

Perception of the State Prosecution Service in Montenegro





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A large, stylized graphic of an eye, composed of a large curved line forming the upper and lower eyelids, and a series of short, straight lines radiating from a central point on the left side, representing the iris and pupil. The entire graphic is rendered in a light blue color against a dark blue background.

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October 2022

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Introduction

Public trust in the work of judicial institutions in Montenegro has been low for a long time. Causes for citizens' dissatisfaction with the way the judicial system is functioning and relatively low level of trust in courts and prosecution offices should be sought in the overall social atmosphere, which was not suitable for implementation of judicial reforms by the expected dynamics, but also because of certain events within the judicial system that raised and still raise doubts about the effectiveness of the judicial reforms implemented so far. According to the European Commission 2021 Report on Montenegro, judicial reforms in Montenegro are stagnating, which is an expected outcome considering the dynamics of the reforms in the last four years.

One of the rare areas where certain progress has been made regarding the reform of the judicial system is the transparency and accessibility of judicial authorities. It seems that the courts and prosecution offices, as well as the key managing bodies in the judicial system such as the Judicial and Prosecutorial Council, in the past few years, have realized the essential importance of openness of the judiciary to citizens and have implemented activities directed to strengthen transparency and availability of information about their work and about the way they function. The judicial and prosecution organization has defined its full commitment to the principles of transpa-



This research was conducted to determine how Montenegrin citizens perceive the transparency and openness of the State Prosecution Service, with a focus on the implementation of the Communication Strategy and action plans.



rency and responsibility of work through a new strategic framework in which they recognized goals and activities that should ultimately result in higher citizens' trust in the work of judicial institutions.

In the last few years, the State Prosecution Service has tried to have a high level of openness towards citizens and the general public. It seems that a special challenge for the prosecution organization was to maintain the epithet of "the most open institution" which they received based on research from 2015 conducted by the NGO Centre for Democratic Transition (CDT). The results of the CDT research showed that the transparency indicator of the State Prosecution Service has increased from 4% in 2014 to 99% in 2015. In an effort to strengthen overall communication with citizens and the interested public, the State Prosecution Service, with the support of the OSCE Mission, developed the Communication Strategy for the period 2016-2018, and in 2019, with the support of experts from the Council of Europe, adopted the Communication Strategy for the period 2020-2022, as well as the action plans for 2020 and 2021. Given that the three-year period of implementation of the Strategy is coming to an end, it is the right moment to make an overview of the achieved results and realised activities, as well as to define the strategic goals for the next two-year period.

This research was conducted to determine how Montenegrin citizens perceive the transparency and openness of the State Prosecution Service, with a focus on the implementation of the Communication Strategy and action plans. In addition, the research included topics related to citizens' perception of trust in the work of the State Prosecution Service in Montenegro, especially the Special State Prosecution Office, as well as the visibility and availability of information to all interested public about the work of the judicial institutions. This resulted in an analysis in which the results of the research were presented systematically with the analytical overview. Also, certain recommendations were given on how to improve some segments of the visibility of the State Prosecution Service, in the context of the adoption of the new strategic document in the field of communications.

Research Methodology¹

A random stratified multi-stage sample of 1000 adults was used for the realization of this research. The stratification of the sample was done with 6 strata according to the territorial division (North, Centre, South) and the type of settlement (urban and rural). The sample included 19 municipalities in the territory of Montenegro. The questionnaire consisted of 50 closed-ended and open-ended questions. The time required to complete the questionnaire was about 25 minutes. Data collection was carried out from 20.09.2022. until 27.09.2022.

To draft this report, a comparative method was applied to the results of the research conducted at the beginning of August 2020. However, the results are not comparable for all questions for two reasons. Namely, although some questions were identical to those from the 2020 survey, new response modalities were offered during this research. Another reason is that this year's survey questionnaire contained certain questions that were not offered to respondents in 2020. In addition, when comparing the results, it is necessary to take into account the context in which the research was carried out. The 2020 survey was conducted before the parliamentary elections. After these elections, we had the first change of government in Montenegro after 30 years. Also, during the time between the two surveys, there were changes in the judicial bodies and judicial authorities in Montenegro.

¹ A detailed report on the research methodology-sample is presented in the Annex

Key Research Findings

- Slightly less than half of the citizens (44.5%) generally have a positive attitude when it comes to the State Prosecution Service in Montenegro. During the 2020 survey, as many as 43.6% of respondents pointed out that they have a mostly negative attitude toward the State Prosecution Service, while during this year's survey, that number was reduced to 12.3% of respondents. Among the young people (18-25 years old), more than half of respondents do not have a defined attitude about the State Prosecution Service in Montenegro.
- In the last 12 months, as many as 41.3% of respondents noticed mostly changes for the better in the work of the State Prosecution Service, while 47.8% of respondents did not notice any changes in the work of the state prosecution organization. The research conducted in 2020 showed us that only 17% of respondents noticed changes for the better in the work of the State Prosecution Service during the same period.
- Research results indicate that 42.6% of respondents generally trust the Supreme State Prosecution Office, while 21.6% mostly do not trust this institution. When it comes to the Special State Prosecution Office, 19% of respondents claim that they generally have no trust in this institution, while 42.7% stated that they mostly trust the Special State Prosecution Office.
- The survey results show that 35.8% of respondents support the work of Acting Supreme State Prosecutor Maja Jovanovic, while 44.1% pointed out that they support the work of Chief Special Prosecutor Vladimir Novovic, who was elected less than six months before this survey was conducted.
- Almost a third of respondents expressed a positive stance towards the tran-

sparency of the State Prosecution Service (2020: 50.4%). However, more than half of the respondents (50.5%) believe that State Prosecution Service is generally open and accessible. These results represent a good basis for the continuation of activities that would, above all, promote the openness and accessibility of basic state prosecutor's offices where citizens can have direct contact with them.

