

AFTER SEVERAL YEARS ABSENT OF TRAGIC EVENTS, THE MONTENEGRIN MEDIA COMMUNITY WAS SHAKEN BY THE UNSOLVED MURDER OF THE EDITOR-IN-CHIEF OF THE INDEPENDENT DAILY *DAN*, DUSKO JOVANOVIĆ, WHO WAS SEEN AS A LEADING REPRESENTATIVE OF OPPOSITION THINKING. THIS CASE SIGNIFICANTLY TAINTED PROGRESS TOWARD THE SUSTAINABILITY OF INDEPENDENT MEDIA DURING THE YEAR.



MEDIA
SUSTAINABILITY
INDEX
2004



IREX



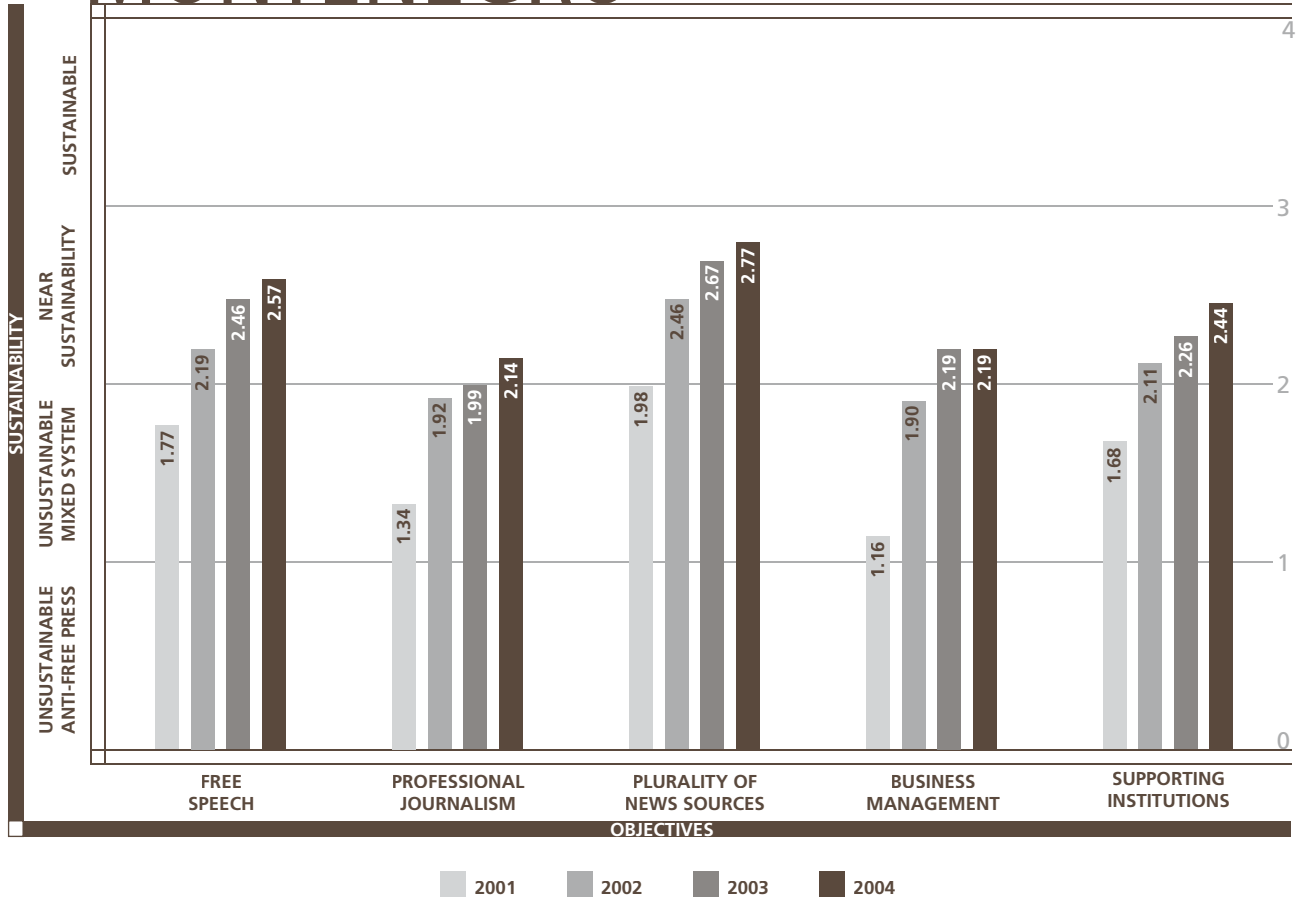
The political situation in Montenegro was largely stable during 2004, despite occasional squabbles within the ruling coalition. After an 18-month boycott, the opposition returned to parliament under a deal brokered by the Organization for Security and Cooperation in Europe (OSCE) that required the public-service broadcaster RTCG to resume full live coverage of all sessions of the assembly, regardless of their news value. Economic and social problems continued, however. Some positive macroeconomic indicators—3 percent growth in gross domestic product (GDP), an inflation rate below 3 percent, a sustainable budget deficit, a revitalized banking sector, and growth in the legally employed workforce and in foreign investments—could not hide a low standard of living. These economic ills, such as insolvency, low wages, debt, weak consumer buying power, and underdeveloped markets, also adversely affected the economic sustainability of most of Montenegro’s media outlets.

