesti) more often use business planning and other management tools.

2.7. Regaining audience confidence.

The general population survey shows that trust in the media in Montenegro is just above the regional average. As much as 54% of the population have trust or mainly have trust in the media. That freedom of speech as a fundamental human right should be strictly protected is believed by 90% of respondents (highest score in the region), that freedom of the media is a precondition for a free democratic society is believed by 87% (also the highest percentage in the region), while 17% think that the government should be allowed to restrict media freedom.

3.1. Improved conditions for quality investigative journalism including modern/innovative approaches to increase the quality and credibility of investigative journalism

Investigative journalism in Montenegro is in the initial stage of development, but it is progressing gradually with increased support from the European Union. The regional network BIRN is active in Montenegro; the daily Vijesti and Vijesti TV have established the Center for Investigative Journalism of Montenegro as a non-governmental organisation, and the public service media RTCG is reactivating its investigative journalism department.

A strong impetus to the development of investigative journalism has been provided by the project 'Investigate for ME and EU', which is being implemented by the Center for Investigative Journalism of Montenegro and BIRN, backed by the EU, and by a regional scheme of EU investigative journalism awards, administered by the Montenegro Media Institute in the period 2015-2017.

The respondents believe that investigative journalism has contributed considerably to disclosure of misuse of power and misconduct of the authorities in Montenegro, thus inducing changes in state authorities' practice. They see the main obstacle for further development of investigative journalism in lack of funds and skilled journalists. Difficulties with access to information of public importance are also negatively affecting the work of investigative journalists in Montenegro.

There are high expectations for advancement of the RTCG investigative journalism department. It has made an activity plan and is matching funds from the European Union Delegation and the RTCG's own financial sources to enable further investigations and quality production of investigative journalism TV series.

4.1. Media organisations/journalists' associations act on the basis of long-term vision and strategies to achieve impact. Productive dialogue with authorities established.

There is no separate association of media owners, but all media owners are members of the Montenegrin Employers Federation. That is why it is difficult for the Trade Union of Media of Montenegro to negotiate a collective bargaining agreement. For a full year, the Union had been trying, and finally in November of 2017, the negotiations started.

Apart from the Trade Union of Media, there are three associations of journalists, the Montenegrin Association of Journalists, Journalists' Association of Montenegro and the Association of Professional Journalists of Montenegro, which together account for only 20% of journalists. In the past year, the

Association of Professional Journalists has been the most active but has insufficient capacity to exert more serious influence.

The impact of journalists' associations in Montenegro is very modest.

Dialogue between participants in the media community has just started in late 2017, but the chances for concluding a new collective agreement are uncertain.

4.2. Regular dialogue within the media community established on press freedom and integrity issues. Broad platforms (journalists' professional organisations, NGOs, think-tanks, editors and owners) formed.

In 2016, there was an example of broader gathering organised within the media community for a dialogue on media freedom and media integrity, initiated by the Trade Union of Media of Montenegro. The meeting gathered thirty people including media editors, trade union representatives, representatives of the Faculty of Political Science's Journalism Department, and representatives of the civil society sector. The Union presented the research project: Indicators on the level of media freedom and journalists' safety. It was a rare meeting in the media community, with a complex theme on the agenda.

4.3. Media organisations monitor and evaluate the results and impact of their own work.

The Trade Union of Media of Montenegro publishes annual reports, including the presentation of activities and finances. Annual reports for the last three years are available on their web site. None of the other journalists' associations publish reports.

4.4. Platforms (journalists' professional organisations, CSOs, media owners and editors) set up and actively promote professional standards and ethics.

The Media Council for Self-Regulation, which monitors print, broadcast and online media in Montenegro, is supposed to serve as a platform for promotion of professional standards and protection of citizens from unethical reporting in the media. However, in line with the political division of the media, this job is performed differently in the two media groups. The media closer to the authorities are members of the Media Council for Self-Regulation, while the other group has its own internal Ombudsmen to deal with ethical questions. The Media Council for Self-Regulation has a very modest impact, and its decisions are ineffective. The media concerned do not even publish their decisions, let alone talk about their will to improve content on the basis of the Council decisions. Lately, the Council made the important decision to stop monitoring media that are not Council members.

Significant progress has been made with the adoption of the joint Code of Ethics. The Code of Journalists of Montenegro is precise and written according to European standards, but the application of the Code is questionable. In April 2016, amendments to the previous Code were incorporated and a significant step towards improving media self-regulation was made. The amendments were prepared by representatives of the Media Council for Self-Regulation and the media with internal Ombudsmen such as the dailies Dan and Vijesti and the weekly Monitor, with the support of the OSCE Representative on Freedom of the Media and the Council of Europe. For the first time, amendments included statements on insults and defamation, on commentaries on web portals, and statements on protecting children from abuse in the media.

Sources of funding for self-regulatory mechanisms are not diverse. The Media Council for Self-Regulation is funded by membership fees (in earlier periods it received funding from the Government), while the ombudsman positions in individual media outlets are financed from the budgets of those media.

4.5. Labour standards developed and adhered to.

Freedom of association is provided by the Labour Law. However, there are media in which trade unions are allowed and media in which unions are not welcome. The Trade Union of Media of Montenegro (TUMM) is engaged in defending rights of journalists to organise unions and has to fight with managements or owners of most private media to make them to respect the labour rights. All conventions on trade union organisations should be respected, according to law, but this is not the case in practice. TUMM invested enormous effort to bring employers to the negotiating table for renewal of the collective agreement. Individual collective agreements are adopted on regular basis only in the public service media RTCG. Over the past three years, RTV Budva was the only private media that conducted the negotiations and the only one that managed to reach a collective agreement.

The application of the national labour law is on a very low level, if the public service media RTCG is excluded. RTCG employs half or more than half of all employees in the Montenegrin media. In local media operating as public service media at the municipal level, it is common practice not to pay employee earnings for months. In most private media, employment contracts are limited to three or six months, so the opportunity for syndicate activity is minimized. Most respondents believe that working conditions among journalists are poor, citing small salaries and overwork due to lack of workers. There have been cases of media in Montenegro where the establishment of a trade union organisation was blocked by management.

In the 2016 annual report of the Trade Union of Media of Montenegro, there is information about 200 membership cards issued, which indicates the approximate number of Union members.

4. General population survey on the perception of media freedom and media integrity²

News consumption: One half of citizens in Montenegro follow the news on a daily basis which is lower compared to the regional³ average. On the other hand, even 14% don't follow the news at all.

Trust in media in general: One half of citizens trust media in Montenegro, compared to 44% of those who don't have trust, which is in line with the regional level.

Access to information through the media: Similarly, 45% of citizens in Montenegro state that information about relevant issues are completely accessible or accessible to a large degree through the media in their country, which is comparable with the regional average.

Freedom of media to report critically and express their view: Only one third of the citizens believe that journalists and media outlets in their country are free to express their views and report critically about relevant news, which is lower compared to the regional average.