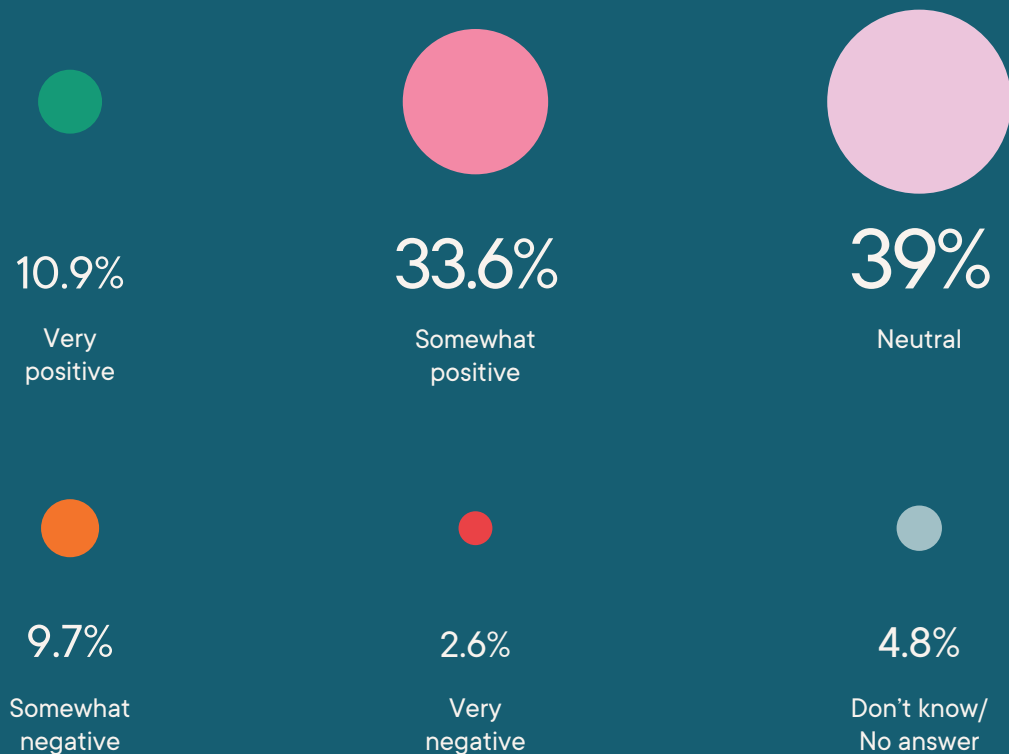
- The overall political situation and the change of government at the national level, as well as the changes that took place in the state prosecution organization in the previous period, caused citizens to have the impression that the influence of the government on the work of the state prosecution organization is to a certain extent less than it used to be. Half of the respondents believe that there is an influence of the ruling coalition on the State Prosecution Service (2020: 66.9%).
- According to the survey results, 59.8% of respondents believe that the State Prosecution Service is generally efficient in its work. Of this number, 13.7% claim that it is very efficient, while 46.1% think that the State Prosecution Service is somewhat efficient. Respondents who think that the State Prosecution Service is generally inefficient, as the main reasons for inefficiency state corruption (87.6%), fear of criminal organizations (82.3%), and dependence on the Government (71.4%).
- Slightly less than half of the respondents (46.4%) believe that the State Prosecution Service is mostly successful in combating corruption, while 42.9% think that the State Prosecution Service does not successfully fight corruption.
- As many as 91.8% of respondents think that corruption is a big problem in Montenegro (2020: 86.8%), while the existence of organized crime is confirmed by 90.2% of respondents (2020: 90.7%).
- Even 93% of respondents are not familiar with the composition of the Prosecutorial Council. In the population with high school education, this share is 100% which indicates that it is necessary to implement certain informative and educational programs to raise the level of information among this population about the work of the state prosecutor's organization.
- Citizens are predominantly informed about the State Prosecution Service through television (47.3%) and internet portals (31.2%). A very small percentage of respondents get information from other sources, such as TV shows dedicated to the work of the State Prosecution Service (9.4%), newspapers (5.6%), or the radio (1.2%).
- That the public is provided with partial and incomplete information think 40.8% of respondents (2020: 55.7%), while 15.9% believe that there is almost no information on this topic in the media.

Trust in the work of the State Prosecution Service

According to the Constitution of Montenegro, the State Prosecution Service is a unique and independent state authority that performs the affairs of prosecution of the perpetrators of criminal offences. As one of the key institutions in the judicial system reform process, the State Prosecution Service has been going through a dynamic period of organizational reform for the last several years. The State Prosecution Service is continuously at the centre of interest of the both domestic and international public. During the previous two years, citizens could witness activities that were carried out with the intention to change the legal framework by which is regulated the organization and functioning of the State Prosecution Service. Changes in the legislation were followed by changes in the institutional framework. All these circumstances caused the State Prosecution Service to go through a dynamic reform process during the previous two years, both at the organizational and personal level, which in total did not produce any negative consequences on the public's perception and the level of trust in the work of the state prosecutor's organization.