More positively, Montenegro’s nongovernmental organizations (NGOs) significantly advanced their role in the development of democracy and civil society in 2004. The NGOs built public support through activities ranging from critiquing government policies to cooperating well with state institutions. The NGOs facilitated robust public debate and transparency about a myriad of reform issues such as privatization, political reform, environmental protection, and so on. The 2004 Media Sustainability Index (MSI) panelists noted the high level of cooperation between the NGOs and the media, which cooperate closely with civil-society support networks such as “Action” and report frequently on NGO activities.

The painfully slow transformation of the public broadcaster RTCG continued to lag because of problems implementing the new laws, budget problems, the evident professional achievements of private-sector media, and delay of government action on a Freedom of Information Act. After several years absent of tragic events, the Montenegrin media community was shaken by the unsolved murder of the editor-in-chief of the independent daily *DAN*, Dusko Jovanovic, who was seen as a leading representative of opposition thinking. This case significantly tainted progress toward the sustainability of independent media during the year, influencing specific issues that concern the freedom of press and the entire climate in which Montenegrin media operate.

MEDIA SUSTAINABILITY INDEX

MONTENEGRO



Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREE SPEECH

Montenegro Objective Score: 2.57 / 4.00

Most MSI panelists positively evaluated the existing media regulations but pointed out that there were numerous problems concerning effective implementation. The implementation of relatively new provisions is being carried far too slowly and requires stronger reinforcement from the media community. While the existing legal framework protects freedom of speech and encourages freedom of the press, there is a discrepancy between normative regulation and reality. Progress on the legal framework is indisputable; the panelists focused mostly on problems arising from how the laws are put into practice.

Dispute surrounds the implementation of the Broadcasting Law, especially regarding the inequality of allocation of funds to private broadcasters versus those to state-controlled media. The controversy started when the commercial broadcasters rejected the criteria put forward by the independent Broadcasting

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS:

- > Legal/social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and the offended party must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Agency (BA) on how to distribute a proportion of the RTCG subscription fee that would be distributed to them for development purposes, as stipulated by the Broadcasting Law. "From experience obtained in a private radio station, I do know how financially fruitless and difficult dealing with investigative journalism is," said panelist Darko Sukovic, editor-in-chief of Radio Antenna M. "We succeeded

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in our efforts to tackle particular stories and even to halt some dangerous processes, but it required a lot of work and time. However, when we received funds for our part in the program collected through RTV subscriptions, we were very disappointed because our approach to the job was not properly valued since the criteria were based on territorial signal coverage."

The importance of the BA's status was emphasized by the December 2004 announcement of Montenegro's first free and fair frequencies tender, which will have a significant impact on the democratization, as well as the quality, within the media field. "Because of the importance of the tender for frequency allocation, international organizations will observe the process to determine if it is fair or not," said panel member Ranko Vujovic, coordinator of the Union of Independent Electronic Media of Montenegro. "This is the first time that we

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A serious problem also exists with the fair implementation of the libel statutes in the new criminal code. The burden of proof lies with the defendant, rather than the prosecution, and the statutes are too frequently used to put journalists in difficult positions, highlighting the lingering inadequacies of the Montenegrin judiciary system, the panelists said.

The lack of a Freedom of Information Law, noted as well during the 2003 MSI, continues to represent a significant flaw in the media-related legal framework. Adoption failed once again during 2004. MSI participants said that although the drafting of a proposed law was given significant assistance by media associations, it stalled because the government argued

that exemptions from information disclosure had to be broadened.