Current state of media freedom - pressure on journalists and media reporting: Even one third of people in Montenegro believe that there is a high pressure on journalist/media reporting in their country, which is higher in comparison with the regional level. Additionally, 44% believe that pressure is present to some extent.

Self-censorship: Even one third of the citizens also believe that public officials in Montenegro often gave statements which might possibly influence journalists and/or media not to publish their information.

Importance of freedom of speech and media freedom: About 90% of people in Montenegro agree that freedom of speech as a fundamental human right should be strictly protected, as well as that freedom of media is a prerequisite for a free democratic society. On the other hand, 17% state that the government should be allowed to restrict media freedom.

Familiarity with investigative journalism: More than 60% noted that media in Montenegro are engaged with investigative reporting, at least to some extent. However, only one in ten believe that media are engaged in investigative reporting to a sufficient extent and this percentage is lower compared with the regional average. Additionally, according to citizens, only a few media outlets are engaged in investigative reporting.

Awareness of journalists' professional associations: Although countries in the region vary greatly when it comes to their awareness of journalists' professional associations, they mostly agree that the work of journalists' professional associations contributes to better situation of media and journalists in their country – it is the case with 55% of the citizens in Montenegro.

² Data collection conducted from July to October 2017.

³ The survey was conducted in six countries: Albania, Bosnia and Herzegovina, Kosovo, the former Yugoslav Republic of Macedonia, Montenegro and Serbia.

Annex 1 - Outline of the monitoring methodology

1. Developing survey instruments

1.1 Questionnaire used in the expert panel country meetings, as well as the on-line survey among experts and representatives of relevant interest group organisations/ institutions

Prior to information collection, the survey instrument was developed. The basis for the survey instrument was the Media Guidelines, 2014-2020. It specifies 4 broad objectives:

- 1) Enabling an environment for and resulting responsibilities of the main actors;
- 2) Advancing media to a modern level of internal governance;
- 3) Qualitative and trustworthy investigative journalism available to citizens;
- 4) Increasing capacity and representativeness of journalists' professional organisations.

These objectives are divided into 20 indicators:

- 1.1. Legal guarantees and review of their implementation;
- 1.2. The judiciary acts in conformity with Article 10 of the European Convention on Human Rights and applicable case law;
- 1.3. State institutions ensure media pluralism and their independence; law enforcement in media outlets and access to information of public character;
- 1.4. Independent and professional regulators preserve media pluralism and prevent unfair competition in the media market;
- 1.5. State institutions and public authorities stimulate public demand for quality journalism;
- 1.6. Public Service Media – ensure content pluralism in the media environment in an independent and accountable manner;
- 1.7. Initiative and creativity by state institutions in using tools at their disposal to promote free speech and media diversity;
- 2.1. Media outlets voluntarily adhere to principles of transparency;
- 2.2. Media outlets voluntarily subscribe to and implement adequate labour standards;
- 2.3. Self-enforcement of ethical norms and professional standards;
- 2.4. Structures strengthened for basic and continuous training and education of journalists and journalism students on professional standards, freedom of expression and media integrity;
- 2.5. Media outlets promote professional training (including in professional ethics);
- 2.6. Investment in professional management of companies;
- 2.7. Regaining audience confidence;
- 3.1. Improved conditions for quality investigative journalism including modern/innovative approaches to increase the quality and credibility of investigative journalism;
- 4.1. Media organisations/journalists' associations act on the basis of long-term vision and strategies to achieve impact. Productive dialogue with authorities established;
- 4.2. Regular dialogue within the media community established on press freedom and integrity issues;
- 4.3. Media organisations monitor and evaluate the results and impact of their own work;

- 4.4. Platforms (journalists' professional organisations, CSOs, media owners and editors) set up and actively promote professional standards and ethics;
- 4.5. Labour standards developed and upheld.

The phase that followed was operationalisation of the indicators into items. Each item constitutes an operationalised benchmark from the Media Guidelines. After an initial list of items was created, it underwent thorough review by a number of key media experts from all of the countries included in the monitoring process. One consultative meeting with key experts from all target countries was held in Tirana on 27 and 28 April, 2017. Certain items were reformulated, some were excluded and new items added, as suggested by the media experts. The final list included 249 items, of which 239 items were to be assessed by expert panels and representatives of relevant interest group organisations/ institutions, and 9 of them examined via a survey among the general population.

Answers on the items were obtained on a range of scales:

- *Items provided by the media experts:*
 - *Yes/No answers*
 - *Scales (three-point, four-point and five-point scales)*
 - *Absolute number*
 - *Percentage*
- *Items obtained from the general population survey:*
 - *Percentage of answers*

The whole process of questionnaire design took place between March and July of 2017.

The questionnaire was prepared in English and translated into each local language, in the period from July to August of 2017. These versions were programmed in July, August and early September in order to be administered online.

Members of the expert panels discussed all these points during country meetings and completed the whole online questionnaire, i.e. they assessed the full list of indicators. Taking into account the specific expertise of different interest groups, their representatives, in contrast, assessed only selected indicators from the full list included in the questionnaire.

1.2 Interview guide used for in-depth interviews with representatives of relevant interest group organisations/ institutions

The interview guide was developed on the basis of the online questionnaire developed for experts and representatives of relevant interest group organisations/ institutions (explained above). As in the online survey with interest groups, the interviewees undergoing in in-depth interviews as representatives of interest groups assessed only selected indicators from the full list included in the questionnaire, depending on their specific field of expertise and interest. Additionally, some topics were further developed in order to obtain more in-depth information from interviewees.

1.3 Questionnaire used in a general population survey

The questionnaire used in the general population survey covered several topics, such as news consumption, trust in the media, perception of media freedom, recognition of investigative journalism and journalists’ professional organisations.

2. Data collection

2.1 Expert panel country meetings and the online survey with members of expert panels

Six expert panel meetings were held in early October, in each of the target countries: on 2 October 2017 in Sarajevo, on 4 October in Podgorica, on 6 October in Belgrade, on 9 October in Skopje, on 11 October in Tirana, and on 13 October in Pristina. The composition of these expert panels was defined by media consultants within the project team, taking into account the fields of expertise required to assess the full list of indicators. Ten such fields of expertise have been singled out, and approximately ten experts identified in each country and invited to take part in the expert panel and the assessment of the full list of indicators.

Members of the expert panels had opportunity to fill in the questionnaire prior to the meeting, during the meeting or after. During the meeting, main points were productively discussed. Special care was taken to give enough time for experts to fill in the on-line questionnaire – from late September till early November. Extensive efforts were taken to motivate media experts to participate in the on-line survey.