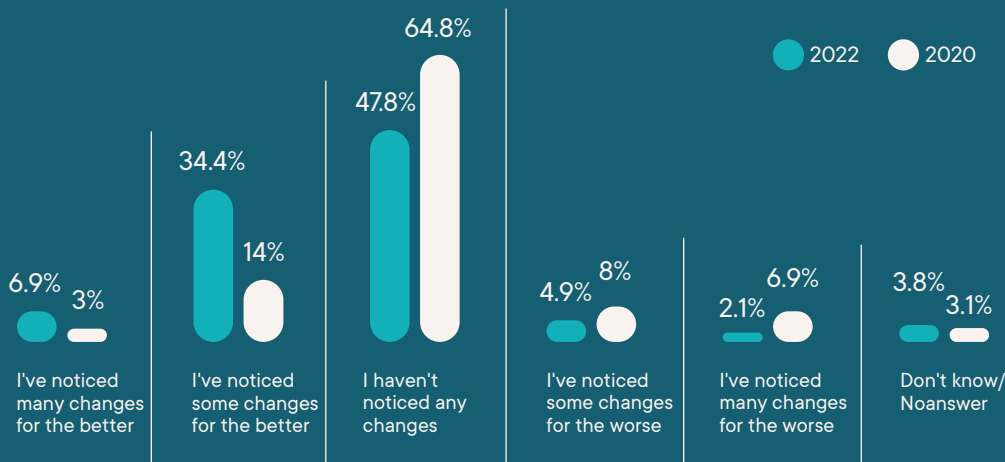
The State Prosecution Service is continuously at the centre of interest of the both domestic and international public. During the previous two years, citizens could witness activities that were carried out with the intention to change the legal framework by which is regulated the organization and functioning of the State Prosecution Service.

What is your general attitude towards the State Prosecution Service in Montenegro?



The survey results indicate that slightly less than half of the citizens (44.5%) have a positive general attitude when it comes to the State Prosecution Service, while 39% don't have a formed opinion. It is interesting that among the young people (18-25 years old) more than half of the respondents do not have a defined attitude toward the State Prosecution Service.

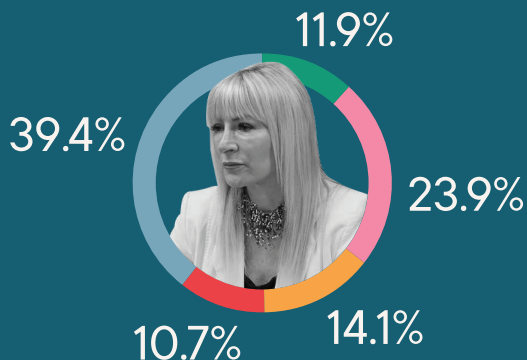
Have you noticed some changes in State Prosecution Service work over the past 12 months, either for the better or for the worse?



In the last 12 months, as many as 41.3% of respondents noticed mostly changes for the better in the work of the State Prosecution Service. Institutional and personal changes in the state prosecutor's organization occurred exactly during this period. After the announcement of the incomplete composition of the Prosecutorial Council in August 2021, political parties from the then-ruling parliamentary majority needed several months to reach a final agreement on the selection of the remaining members of the Prosecutorial Council from among respectable lawyers and representatives of NGOs. The new convocation of the Prosecutorial Council was constituted at the end of January 2022, the new Acting Supreme State Prosecutor was elected

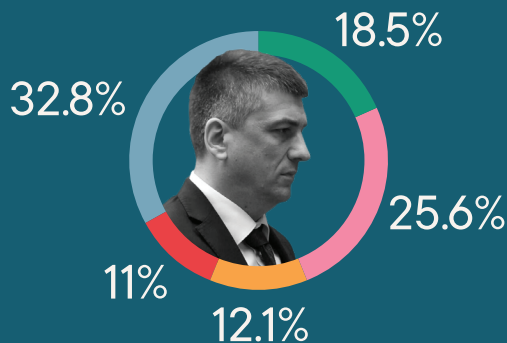
at the beginning of February, while the new Chief Special Prosecutor was elected in mid-March. All these circumstances, as well as the overall political dynamics in Montenegro, could have a negative impact on the perception of citizens of the State Prosecution Service work. However, it is obvious that citizens reacted positively to the first concrete actions that the State Prosecution Service carried out under the new management structures, and therefore a high percentage of citizens stated that they noticed changes for the better in the work of the State Prosecution Service. The research conducted in 2020 showed that only 17% of respondents noticed changes for the better in the work of the State Prosecution Service during the same period.

Do you support the work of the new Acting Supreme State Prosecutor Maja Jovanovic?



The survey results indicate that 35.8% of the respondents support the work of the Acting Supreme State Prosecutor Maja Jovanovic, and it is interesting that almost 40% could not say whether they supported her work or not.

Do you support the work of the new Chief Special Prosecutor Vladimir Novovic?



When it comes to the support for the work of Chief Special Prosecutor Vladimir Novovic, who was elected less than six months before this survey was conducted, as many as 44.1% of respondents indicated that they support his work, while 32.8% said that they cannot make a judgment whether they supported his work or not.

● Yes, absolutely
 ● Yes, partially
 ● More no than yes
 ● No, absolutely
 ● I can't make a judgement

To what extent do you trust the prosecutor's offices listed below?