The May 2004 murder of the editor-in-chief of the daily *DAN*, Dusko Jovanovic, drastically discredited efforts to develop a

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democratized and civilized media environment. The editor was outside his office when he was shot from inside a moving car. He died a few hours later in the hospital. No one has been charged with committing the killing, although Damir Mandic, a business figure, has been indicted for alleged involvement in the case. Jovanovic’s lawyers have criticized the authorities for dragging their feet on a full investigation and withholding forensic information. However, for the first time, the media community demonstrated unshakeable solidarity in condemning the murder and pressuring for a conclusive probe. Panelists said the prosecution of the case and its outcome will be a decisive indicator for the development of an independent media system in Montenegro. “The murder of Dusko Jovanovic was the worst event this year for Montenegrin media and tainted everything we achieved,” said Vujovic.

In terms of commercial law, panel participants emphasized changes, such as the Law on Social Insurance, that exacerbate the financial situation of journalists and the liquidity of media companies. However, panelists noted that this is not a situation specifically discriminating against the media industry, but rather concerns overall tax policy, which affects all Montenegrin companies.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Montenegro Objective Score: 2.14 / 4.00

Panelists unanimously concluded that Montenegrin journalism has not achieved an acceptable level of professionalism, nor are media professionals willing to adhere to an ethics code. Outlets still tend to focus on short-term profit-making through any route, with long-term investment in quality backed by professional practices taking a back seat. MSI panelists highlighted problems related to the activities of the Journalism Self-Regulatory Body, which was set up in 2003 by media associations to monitor professional standards agreed to in 2003 and represented a victory for self-regulation accepted by the state. However, the MSI panelists concluded that the regulatory body’s work did not meet the goals of the media organizations and recommended that the approach be modified. Within the media community, there was a sense that the work of the panel had too little impact and was not sufficiently supported by media companies. There were suggestions, too, that an advisory council be assembled to help the panel’s executive. Some also called for changes in personnel. “The one positive aspect is that we recognized our mistakes, know what we need to do, and know that the media will be involved in the whole process,” said Senko Cabarkapa, president of the Journalism Self-Regulatory Body.

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

Biased reporting, politicization of news and information, and failure to use multiple sources all are hindering the improvement of Montenegro's media professionalism. However, there were encouraging examples of investigative and objective journalism produced by private media. Examples include the coverage of privatization and of ecological issues such as the controversial planned construction of the Tara dam. RTCG's coverage of this case and other reporting successes, including parliamentary coverage and a Montenegro Airlines accident, illustrated the advancement of editorial policy at the broadcaster.

The unenviable financial situation of the journalists also is an obstacle in the development of professional journalism, reflected in poor-quality standards and low morale. Wages averaging \$300 per month create an additional problem for media trying to develop in-house productions or investigative projects that require sustained and skilled staffing.

In regard to the creation of an editorial policy, some private broadcasters opt for cheap entertainment programming, further reducing resources directed to informational and cultural programming. Panelists stressed that good-quality journalism, the constant improvement of informational and educational programs, and a reduction in low-quality entertainment programming were crucial for the development of professional editorial policies and standards. "The disproportion between educational and entertainment programming is striking," said Vojo Raonic, director of the Montenegrin Media Institute (MMI). "This should be quickly changed. As soon as we pass the Law on the Protection of Copyrights, the situation will be drastically different because media will no longer be allowed to broadcast pirated movies, music, etc."

The panel members also highlighted the need for improved journalism education and overall modernization of their profession. The media sector will be boosted by the first generation of students who will obtain their undergraduate degrees in journalism from the Department of Media Studies at the Law School in Podgorica. Programs offered by the MMI, which contributes to the education and training of beginning and experienced journalists, will also help. Finally, panelists felt that Montenegrin journalists should strive to ensure their own professional development as a basic precondition for building a reputable and credible media community.

OBJECTIVE 3: PLURALITY OF NEWS SOURCES

Montenegro Objective Score: 2.77 / 4.00

MSI panelists unanimously agreed that the quantity of media in Montenegro, with a population of 620,000, is unsustainable. The myriad of electronic and print media do not necessarily equate to a diversity of information available to the public. A great number of outlets use the same agency source while their own networks of correspondents are undeveloped. The abundance of media can directly influence the reliability and objectivity of information

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because in a highly competitive sector, outlets often resort to publishing scandal and sensationalism. However, since the Montenegrin media market is

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

small, the number of media outlets will naturally decrease. Electronic media in particular will be forced to restructure their businesses or merge if they want to avoid bankruptcy. The number of existing media outlets can be reduced to a sustainable commercial level without jeopardizing the range of news sources available to the people.