The number of experts per country is provided in the Table 1:

Table 1. Number of members of the expert panels who assessed full list of indicators and those who actually participated in the expert panel meetings, per country

Country	Experts who assessed full list of indicators	Experts who actually participated in the expert panel meetings
Albania	6	4
Bosnia and Herzegovina	10	9
Kosovo	8	2
The former Yugoslav Republic of Macedonia	10	9
Montenegro	6	3
Serbia	11	9

2.2 In-depth interviews with representatives of relevant interest group organisations/ institutions

Apart from obtaining information from key experts in target countries, more in-depth information was obtained from personal interviews with relevant interest groups, i.e. representatives of relevant organisations/ institutions. These included the following:

- State/Public officials (from a Ministry or other state body such as an Assembly Committee for media)
- Representatives of the judiciary
- Commissioner for access to public information (Information Commissioner)
- Public service media
- Journalists' professional associations
- Media industry associations
- CSOs - Media/journalism training centers, media institutes
- Media regulatory authorities
- Unions of journalists
- Investigative journalism centers
- Self-regulatory bodies

The number of in-depth interviews conducted per country is provided in Table 2:

Table 2. Number of representatives of interest groups/relevant institutions and organisations who participated in the in-depth interviews, per country

Country	Representatives of interest groups/relevant institutions and organisations who participated in the in-depth interviews
Albania	4
Bosnia and Herzegovina	8
Kosovo	8
The former Yugoslav Republic of Macedonia	6
Montenegro	9
Serbia	10

This activity was carried out in October and November 2017.

2.3 Online survey with representatives of relevant interest group organisations/ institutions

In addition to in-depth interviews, representatives of relevant interest group organisations and institutions were asked to complete the online questionnaire, which included selected indicators from the full list that were deemed relevant to their field of interest and expertise. Additionally, not only those being interviewed, but a wider list of representatives of relevant organisations/ institutions was asked to participate in the on-line survey. The number of representatives of relevant organisations/institutions per country is provided in Table 3:

Table 3. Number of representatives of relevant interest group institutions and organisations who assessed selected indicators relevant to their field of interest and expertise, per country

Country	Representatives of relevant interest group institutions and organisations that assessed a selected number of indicators
Albania	6
Bosnia and Herzegovina	4
Kosovo	5
The former Yugoslav Republic of Macedonia	7
Montenegro	7
Serbia	13

2.4 General population survey

The main aim of the general population survey was to obtain information from citizens in target countries regarding their level of trust in the media, their perception of media freedom, as well as their recognition of investigative journalism and journalists' professional organisations. A brief outline of the methodology is presented below:

- *Target population:* entire 18+ population of permanent residents of the target countries;
- *Type of sample:* A three-stage random representative stratified sample (PSU: Polling station territories, SSU: Households, TSU: Household member);
- *Respondent:* Household member 18+ (randomly chosen);
- *Data collection method:* F2F (Face to Face) in home, Computer Assisted Personal Interviewing (CAPI), except in the former Yugoslav Republic of Macedonia (telephone interviewing);
- *Sample size:* at least 1000 interviews per country;
- *Weighting:* by region, type of settlement, gender, age and education;
- *Questionnaire length:* completion time estimated to be around 5 minutes (with 5 open-ended questions);
- *Data collection period:* from July to October 2017.

3. Index system development - calculating the indices

In order to quantify indicators, an index system was developed. As established, 4 broad objectives, divided into 20 indicators were operationalised by 246 items (237 assessed by expert panels and interest groups, and 9 examined through the survey among the general population). From all the items, 23 were excluded from further analysis, since the data were provided by an insufficient number of media experts, thus preventing reliable analysis. Finally, 223 items were analysed. The number of items per indicator varies, from 1 to 54. Detailed information is provided in Table 4. The whole list of created items and analysed items, i.e. items included in the index system development, can be seen at the end of this section. The excluded items are given in *Italic*.

Table 4. Number of operationalised items and number of items included in the analysis, per indicator

Indicator	Number of items created	Number of items analysed
1.1. Legal guarantees and review of their implementation	32	32
1.2. The judiciary acts in conformity with Article 10 of the European Convention on Human Rights and applicable case law	8	1
1.3. State institutions ensure media pluralism and their independence; law enforcement in media outlets and access to information of public character	19	13
1.4. Independent and professional regulators preserve media pluralism and prevent unfair competition in the media market	54	54
1.5. State institutions and public authorities stimulate public demand for quality journalism	5	5
1.6. Public Service Media – ensure content pluralism in the media environment in an independent and accountable manner	17	17
1.7. Initiative and creativity by state institutions in using tools at their disposal to promote free speech and media diversity	2	2
2.1. Media outlets voluntarily adhere to principles of transparency	12	12
2.2. Media outlets voluntarily subscribe to and implement adequate labour standards	9	9
2.3. Self-enforcement of ethical norms and professional standards	4	3
2.4. Structures strengthened for basic and continuous training and education of journalists and journalism students on professional standards, freedom of expression and media integrity	4	4
2.5. Media outlets promote professional training (including in professional ethics)	4	4
2.6. Investment in professional management of companies	2	2
2.7. Regaining audience confidence	1	1

3.1. Improved conditions for quality investigative journalism including modern/innovative approaches to increase the quality and credibility of investigative journalism	10	10
4.1. Media organisations/journalists' associations act on the basis of long-term vision and strategies to achieve impact. Productive dialogue with authorities established	21	20
4.2. Regular dialogue within the media community established on press freedom and integrity issues	8	8
4.3. Media organisations monitor and evaluate the results and impact of their own work	8	8
4.4. Platforms (journalists' professional organisations, CSOs, media owners and editors) set up and actively promote professional standards and ethics	10	9
4.5. Labour standards developed and upheld	17	9
TOTAL	249	223

Answers from all parties involved (media experts, interest groups and the general population) were treated in the same way. However, taking into consideration that the media experts responded to the full list of indicators, while interest groups responded only to selected indicators, and the general population to only 9 items from the questionnaire, it can be concluded that media experts have the greatest impact on the overall results.

Given that a number of media experts and representatives of interest groups per country provided answers to the items, one measure for each item per country was obtained by calculating the share of positive answers among all the answers provided (for a particular item for each country). All negatively oriented items were reoriented in order to a positive direction, so that it is possible to make further mathematical operations between them. In order to obtain one measure per indicator, an average value was calculated for items belonging to one indicator.

Since there is one average value for each indicator (20 in total) for each country (6 countries), there are 120 scores altogether (20 indicators multiplied by 6 countries). These scores/indices are sorted from lowest to highest and categorised into five categories, from the worst evaluated to the best evaluated. The distribution used was 15%; 15%; 40%; 15%; 15%. Although it can be said that this distribution is arbitrary, it has its foundation in probability theory and normal (or Gaussian) distribution, where distribution of values is symmetrical, and most results are situated around the mean. Based on this distribution, cut values were determined, which enabled score categorisation in the following way:

- 15% (from 0 to 0.14) – Red, the worst evaluated in the region;
- 15% (from -0.36 to -0.06) – Orange, the second worst evaluated in the region;
- 40% (from -0.05 to 0.49) – Yellow, the middle of the regional ranking;
- 15% (from 0.50 to 0.81) – Light green, the second best evaluated in the region;
- 15% (from 0.82 to 1) – Green, the best evaluated in the region.