	Strongly distrust	Somewhat distrust	Neutral	Somewhat trust	Strongly trust	I have not heard about this office	Do not know/No answer
Supreme State Prosecution Office	6.5%	15.1%	29.8%	30%	12.6%	0.3%	5.8%
Special State Prosecution Office	8.1%	10.9%	32.4%	31.4%	11.3%	0.4%	5.5%
High State Prosecution Office in Podgorica	9.1%	14%	31.1%	28.6%	9.6%	1.1%	6.6%
High State Prosecution Office in Bijelo Polje	8.9%	11.4%	30.1%	25.8%	8.5%	2.3%	13%
Basic State Prosecution Office in your municipality	9.1%	13.4%	30.4%	29.6%	10%	0.9%	6.7%



When it comes to trust in prosecution offices, the results of the research show that 42.6% of respondents generally trust the Supreme State Prosecution Office, while 21.6% mostly do not trust this institution. Only 19% of respondents expressed the view that they generally do not trust the work of the Special State Prosecution Office, but 42.7% stated that they mostly trust the Special State Prosecution Office. When conducting the research in 2020, the

answers to this question were a bit different. Then, 35.8% of the respondents pointed out that they mostly do not trust the Special State Prosecution Office, while 44.8% said that they mostly trust this institution. Slightly below 40 percent of the respondents (38.2%) generally believe in the work of the High State Prosecution Office in Podgorica, while almost 40% of them trust basic state prosecution offices.

To what extent do you agree with the following?

	Strongly agree	Somewhat agree	Somewhat disagree	Strongly disagree	Don't know/ No answer
State Prosecution Service is trustworthy	13%	41.7%	19.2%	13.1%	13%
State Prosecution Service is transparent	5.3%	26%	25.6%	23.2%	19.8%
State Prosecution Service is corrupted	12%	23%	25.9%	15.2%	23.5%
State Prosecution Service is accessible and open to the public	5.1%	24.8%	28.3%	22.2%	19.6%
State Prosecution Service is under the influence of the ruling coalition	15.6%	34.9%	18%	10.4%	21.1%
State Prosecution Service reports in a timely manner on the ongoing procedures	6.7%	22.9%	29.8%	18.9%	21.8%
The employment system in the State Prosecution Service is transparent	4.9%	19.2%	26.6%	25.7%	23.5%



Just like the 2020 survey when more than half of the respondents pointed out that the State Prosecution Service is reliable, this year's research also shows a stable trend when it comes to citizens' perception of the reliability of the State Prosecution Service. The results show that 54.7% of interviewees think that the State Prosecution Service is mostly reliable in its work. However, we can notice a negative trend when it comes to citizens' perception of the transparency of the prosecution's work. Namely, in the 2020 survey, 50.4% of respondents supported the statement that the State Prosecution Service work is transparent,

while this year's survey showed that only 30.3% of interviewees expressed a positive attitude about the transparency of the State Prosecution Service.

These results represent a good basis for the continuation of activities that would, above all, promote the openness and accessibility of basic state prosecution offices where citizens can make direct contact with officials of these institutions.

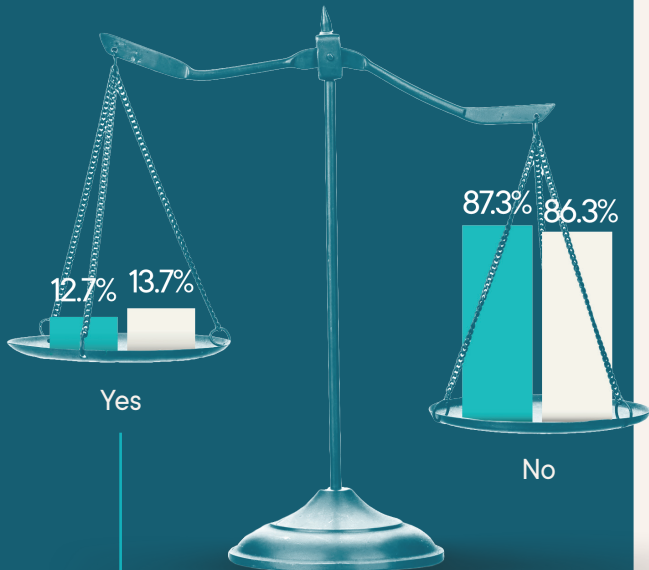
Citizens were asked if they had experience with any of the prosecution offices in Montenegro, and 12.7% said Yes, which is at the level of the 2020 survey when that percentage was 13.7%.

Did you have experience in dealing with any of the prosecution offices in Montenegro?

2022 2020



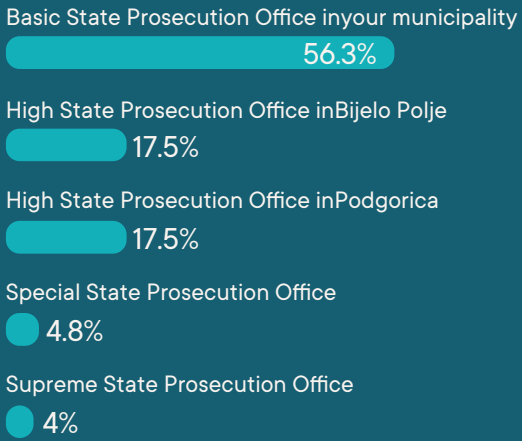
Out of those who had experience with some of the prosecution offices in Montenegro (12.7%), more than half (56.3%) have been in contact with the basic state prosecution offices in the municipalities where they live, and they based their views on those contacts.



Which prosecution office did you have experience with?



It is clear that the largest percentage of citizens have communication with basic state prosecution offices, and therefore it is very important to pay special attention to more active communication of local prosecutor's offices with citizens in local communities.