Access to domestic and international media are not limited by the government, but rather by the poor financial situation of citizens. This particularly affects the number of copies sold by daily and weekly newspapers and magazines, as well as Internet usage. Currently, some 12 percent of the population regularly uses the Internet, according to industry estimates. The introduction of installment-payment systems for selling computers could make them affordable to more average Montenegrins. Although there are two Internet providers in Montenegro, prices are still high, with the monthly fee for a dedicated line costing more than \$400. There are not yet many Internet cafés, but Montenegrin post offices in larger cities offer Internet access.

MSI panelists noted that the media had made progress in reflecting the views of the full political spectrum, although this has brought about another phenomenon: reducing journalism to a series of statements from all relevant political forces without probing issues in depth.

The panelists also pointed out that the private news agency MINA is increasingly trusted by the domestic media and other users of its services. These positive reviews reflect the agency's improved service. MINA successfully made up for gaps in content experienced by some print and electronic media by offering a variety of additional services, including tailored packages for broadcasters, reports from correspondents in Brussels and Belgrade, and business coverage widely agreed to be excellent.

Most broadcasters have their own newscasts. However, only a few provide original coverage produced by their own staffs. Most rely on agency-produced materials, and, as a result, many media outlets provide views with much the same material.

Despite evident problems with its internal transformation, the public broadcaster RTCG effectively eliminated political pressure. "The sheer fact that the members of the Managing Board are not representatives of political parties, as they used to be, but professionals, resulted in higher-quality productions," said Vojo Raonic of the Montenegrin Media Institute. This progress occurred despite a deal brokered by the OSCE that reestablished live television broadcasts of parliamentary sessions, without regard to

the importance of the issue under discussion. This was done in a bid to appease the political opposition, which had boycotted parliament for 18 months, claiming they had been robbed of a public forum when the live broadcasts were eliminated. RTCG had cut this coverage when the new public broadcasting law cancelled RTCG's third channel, which it had used for parliament broadcasts. The OSCE stepped in, offering to organize donor support for RTCG, and the broadcasting of all Assembly sessions in full resumed. Some in the media community saw the public broadcaster's editorial independence in editorial decision-making as collateral damage from the political deal.

Panelists said that media transparency had moved forward significantly during 2004 with the publication of a book by the MMI that detailed media ownership and disclosed a number of cross-ownerships but failed to find suspected political ties. At the same time, the existing ownership structure and potential future commercial relations within the media community emphasized the necessity of passing a Law on Regulating the Concentration of Media Ownership. Despite the acquisition of the daily *Publika* by a foreign investor, the panelists consider the overall lack of substantial foreign investments in media to be worrying. Full development of the media sector is not possible without foreign capital investments, they said. So far, only the daily *Vijesti* has attracted substantial investment—from the German WAZ media group. Possible further acquisitions by WAZ, however, might be thwarted by an antimonopoly law.

Panel members said there was consistent progress in covering minority communities, both because the number of outlets broadcasting in minority languages is growing and because more space is being dedicated to reporting on minority issues

OBJECTIVE 4: BUSINESS MANAGEMENT

Montenegro Objective Score: 2.19 / 4.00

The business-management problems experienced by Montenegro's media companies remained largely unsolved in 2004. The panelists believed that the media business in Montenegro is in crisis and that the business environment is largely discouraging for the commercial development of news outlets. Many print and electronic media outlets teeter on the brink of bankruptcy. In the current market conditions, potential profits from marketing and daily commercial operations appear limited to most outlets. A few outlets in the print media industry—namely, *Vijesti* and

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Dan, with daily circulations of about 20,000 each—are basing their business on sound strategy, research, and marketing campaigns. But for the most part, dailies and weeklies constantly fight against insolvency. The main problem is that their “business” strategy of past years relied on foreign and domestic donations, thereby creating an artificial marketplace. Now that regional conflict has quieted and donors are pulling out, several are unable to make the transition to generating their own revenues to cover operating costs.