The same principle was applied to the objectives. In order to obtain one measure per objective (4 objectives), an average value was calculated for all indicators belonging to one objective. Since there is one average value for each objective (4 in total) for each country (6 countries), there are 24 scores altogether (4 objectives multiplied by 6 countries). These scores are sorted from lowest to highest and categorised into five categories, from the worst evaluated to the best evaluated (15%; 15%; 40%; 15%; 15%).

Note: Although objective number 3 is comprised only one indicator (3.1.) (as specified on pages 2 and 3), different categorisations of countries (i.e. their colours) is possible, given that the cut values for indicators and objectives are different. As already mentioned, there are 120 scores for indicators (20 indicators multiplied by 6 countries) and 24 scores for objectives (4 objectives multiplied by 6 countries), and this is the reason behind the differences.

3.1 The whole list of items included in the index system development

1. ENABLING ENVIRONMENT AND RESULTING RESPONSIBILITIES OF MAIN ACTORS

1.1. Legal guarantees and review of their implementation

1. Is the right to freedom of expression and information through the media guaranteed in the constitution?
2. Is the constitution in line with Article 10 of the European Convention on Human Rights?
3. Is the right to freedom of expression and information through the media guaranteed under national legislation?
4. Is this law in line with Article 10 of the European Convention on Human Rights?
5. Are cases in which these rights can be restricted clearly/unambiguously defined by the constitution/law?
6. Are these cases in line with those stipulated in Article 10 of the European Convention on Human Rights?
7. Are legal guarantees/safeguards regarding freedom of expression and information through the media implemented in a consistent, non-selective manner?
8. Is there a periodic assessment of the state of media freedom (including assessment of the existence and implementation of the legal framework affecting the media, or assessment of other factors influencing freedom of expression and media freedom) conducted by Parliament and/or the Government?
9. If yes, is this periodic assessment of the state of media freedom and of the legal framework done on the basis of indicators listed in the Council of Europe PA Resolution 1636 (2008)?
10. If not, is there an assessment of the state of media freedom (including assessment of the existence and implementation of the legal framework affecting the media, or assessment of other factors influencing freedom of expression and media freedom) conducted by any other state institution/body?
11. If yes, was the last assessment of the state of media freedom (including assessment of the existence and implementation of the legal framework affecting media, or assessment of other factors influencing freedom of expression and media freedom) - conducted by the Parliament/Government/other state institution/body - positive?
12. Are journalists' professional associations, and/or media representatives consulted about and involved in preparing the Parliament's/Government's assessments and follow-up proposals?
13. Is this done in a transparent manner?
14. Is this done in a fair/inclusive manner?
15. Was a report published about the consultation process?
16. Are the proposals by the media and journalists' professional associations taken into consideration by the Parliament/Government?
17. Are independent regulatory authorities* consulted about and involved in preparing the Parliament's/Government's assessments and follow-up proposals? *Independent regulatory authorities are in charge of supervising the implementation of regulations related to electronic media, which usually encompasses the power to license broadcasters, to monitor whether broadcasters are fulfilling their

legal obligations, and to impose sanctions if they fail to carry out those obligations.

18. Is this done in a transparent manner?
19. Is this done in a fair/inclusive manner?
20. Are the proposals by the independent regulatory authorities taken into consideration by the Parliament/Government?
21. Are interested CSOs consulted about and involved in preparing the Parliament's/Government's assessments and follow-up proposals?
22. Is this done in a transparent manner?
23. Is this done in a fair/inclusive manner?
24. Was a report published about the consultation process?
25. Are proposals by the CSOs taken into consideration by the Parliament/Government?
26. Have any laws, strategies, policies and/or measures been adopted in order to improve the situation in the media sector, as a result of such periodic assessment?
27. Have there been any independent assessments of the state of media freedom carried out by non-state actors such as think tanks, international organisations etc. in the past year?
28. Did those assessments contain suggestions for improvement of the current situation in the media sector?
29. Did the Government/Parliament/other state institution/body take into consideration proposals provided in the independent assessments?
30. Did the Government/Parliament/other state institution/body implement any of these proposals?
31. If yes, were these changes based on the periodic assessments of the state of media freedom, including the assessment of the legal framework?
32. If changes in the national legislation were introduced in the past year, have these changes been for the better, for the worse, or has nothing changed?

1.2. The judiciary acts in conformity with Article 10 of the European Convention on Human Rights and applicable case law

1. *What is the number of judges in your country trained in applying ECtHR case law on freedom of expression? Training covers also application of legislation affecting media in line with fundamental rights (including to free expression). (not included in the index system development due to small number of answers)*
2. *What is the number of prosecutors in your country trained in applying ECtHR case law on freedom of expression? Training covers also application of legislation affecting media in line with fundamental rights (including to free expression). (not included due to small number of answers)*
3. *What is the number of the rulings in your country related to media freedom and freedom of expression (ECtHR case law) in the last year? (not included due to small number of answers)*

4. *What is the number of cases in your country in which journalists/media representatives were acquitted related to media and freedom of expression (ECtHR case law) in the last year? (not included due to small number of answers)*
5. *What is the number of cases in your country in which journalists/ media representatives were convicted related to media and freedom of expression (ECtHR case law) in the last year? (not included due to small number of answers)*
6. *What is the number of cases in your country in which there were inadequate damages awarded (in comparison to other similar sanctions/cases) in the last year? (not included due to small number of answers)*
7. *What is the number of cases in your country where charges against journalists/media were pushed by public officials on the grounds of defamation law in the last year? (not included due to small number of answers)*
8. Is there a data collection system in your country providing that data on prosecution of journalists/media representatives are systematically collected, updated and made available on a regular basis or otherwise accessible?

1.3. State institutions ensure media pluralism and their independence; law enforcement in media outlets and access to information of public character

1. How often in the past year have public officials (President, Prime Minister, ministers, MPs, government at the local level, public officials, public authorities, directors of state companies, religious leaders, party officials, etc.) made statements that might possibly have a self-censorship effect on the media?
2. In your opinion, how often in the past year have journalists in your country practiced self-censorship for fear of civil lawsuits or criminal prosecution (fines, imprisonment)?
3. In your opinion, how often in the past year have journalists in your country practiced self-censorship for fear of professional reprisals or attacks on their reputation?
4. In your opinion, how often in the past year have journalists in your country practiced self-censorship for fear of threats to their physical safety or that of their family and friends, to their workplace or home?
5. How many physical attacks on journalists have taken place in the past year?
6. How many threats to journalists have been made in the past year?
7. How many other forms of intimidation of the media have taken place in the past year?
8. Has this number decreased in comparison to the previous year?
9. Are such cases dealt with by law enforcement and the judiciary in a timely manner?
10. *What is the number of complaints raised because law enforcement and judiciary did not deal with these cases in timely manner in the last year? (not included due to small number of answers)*
11. *What is the number of convictions in cases of attacks on journalists in the last year? (not included due to small number of answers)*
12. Is there a data collection system providing that data on attacks on journalists and on actions taken by the

law enforcement bodies in these cases are systematically collected, updated and made available on a regular basis or otherwise accessible?