To what extent do the following statements apply to Montenegrin State Prosecution Service?

	Strongly agree	Somewhat agree	Somewhat disagree	Strongly disagree	Do not know/ No answer
The fight against crime and bringing to justice the perpetrators of criminal acts is the fundamental task of the State Prosecution Service	21.8%	33.5%	17.2%	11.3%	16.2%
The State Prosecution Service acts as a citizen's service	18.3%	36.7%	15.8%	10.7%	18.5%
The State Prosecution Service works in the public interest, exclusively in accordance with legal regulations and professional standards	18.6%	36.7%	17%	11.7%	16%
The State Prosecution Service, as an independent and impartial body, strengthens the foundations of the legal state and the rule of law	20.4%	31%	17.2%	14.1%	17.4%
The State Prosecution Service makes decisions solely based on constitutional norms and legal regulations, regardless of anyone's name, surname, position, or political affiliation	17.1%	34.1%	24.3%	9%	15.5%

Exactly 55.3% of respondents (2020: 69.9%) believe that the fight against crime and bringing to justice the perpetrators of criminal acts is the fundamental task of the State Prosecution Service. More than half (55%) think that the State Prosecution Service acts as a service for citizens. It is interesting to point out that regarding this claim, in 2020, even 29.9% of respondents disagreed with it, while this year's research showed that the num-

ber of respondents who disagreed with this statement decreased to 10.7%. The same situation is with the claim that "the State Prosecution Service makes decisions solely based on constitutional norms and legal regulations, regardless of anyone's name, surname, position or political affiliation", which is acceptable to 51.2% of citizens, but the key thing regarding this statement is that when compared with the 2020 research, we can see that back

then 29.6% of the respondents did not agree with it, while this year that number was reduced to only 9% of the interviewees. Respondents' answers to these two questions indicate a trend of the overall strengthening of trust in the work of the prosecution organization, which can be linked to the election of the new Prosecutorial Council and the changes in leadership positions in these institutions that took place at the beginning of 2022.

When we compare the results of this year's survey with the one from 2020, it is interesting that a survey conducted in August 2020 (before the parliamentary elections that resulted in a change of government at the national level) showed that citizens believed that back then the ruling coalition had a significantly greater influence of on the work of the State Prosecution Service. In 2020, 66.9% of citizens answered that they believe that the ruling coalition has an influence on the work of the prosecution service, while this year 50.5% of citizens had such an opinion. The overall political situation and the change of government at the national level, as well as the changes that took place in the state prosecution organization in the previous period, caused citizens to have the impression that the influence of the government on the work of the state prosecution organization is to a certain extent less than it used to be. However, given that still, more than half of the respondents have the impression that ruling authorities have an influence on the State Prosecution Service, in the following period it is necessary to promote autonomy and independence of the State Prosecution Service as the key principles of which the state prosecution organization is based.

The concept of prosecutorial independence according to the standards of the Council of Europe means that prosecutors are free from unlawful interference in the exercise of their duties and that they are not subjected to any political pressure or unlawful influence of any kind. Undue pressure on the work of state prosecutors is one of the main issues in almost all European countries, and because of that, there are bodies that are dealing with the protection of the autonomy of state prosecutors. The CCPE Opinion No. 14 on "the role of prosecutors in the fight against corruption and economic and financial crime" points out that the only proper way for the prosecutors to fight against corruption and to strengthen trust in the state institutions is that the member states of the Council of Europe ensure a solid constitutional and legal framework, which will allow the prosecution to act as an independent body, free from any inappropriate political or other external influence.

To what extent do you agree that the following groups have a negative influence on the work of the State Prosecution Service?

	Strongly agree	Somewhat agree	Somewhat disagree	Strongly disagree	Don't know/ No answer
Politicians at the national level	49.6%	26.9%	4.6%	3.2%	15.5%
Citizens	7.7%	9%	21.5%	42.1%	19.8%
Criminal groups	52.4%	24.1%	5%	3%	15.4%
Media	14.9%	22.3%	23%	19.6%	20.2%
Politicians at the local level	31.5%	30.2%	12.1%	7.1%	19.2%
Civil society	8.8%	15.3%	19.3%	30.7%	25.9%
Business sector	18.6%	24.5%	16.8%	13.8%	26.3%
No group has an influence on the work of the State Prosecution Service	3.1%	11.5%	12.8%	33.3%	39.3%