As for the electronic media, the situation is complicated due to the large number of radio and television stations. TV IN, TV MBC, and Radio Antenna M offer quality products based on successful business strategies. But for the most part, the typical commercial problems persist: insolvency, bad management, lack of professional staff and quality business plans, and so on. Electronic media businesses are also unprepared for integration into other media outlets, which would significantly contribute to their business survival and further development. Although foreign donors still support some outlets financially, the sums provided are not enough to maintain business operations. These financial difficulties have contributed directly to lower-quality news and information, low staff motivation, poor working conditions, and low professional standards, the panelists agreed.

“Also, there is the danger of flourishing TV stations from Serbia, which will apply for frequency in upcoming tenders, replacing struggling Montenegrin media,” said panelist Vojo Raonic. “Serbian stations will use Montenegrin media space for their own purposes and will not spend their money on program production in Montenegro but will broadcast from Serbia.”

Panelists suggested that it is possible that the media community will meet the same fate as most Montenegrin business sectors: Montenegrin media employ too many people, although their number has decreased dramatically over the past several years from more than 3,500 to fewer than 2,000 now, with one-third in the private sector.

“Montenegrin marketing businesses make €5 to €10 million a year. That amount is sufficient to support no more than three television stations and about 10 radio stations,” said Raonic. “If only three print media outlets, three television, and 15 radio stations exist and the journalists

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who work for them are well paid, then in two to three years we could select the best and form a new generation of journalists. In my opinion, sustainability is the most serious problem.”

There has been little expansion of the advertising market or the services associated with it. No major advertising agency is present in Montenegro. Media themselves are doing too little to attract big domestic companies. Still, media owners cultivate classified ads and simple commercial spots as a main source of income. Only public service RTCG, TV IN, and to a smaller degree TV MBC have serious advertisers present on their screens. TV IN is the only station that succeeded in developing targeted programming (youth programs) attracting the best Montenegrin companies—cellphone providers Pro Monet and Monet—as sponsors.

Media laws forbid receiving government subsidies or any sort of political interference. Public service RTCG is financed through subscription, and for the first time commercial broadcasters are to receive 10 percent of the subscription amount collected to develop programming. However, without enough to cover their costs, many media broadcast the cheapest programs possible—music, or talk shows that last for hours.

Although independent media are not seen as receiving government subsidies, some media outlets appear to favor certain political groups. That has opened space for speculation on what support they might receive.

A few media outlets, mostly those involved in a donor-funded media-development program, have started to use market research as a tool for creating strategic plans and program improvement. During 2003 and the first half of 2004, the MMI regularly provided research done by Belgrade-based Strategic Marketing Agency. Unfortunately the majority of owners, dissatisfied by ratings of their media, refused to accept the findings as relevant. The MMI anticipated establishing a sophisticated rating system using people-meters during 2005.

OBJECTIVE 5: SUPPORTING INSTITUTIONS
Montenegro Objective Score: 2.44 / 4.00

Panelists gave professional associations and unions a bad overall assessment. Almost all of the associations established in previous years either do not function properly or have become exclusive circles with few members. The exception noted by panelists was the Union of Independent Electronic Media of Montenegro (UNEM), which actively supports the interests of

its members. The current associations lack credibility because their reputation within the media community is that they are poor and uninspiring. In addition, particular associations have been professionally discredited. For

“The associations are not perceived as protectors of journalistic interests and are perceived as the property of the people who work in their management bodies,” said panelist Duska Micunovic, program editor at RTCG.

example, the Association of Journalists of Montenegro this year awarded its top prize to a journalist from Serbia. “The associations are not perceived as protectors of journalistic interests and are perceived as the property of the people who work in their management bodies,” said panelist Duska Micunovic, program editor at RTCG.

Participants assessed highly the educational and professional mission of the MMI to train a new generation of media professionals in Montenegro.

The success of MMI, the country’s first media school, was deemed encouraging and important for the media community, especially since Montenegro has not developed the optimal academic framework for journalism education. Currently the first generation of future Montenegrin journalists is studying at the Department of Journalism at the Law School in Podgorica.

Regarding the relations between nongovernment and media sectors, good communication exists between those two cornerstones of civil society. NGOs and media have cooperated on joint campaigns dedicated to the various aspects of public policy such as promoting ecological campaigns, as well as providing unified lobbying on issues of political, economic, and social concern.

Panelists noted the absence of politicization and media discrimination in the operations of print houses. There were problems with distribution services caused by poorly managed operational practices, such as refusing business cooperation. There are also difficulties in collecting timely payments from the print media. Panelists noticed progress in the number of media outlets that offer free access to their websites, although some outlets, such as *Vijesti*, use a different strategy and require payment.