13. Are rules on access to information of a public character in place?
14. Are these rules in accordance with the Council of Europe and other relevant European standards?
15. Are these rules related to access to information of public character for journalists and media followed by authorities without delay?
16. *What is the number of cases where authorities restricted access to information to media in the last year? (not included due to small number of answers)*
17. *What is the number of cases related to access to information of public character for journalists and media where Commissioner for information of public character/Information Commissioner intervened when the authorities restricted access to media? (not included due to small number of answers)*
18. *What is the number of cases related to access to information of public character for journalists and media where intervention of the Information Commissioner had positive outcome, and the authorities enabled access to information as a result of the intervention? (not included due to small number of answers)*
19. *What is the number of cases related to access to information of public character for journalists and media where intervention of the Information Commissioner didn't have positive outcome, and the authorities even after the appeal procedure didn't enable access to information, or enabled incomplete or delayed access to information? (not included due to small number of answers)*

1.4. Independent and professional regulators preserve media pluralism and prevent unfair competition in the media market

1. Are there Media regulatory authorities* present in your country? *Regulatory authorities are in charge of supervising the implementation of regulation related to electronic media, which usually encompasses the power to license broadcasters, to monitor whether broadcasters are fulfilling their legal obligations, and to impose sanctions if they fail to carry out those obligations.
2. Does legislation provide for independent and professional operation of the Media regulatory authorities in charge of the broadcasting sector?
3. Are Media regulatory authorities or any other professional and independent body (ies) required to contribute to the protection and promotion of freedom of expression and information through the media?
4. Are Media regulatory authorities or any other professional and independent body (ies) required to contribute to the protection and promotion of diversity of opinions and media pluralism - during elections?
5. Are Media regulatory authorities or any other professional and independent body (ies) required to contribute to the protection and promotion of diversity of opinions and media pluralism - outside election periods?
6. Are Media regulatory authorities or any other professional and independent body (ies) required to

protect public interests and media users?

7. Are Media regulatory authorities or any other professional and independent body (ies) required to ensure media ownership transparency?
8. Are Media regulatory authorities or any other professional and independent body (ies) required to regulate/prevent concentration and abuse of dominant market positions by media?
9. Are there rules to ensure that Media regulatory authorities in charge of the broadcasting sector are independent and free from political or other interference when it comes to appointment and dismissal of members?
10. In practice, are Media regulatory authorities in charge of the broadcasting sector independent and free from political or other interference when it comes to appointment and dismissal of members?
11. In practice, are the Media regulatory authorities consulted if the Government initiates changes to the regulations related to their scope of work, competences, rights and obligations?
12. Is the media sector (media industry and journalists' associations) consulted if the Government initiates changes to the regulations related to the scope of work, competences, rights and obligations of the regulatory authorities?
13. Are the recommendations and suggestions from public consultations taken into account?
14. Are there rules to ensure that the government/ other state bodies or officials cannot take actions that might be qualified as interference with Media regulatory authorities' independence when it comes to the decision-making process?
15. In practice, are the Media regulatory authorities in charge of the broadcasting sector independent and free from political or other interference when it comes to the decision-making process?
16. Do the Media regulatory authorities publish or make available all decisions about the measures issued and imposed, with or without justification?
17. Is there an obligation for the Media regulatory authorities in charge of the broadcasting sector to submit an annual report to the parliament or other state institution on performance of its own mission and tasks?
18. Did the Media regulatory authorities in charge of the broadcasting sector submit an annual report on performance of its own mission and tasks in the past year?
19. Is this annual report on performance of its own mission and tasks available to the public?
20. Do the Media regulatory authorities in charge of the broadcasting sector have financial autonomy?
21. Did the Media regulatory authorities publish financial reports for the past year?
22. Does this annual report (annual reports if there are multiple regulatory authorities) include information on the fees paid by media outlets to the regulatory authority?
23. Please assess the efficiency of the Media regulatory authority/authorities.
24. Please assess the independence of the Media regulatory authority/authorities.

25. Do the Media regulatory authorities annually provide accessible records on media ownership?
26. Are these records transparent and credible (in terms of data on real beneficiaries/beneficial owners)?
27. Are economic performance/financial statements of outlets made available by the Media regulatory authorities or any other authority or institution?
28. Is legislation against media concentration and misuse of dominant market position in place?
29. Is legislation against media concentration and misuse of dominant market position properly enforced?
30. Are sanctions regarding media concentration and misuse of dominant market position proportionate?
31. Are enforcement records (data/files on all investigated or processed cases) regarding media concentration and misuse of dominant market position made public?
32. Is State advertising and any other direct or indirect use of public money in the media regulated by legislation in accordance with good governance to guarantee fairness, neutrality, equal treatment and transparency?
33. Are the rules regarding State advertising and any other direct or indirect use of public money in the media enforced by the competition authority or other body(ies)?
34. Is there transparency in State advertising including public campaigns/advertisements by state bodies and local authorities?
35. Are the volume and share of State advertising and, other use of public money per media outlet being published (including public campaigns/advertisements)?
36. Is there transparency in dispatching advertisements by state-owned companies?
37. Is the volume and share of advertising per outlet by state-owned companies made public?
38. Are verified audience measurements implemented regularly?
39. Are publicity campaigns by governments or other state or local authorities developed on the basis of verified audience measurements?
40. Is media sector market analysis conducted regularly?
41. Are regulatory proposals being developed on the basis of media sector market analysis?
42. Is there legal protection in place against informal economic pressure (e.g. cancelation of advertising contracts because of critical reporting) on independent reporting?
43. Do responsible authorities provide periodic sector analysis to disclose any informal economic pressure on independent reporting (e.g. by ad agencies, media owners participating in public procurement, cross ownerships, etc.)?
44. Has the state-owned media been privatised?
45. Has this privatisation been carried out in a transparent way?
46. Has privatisation been carried out with due respect to fair competition?
47. Are there sanctions for the cases that jeopardise the media privatisation process?

48. Are state budget funds foreseen for project co-financing for media outlets?
49. Is the process of funding allocation conducted in a transparent manner?
50. Is the report on funding allocation published annually?
51. Are there measures in place to sanction cases that jeopardise the process of project co-financing for media outlets?
52. Are there any other sources of public funding/money that might be allocated to the media through various funds and mechanisms (subscription fee, taxes payable directly to a designated fund etc.)?
53. Is the process of funding allocation in case of these other financial mechanisms conducted in a transparent manner?
54. Is the report on funding allocation published annually?

1.5. State institutions and public authorities stimulate public demand for quality journalism

1. In the past year, have there been public/state programs to promote media literacy?
2. Has regulation been drafted or adopted to block or filter internet content?
3. In the past year, have there been cases where dissemination of information was prevented by blocking/filtering internet content?
4. In the past year, were there cases where dissemination of information was prevented through blocking/filtering internet content by the state bodies (including prosecutors or courts)?
5. Have the public authorities recently developed strategies or measures for supporting of “new”/online, local and/or alternative media?