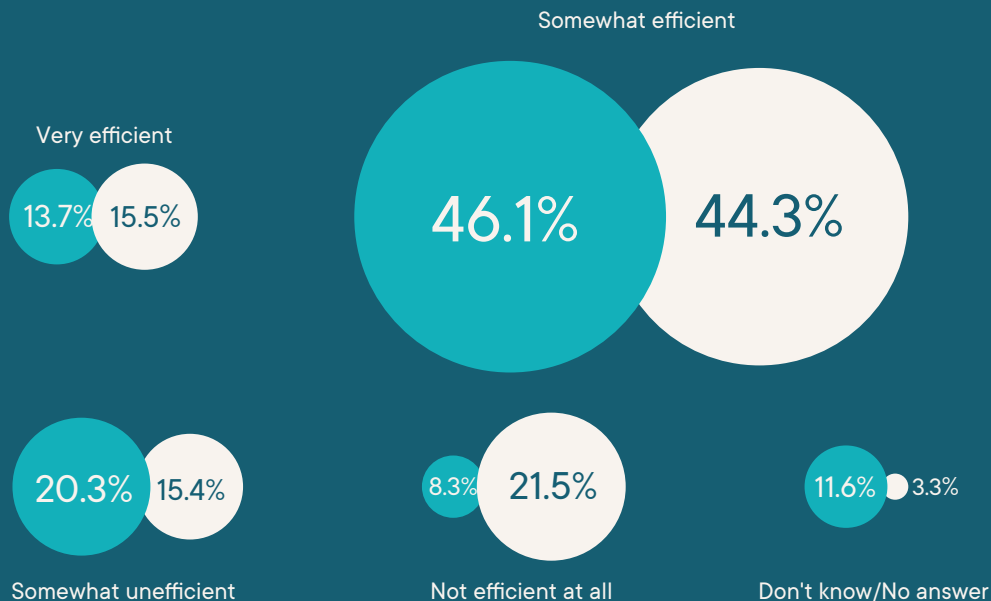
When it comes to the negative influence on the work of the prosecutors, 76.5% (2020: 69.7%) of respondents believe that politicians at the national mostly exert this kind of influence on the State Prosecution Service work. The statement that politicians at the national level influence the work of the State Prosecution Service in a negative way is considered to be completely true by 49.6% of the respondents. Survey results from 2020 show that the number of respondents who fully agreed with this statement was 39.5%. These views of citizens correspond with the key findings from the European Commission Report on Montenegro. According to this Report, the judiciary and state prosecution in Montenegro are still perceived as susceptible to political influence, even though the legal framework contains relevant guarantees of judicial independence.

In addition to political influence, the citizens pointed out in the survey that criminal groups (76.5%) have a negative influence on the work of the State Prosecution Service and the fact is that as many as 52.4% of respondents fully agree with this statement. About 43% of respondents believe that the business sector exerts a negative influence on the work of the prosecution, 37.2% (2020: 44.9%) think that the negative influence comes from the media, and about 24% that it comes from the civil sector. Only 14.6% (2020: 14.9%) of citizens believe that there is no influence on the work of the State Prosecution Service, while 41.4% of respondents think that citizens have a positive influence on the work of the State Prosecution Service.

A special group of questions within the survey was dedicated to citizens' perception of the efficiency of the State Prosecution Service. In this part, it is important to add that one of the Council of Europe's key advisory bodies – the Consultative Council of European Prosecutors (CCPE), in several of its opinions emphasized that the goal of prosecutors should be to ensure a fair, impartial and efficient judicial system. In the CCPE Opinion No. 11, it is specifically emphasized that the availability of financial and other resources in member states has a direct impact on the quality and efficiency of prosecutors' work. Therefore, it was recommended that appropriate human and technical resources and training programs should be provided for state prosecution organizations because the efficiency and productivity of their work will largely depend on it.

To what extent is the State Prosecution Service efficient in its work?

2022 2020

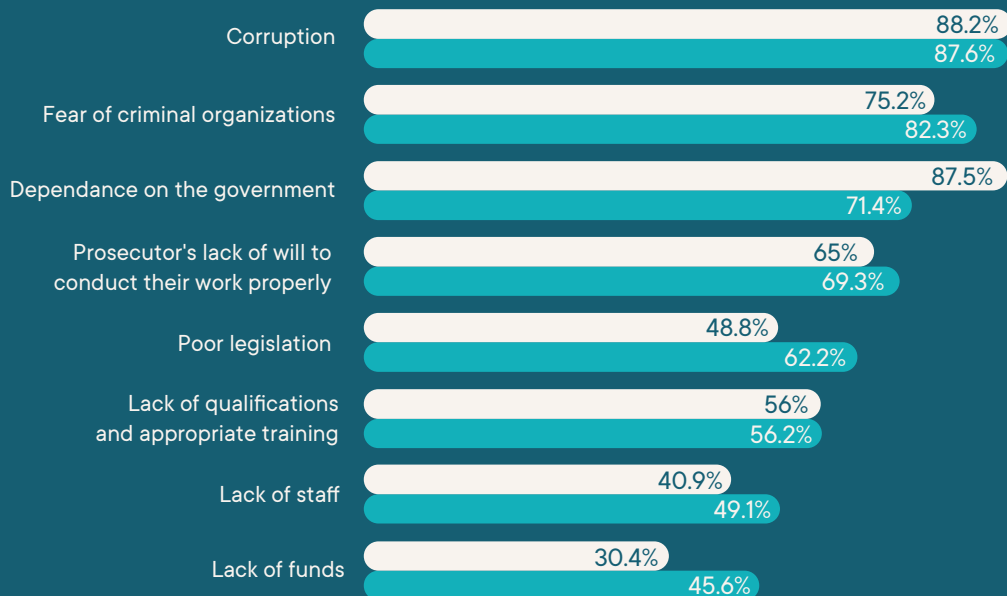


According to the survey results, 59.8% of respondents believe that the State Prosecution Service is mostly efficient in its work. Of this number, 13.7% claim that it is very efficient, while 46.1% think that the State Prosecution Service is somewhat efficient. Comparing these results with the data from 2020 research, it can be seen that an identical percentage of citizens (59.8%) had a positive attitude when it comes to the efficiency

of the State Prosecution Service. It should be noted that in 2020, a higher percentage of interviewees (36.9%) were reserved when it comes to the efficiency of the State Prosecution Service. This year's research shows that the number of respondents who believe that the prosecution service is mostly ineffective is on the decline (28.6%), while 11.6% of respondents did not have an answer to this question.

Why do you think the State Prosecution Service is not efficient?