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are private, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Panel Participants

Esad Kocan, editor-in-chief, MONITOR

Vojislav Raonic, director, Montenegrin Media Institute

Vladan Micunovic, deputy editor-in-chief, *Vijesti*

Duska Micunovic, program editor, TV Crne Gore

Darko Sukovic, editor-in-chief, Radio Antenna M

Jasmina Kocalo, editor, TV MBC

Rajko Sebek, news editor, TV IN

Snezana Nikcevic, member of the MB, Open Society Institute

Mladen Milutinovic, acting editor-in-chief, *DAN*

Nebojsa Reddzic, news editor, NTV Montena

Samir Rastoder, deputy editor-in-chief, *Republika*

Ranko Vujovic, coordinator, UNEM

Jasa Jovicevic, director, MINA news agency

Senko Cabarkapa, president, Journalistic Self-Regulatory Body

Boris Darmanovic, president, Association of Young Journalists

Sasa Brajovic, PDA information assistant, USA Konzulat

Ana Drakic, Democracy and Governance Advisor, USAID

Moderator

Rade Bojovic, Media doo

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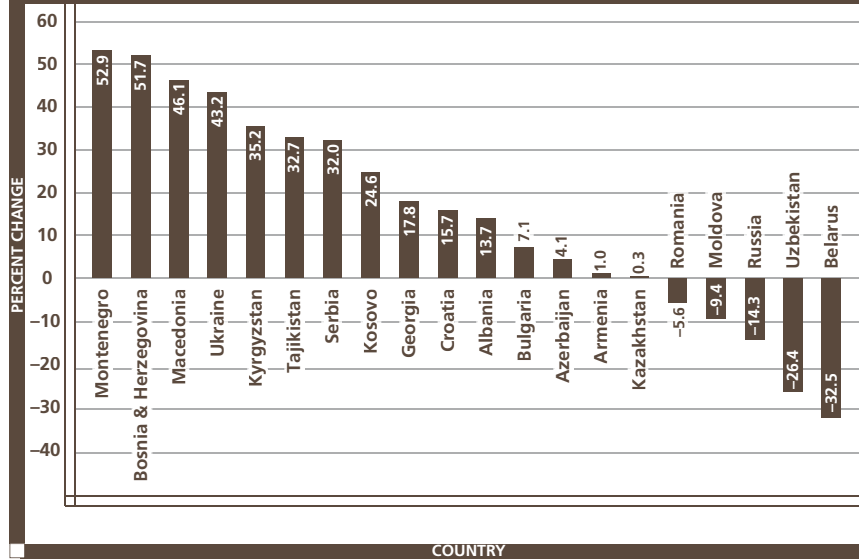
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MONTENEGRO AT A GLANCE

GENERAL

- **Population:** 620,145
- **Capital city:** Podgorica
- **Ethnic groups (% of population):** Montenegrins 43.16%, Serbs 31.99%, Albanians 5.03%, Bosnians 7.77 %, Muslims 3.97%
- **Religions (% of population):** Orthodox 74%, Islam 18%, Catholic 3.5%, Atheist <1% *November 2004 census*
- **Languages (% of population):** Serbian 63%, Montenegrin 22%, Albanian 5%, Bosnian 2%, Croatian <0.5%
- **GDP:** NA
- **GDP/GNI per capita:** NA
- **Literacy rate (% of population):** 93%
- **President or top authority:** President Filip Vujanovic, Prime Minister Milo Djukanovic
- **Next scheduled elections:** Parliamentary October 2006

MSI AVERAGE SCORES—PERCENT CHANGE 2001–2004



MEDIA-SPECIFIC

- **Newspaper circulation statistics (total circulation and largest paper):** Estimated total circulation is between 55,000 and 60,000 copies. Two of the largest papers are *Vijesti* and *Dan*, with circulation around 20,000 copies each. The *Monitor* weekly produces 5,000 copies.
- **Broadcast ratings (top three ranked stations):** TV Pink, TV Crne Gore, TV In *Strategic Marketing*, September 2004
- **Number of print outlets, radio stations, television stations:** There are 45 print outlets, 15 television stations, and 43 radio stations. *Montenegro Media Institute, 2004*
- **Annual advertising revenue in media sector:** 7 million to 10 million euros
- **Number of Internet users:** 16% of the population has Internet access.
- **Name of news agency:** Mina

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