1.6. Public Service Media – ensure content pluralism in the media environment in an independent and accountable manner

1. Is the Public Service Media remit defined by legislation?
2. Were there broad public consultations regarding the Public Service Media remit?
3. Does the law provide for editorial independence and against politicisation of Public Service Media?
4. In practice, is editorial independence of Public Service Media efficiently/de facto protected when it comes to political interference?
5. Is there a governing body of Public Service Media composed to represent diverse social groups and actors (e.g. minorities, CSOs, academia and similar)?
6. Please assess the level of independence of PSM considering mechanisms for appointment and dismissal of key personnel (e.g. director general, directors, editors-in-chief etc.).
7. Do the Public Service Media have sufficient funds to perform Public Service obligations (funds sufficient to comply with the PS remit)?
8. Are sources of and mechanisms for funding the Public Service Media provided to allow stable operations and avoid dependence on decisions by the Government/the Parliament over the PSM budget?

9. Is there a legal obligation for Public Service Media to publish annual reports (including financial)?
10. Did the Public Service Media publish an annual report (including financial) in the past year?
11. Is there a Code of ethics for the Public Service Media?
12. Have the Public Service Media developed an in-house mechanism to deal with viewer/listener/user complaints (e.g. an ombudsman, a readers' editor)?
13. Are these mechanisms effective in dealing with viewer/listener/user complaints?
14. Is there an investigative journalism* unit present in the PSM in your country? *Investigative journalism in this survey is considered systematic work on investigation of and reporting on societal issues related to abuse of power, corruption, organised crime and serious violation of fundamental rights that otherwise would not have been brought to the public's attention.
15. Does the PSM have an annual or multi-annual program and financial plans dedicated to the operation of an investigative journalism unit?
16. Does the PSM (its special unit or without such unit) engage regularly in independent and critical investigative journalism?
17. On a scale from 1 to 4, how much trust do you have in Public Service Media (please insert the specific media provider), when it comes to reporting the news fully, accurately and fairly? (*General population survey*)

1.7. Initiative and creativity by state institutions in using tools at their disposal to promote free speech and media diversity

1. Have there been any actions (e.g. awareness campaigns, public hearings or debates) undertaken by state institutions aimed at promoting media freedom and media pluralism/diversity?
2. If yes, please assess the efficiency of any actions undertaken by state institutions (e.g. awareness campaigns, public hearings or debates) aimed at promoting media freedom and media pluralism/diversity.

2. ADVANCING MEDIA TO A MODERN LEVEL OF INTERNAL GOVERNANCE

2.1. Media outlets voluntarily adhere to principles of transparency

1. Is any state institution obliged to collect data about corporate governance and finances from one or more different types of media (Radio, TV, Print, Online)?
2. If yes, are these state institutions able to efficiently collect these data from the media? (Radio, TV, Print, Online)
3. Is the ownership structure made publicly available? (Radio, TV, Print, Online)
4. Are financing sources made publicly available? (Radio, TV, Print, Online)
5. Is income received from the state made publicly available? (Radio, TV, Print, Online)
6. Are balance sheets made publicly available? (Radio, TV, Print, Online)
7. Does any state institution keep track of and provide data (available to the public) about the market share

of one or more different types of media (Radio, TV, Print, Online)?

8. Are media outlets obliged to submit a report on their corporate governance and finances to some state institution?
9. What share of media outlets voluntarily provide open access to data about their ownership structure?
10. What share of media outlets voluntarily provide open access to data about their financing sources?
11. What share of media outlets voluntarily provide open access to data about income received from the state?
12. What share of media outlets voluntarily provide open access to data about their balance sheets?

2.2. Media outlets voluntarily subscribe to and implement adequate labour standards

1. What percentage of journalists in your country have long-term employment contracts?
2. What percentage of journalists in your country have fixed-term employment contracts?
3. What percentage of journalists in your country have contracts, but are not in an employment relationship (honorarium-based/piecework contract or service contract, etc.)?
4. What percentage of journalists in your country are freelancers (self-employed, working for different media)?
5. What percentage of journalists have no or insufficient social protection (contributions for social security not paid or paid only on part of the salary)?
6. Are the terms of working contracts a factor in self-censorship? (The terms of working contracts refer to job insecurity, uncertainty of working time, irregular earnings, insecurity of working conditions, legal insecurity and violation of labour rights: non-payment of overtime, work on weekends and public holidays and unpaid sick leave; failure to comply with labour rights in the company where the respondent works, violation of their rights to union organising.)
7. What percentage of media outlets have adopted an internal code of ethics (a document defining ethical conduct)?
8. What percentage of media outlets have adopted statutes (internal acts defining the relations, rights and obligations between owner/publisher, management and editorial office/journalists etc.)?
9. Is freedom of association (i.e. the right of media workers to establish associations and/or unions) clearly spelled out in the labour regulations, or in internal statutes?

2.3. Self-enforcement of ethical norms and professional standards

1. What share of media outlets have developed in-house mechanisms to deal with reader/viewer/listener/user complaints (e.g. an ombudsman, a readers' editor)?
2. Are these mechanisms effective in dealing with reader/viewer/listener/user complaints?
3. Are public data available about cases of journalists suspended or dismissed on the grounds of critical reporting (despite having complied with the code of ethics)?
4. What is the number of suspended or dismissed journalists on the grounds of critical reporting (despite

being consistent with code of ethics) in the last year? (not included due to small number of answers)

2.4. Structures strengthened for basic and continuous training and education of journalists and journalism students on professional standards, freedom of expression and media integrity

1. What is the total number of colleges/faculties/schools teaching journalism?
2. What is the number of journalism colleges/faculties/schools that incorporate courses on ethical codes and standards in their curriculum?
3. In the past year, how many media providers have offered/organised training courses and/or internship programs* which include learning about professional standards, freedom of expression, media freedom and media integrity? *These courses/programs are offered to any journalist, not only to those employed/working in that media.
4. In the past year, how many training programs/courses for professional journalists have been organised by Media training centers* that include learning about professional standards, freedom of expression and media integrity? *Media training centers refer to civil society organisations operating separately from any media.

2.5. Media outlets promote professional training (including in professional ethics)

1. What percentage of media have a staff development policy? (Staff development refers to all policies, practices and procedures used to develop the knowledge, skills and competencies of staff.)
2. What percentage of media providers have a human resources department?
3. In the past year, what percentage of media providers have implemented their own professional development programs (for journalists employed/working in that media) that include learning about professional ethics?
4. In the past year, what percentage of media sent their journalists to professional development programs (provided outside their own institution) that included learning about professional ethics?

2.6. Investment in professional management of companies

1. What percentage of media outlets have business plans?
2. What percentage of media outlets implement the business goals defined by their business plan?