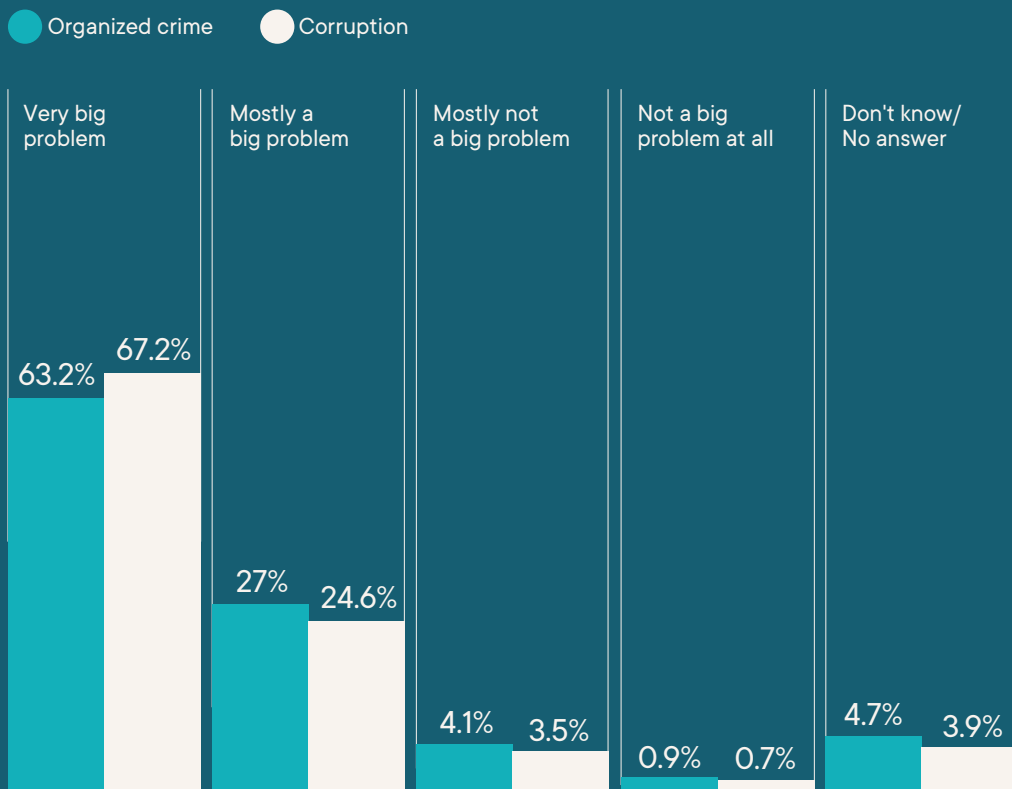
● 2022 ● 2020



Respondents who believe that the prosecution service is mostly ineffective cited that corruption (87.6%), fear of criminal organizations (82.3%), and dependence on the Government (71.4%), are the main reasons for inefficiency. Results from the 2020 survey reveal that citizens ranked the reasons for the inefficiency of the prosecution service in the same way. At that time, 88.2% of the respondents who considered that the prosecution service was mostly ineffective pointed out that the

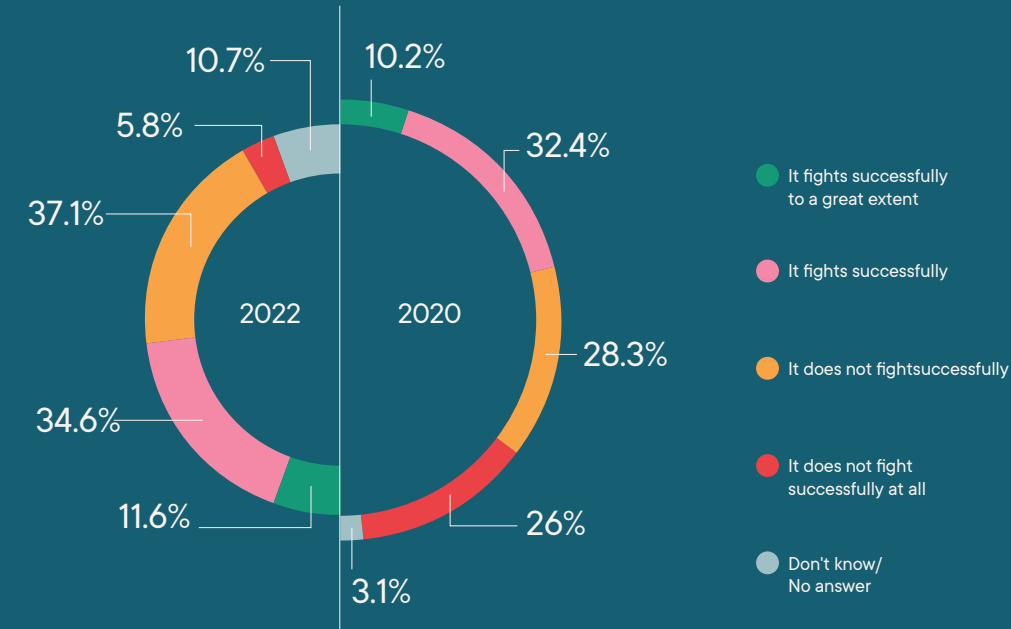
reason for the inefficiency was corruption, 87.5% of them cited dependence on the Government as the reason, while 75.2% cited fear of criminal organizations. It is interesting that almost 70% of respondents cited the prosecutors' lack of will to do their job properly as the reason for the ineffectiveness of the State Prosecution Service. Citizens believe that lack of staff (49.1%) and lack of funds (45.6%) are the reasons that have the least impact on the inefficiency of the State Prosecution Service.