2.7. Regaining audience confidence

1. In general, how much trust do you have in the media -- such as newspapers, TV, radio or online news sources - when it comes to reporting the news fully, accurately and fairly in your country? *(General population survey)*

3. QUALITATIVE AND TRUSTWORTHY INVESTIGATIVE JOURNALISM AVAILABLE TO CITIZENS

3.1. Improved conditions for quality investigative journalism including modern/innovative approaches to increase the quality and credibility of investigative journalism

1. How many joint journalist/CSO projects have been created in your country dedicated to investigative journalism in the past year?

2. Are there any awards for investigative journalism in the country?
3. How many cross-border, regional or international joint investigative journalism projects have there been in which journalists from your country took part in the past year?
4. How often are there policy/personnel changes in the investigated institutions/organisations as a consequence of the findings from investigative journalism?
5. How many media outlets have been carrying out investigative journalism* within their outlet over the past year? *Investigative journalism in this survey is considered as systematic work on investigations and reporting on societal issues related to abuse of power, corruption, organised crime and serious violations of fundamental rights that otherwise would not have been brought to the public's attention.
6. How many TV media outlets have published investigative journalism content in the past year?
7. How many Radio media outlets have published investigative journalism content in the past year?
8. How many Print media outlets have published investigative journalism content in the past year?
9. How many Online media outlets have published investigative journalism content in the past year?
10. Could you please name up to three Media outlets that published investigative journalism stories in the past year? (*General population survey*)

4. INCREASING CAPACITY AND REPRESENTATIVENESS OF JOURNALISTS' PROFESSIONAL ORGANISATIONS

4.1. Media organisations/journalists' associations act on the basis of long-term vision and strategies to achieve impact. Productive dialogue with authorities established

1. Are media industry associations present in your country?
2. Do media industry associations engage in informed dialogue with the authorities in a coordinated manner?
3. Do media industry associations have sufficient funds for continuous and efficient operation?
4. Are sources of funding for media industry associations diverse (membership fees, donations, sponsorships, projects)?
5. Are membership fees the dominant source of funding for media industry associations?
6. Are media industry associations financially self-sustainable?
7. How many advocacy actions or joint policy initiatives (e.g. dialogue meetings with public authorities to suggest or influence upcoming policy or legislation) have been organised and implemented by media industry associations in the past year?
8. Please assess the impact of these actions on policies or legislation regarding the media.
9. Are journalists' professional associations present in your country?
10. Do journalists' professional associations engage in informed dialogue with the authorities in a coordinated manner?
11. Do journalists' professional associations have sufficient funds for continuous and efficient operation?
12. Are the sources of funding for journalists' professional associations diverse (membership fees, donations,

sponsorships, projects)?

13. Are membership fees the dominant source of funding for journalists' professional associations?
14. Are journalists' professional associations financially self-sustainable?
15. How many advocacy actions or joint policy initiatives (e.g. dialogue meetings with public authorities to suggest or influence upcoming policy or legislation) have been organised and implemented by journalists' professional associations in the past year?
16. Please assess the impact of these actions on policies or legislation regarding the media.
17. How many journalists are members of journalists' professional associations?
18. Of the total number of journalists in your country, what percentage are members of journalists' professional associations?
19. *What is the number of members having benefited from free legal aid in the last year? (not included due to small number of answers)*
20. Were media industry associations and journalists' professional associations engaged in issue-based coalitions in the past year?
21. In your opinion, does the work of journalists' professional associations contribute to improving the situation of media and journalists in your country? *(General population survey)*

4.2. Regular dialogue within the media community established on press freedom and integrity issues

1. Were there meetings of broad platforms (consisting of, for example, journalists' professional organisations, media industry associations, CSOs/media centers and institutes, think-tanks, journalism schools, investigative journalism centers, editors etc.) organised within the media community on media freedom and integrity issues in the past year?
2. How many meetings of broad platforms were organised?
3. Were there joint conclusions adopted and actions taken at the local, national and/or regional level as a result of meetings of broad platforms?
4. In your opinion, to what extent are journalists and media outlets in your country free to express their views and report critically about relevant news? *(General population survey)*
5. How would you describe the current state of media freedom (newspapers, TV, radio or online news sources) in your country? Chose the statement that best matches/represents your opinion. *(General population survey)*
6. In your opinion, how often have public officials (President, Prime Minister, ministers, MPs, government at the local level, public authorities, directors of state companies, religious leaders, party officials, etc.) made statements that might possibly influence journalists and/or media not to publish their information? *(General population survey)*
7. In your opinion, to what extent is information about relevant issues, events and developments made accessible through the media to citizens in the country? *(General population survey)*
8. In your opinion, how frequently do journalists/media in your country fail to publish information they

have out of fear of provoking negative reactions from public officials and other important figures?
(General population survey)

4.3. Media organisations monitor and evaluate the results and impact of their own work

1. Are media industry associations obliged (following internal rules or legal obligations) to make annual reports?
2. What percentage of media industry associations publish their annual reports?
3. Do media industry associations evaluate their projects and programs?
4. What percentage of media industry associations monitored and evaluated their projects and programs using baselines and quality indicators in the past year?
5. Are journalists' professional associations required to make annual reports?
6. What percentage of journalists' professional associations publish their annual reports?
7. Do journalists' professional associations evaluate their projects and programs?
8. What is percentage of journalists' professional associations monitored and evaluated their projects and programs using baselines and quality indicators in the past year?

4.4. Platforms (journalists' professional organisations, CSOs, media owners and editors) set up and actively promote professional standards and ethics

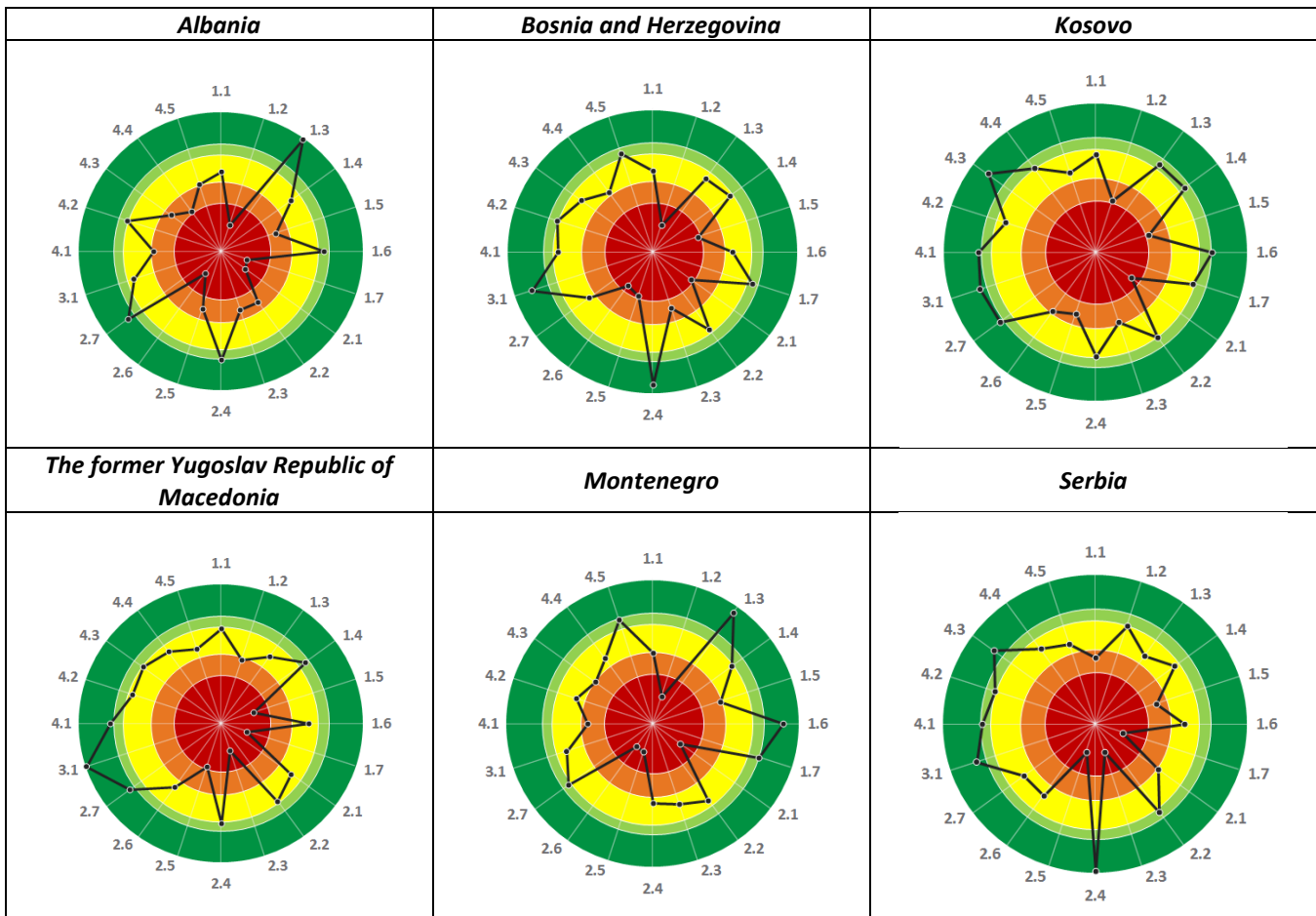
1. Have self-regulatory bodies been established in your country?
2. Do these self-regulatory bodies have relevant representation from the media community regarding the number of media outlets that have joined the self-regulatory body and submitted to its rules and procedures?
3. Do these self-regulatory bodies have relevant representation from the media community regarding the impact or influence of media outlets that have joined the self-regulatory body and submitted to its rules and procedures?
4. Do these self-regulatory bodies have relevant representation from the media community regarding the market share of media outlets that have joined the self-regulatory body and submitted to its rules and procedures?
5. Do you consider the rules agreed and implemented by these self-regulatory bodies to be effective?
6. Were there any decisions taken against their members?
7. *How many decisions were taken against their members? (not included due to small number of answers)*
8. Has the number of decisions made by self-regulatory bodies regarding violations of the agreed rules decreased in the past year?
9. Are the funding sources (membership fees, donations, sponsorships, projects) of self-regulatory bodies diverse?
10. Have financial contributions (membership fees or similar contributions) from the media community, outlets and media owners to self-regulatory bodies increased, decreased or remained the same over the

past year in comparison to the year before?

4.5. Labour standards developed and upheld

1. *What is the number of journalists who reported obstacles to freedom of association in the last year? (not included due to small number of answers)*
2. *What is the number of journalists reporting inadequate working contracts with insufficient social protection? (not included due to small number of answers)*
3. In your country, are there collective agreements on the level of single media outlets, on the level of certain types of media, or a collective agreement covering all the media in the country?
4. Are trade unions recognised as partners in negotiating collective agreements?
5. *What is the number of media outlets where collective bargaining between trade unions and employers took place in the past three years? (not included due to small number of answers)*
6. *What is the number of media outlets where collective bargaining between trade unions and employers took place with a positive result in the past three years? (not included due to small number of answers)*
7. Please assess the quality of agreements reached (against the backdrop of labour standards).
8. How many advocacy and lobbying activities by unions and other organisations regarding labour standards have taken place in the past year?
9. Please evaluate the implementation of national labour laws (in media outlets) and how they are reflected in the collective agreements.
10. Do the media industry/media employers' associations play a role in negotiations on a collective contract with journalists' trade unions?
11. Do the media industry/media employers' associations contribute to achieving satisfactory labour standards?
12. *What is the number of journalists associated in journalist unions? (not included due to small number of answers)*
13. *Out of the total number of journalists in your country which percentage is a member of journalist unions? (not included due to small number of answers)*
14. *What is the number of journalists with irregular/temporary employment status such as fixed-term contract basis, honorarium-based or freelance that are members of journalist unions? (not included due to small number of answers)*
15. Out of the total number of journalists in your country which percentage are journalists with irregular/temporary/precarious employment status such as fixed-term contract basis, honorarium-based or freelance that are members of journalist unions?
16. Were there any attempts at unionisation (new initiatives to establish unions) at media outlets or on the local/regional/national level in your country in the past year?
17. Were there any attempts at de-unionisation (closing down or collapsing of unions) at media outlets or on the local/regional/national level in the past year?

Annex 2 – Traffic lights for all countries



- 1.1. Legal guarantees and review of their implementation
- 1.2. The judiciary acts in conformity with Article 10 of the European Convention on Human Rights and applicable case law
- 3. State institutions ensure media pluralism and their independence; law enforcement in media outlets and access to information of public character
- 1.4. Independent and professional regulators preserve media pluralism and prevent unfair competition in the media market
- 1.5. State institutions and public authorities stimulate public demand for quality journalism
- 1.6. Public Service Media – ensure content pluralism in the media environment in an independent and accountable manner
- 1.7. Initiative and creativity by state institutions in using tools at their disposal to promote free speech and media diversity
- 2.1. Media outlets voluntarily adhere to principles of transparency
- 2.2. Media outlets voluntarily subscribe to and implement adequate labour standards
- 2.3. Self-enforcement of ethical norms and professional standards
- 2.4. Structures strengthened for basic and continuous training and education of journalists and journalist students on professional standards, freedom of expression and media integrity
- 2.5. Media outlets promote professional training (including in professional ethics)
- 2.6. Investment in professional management of companies
- 2.7. Regaining audience confidence
- 3.1. Improved conditions for quality investigative journalism including modern/innovative approaches to increase the quality and credibility of investigative journalism
- 4.1. Media organisations/journalists’ associations act on the basis of long-term vision and strategies to achieve impact. Productive dialogue with authorities established
- 4.2. Regular dialogue within the media community established on press freedom and integrity issues
- 4.3. Media organisations monitor and evaluate the results and impact of their own work
- 4.4. Platforms (journalists’ professional organisations, CSOs, media owners and editors) set up and actively promote professional standards and ethics
- 4.5. Labour standards developed and upheld