To what extent is the following phenomenon a problem in Montenegro?



The actions of prosecutors in cases of corruption and organized crime are closely related to the overall citizens' perception of the efficiency of the State Prosecution Service. Citizens without exception believe that there is a problem of corruption and organized crime in Montenegro. As many as 91.8% of respondents think that corruption is a big problem in Montenegro (2020: 86.8%), while the existence of organized crime is confirmed by 90.2% of respondents (2020: 90.7%).

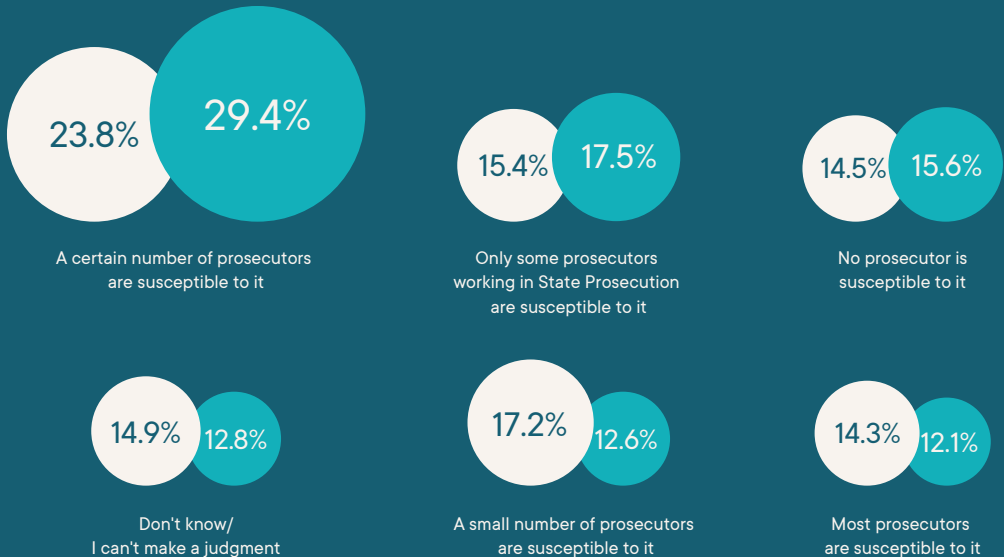
Do you think the State Prosecution Service fights corruption successfully?



↙ This question deserved special attention in the European Commission 2021 Report on Montenegro. The European Commission recommended, among other things, that Montenegro should improve the efficiency of criminal investigations, as well as that is important to address the issue of long-running trials and frequent delays in cases of organized crime and corruption. According to the results of the research, 46.4% (2020: 42.6%) believe that the State Prosecution Service is mostly successful in combating corruption, of which 11.6% think that the prosecution organization is largely successful in fighting corruption. On the other hand, 42.9% of them cite that the State Prosecution Service does not successfully fight against corruption. Interestingly, a significant improvement can be seen when it comes to the respondents who had a very negative attitude towards the contribution of the prosecution offices to the fight against corruption. We can see that in 2020, 26% of the respondents shared this opinion, while now this number has dropped to 5.8%.

Do you think that state prosecutors are susceptible to corruption?

● 2022 ● 2020



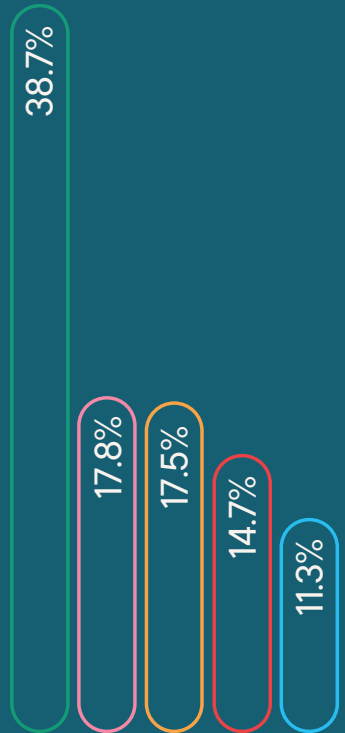
Results of the research indicate that 41.5% of interviewees believe that most or a certain number of prosecutors in Montenegro are involved in corruption, 30.1% think that a small number or only some prosecutors are involved in corruption, while 15.6% of respondents believe that no prosecutor is involved in this kind of illegal activity. In 2020, 38.1% responded that most or a certain number of prosecutors were involved in corruption.

Perception of the Prosecutorial Council

This year's research also had questions about the citizens' perception of the Prosecutorial Council, an institution that came into the public's focus after the recent changes in the Law on the State Prosecution Service. The Council ensures the independence of the State Prosecution Service, which is in charge of the most important organizational issues related to the state prosecutor's organization and about the status issues of state prosecutors in Montenegro. The Constitution of Montenegro, among other things, defines that the Prosecutorial Council: establishes the proposal for election of the Supreme State Prosecutor; elects and dismisses heads of state prosecution offices and state prosecutors; determines the termination of the office of heads of state prosecution offices and state prosecutors; proposes the budget for the work of the State Prosecution Service to the Government, etc. In addition to the Constitution, certain competencies of the State Prosecution Service are defined by the Law on State Prosecution Service such as deciding on the disciplinary liability of state prosecutors, taking care of the education of state prosecutors, submitting a proposal for dismissal of the Supreme State Prosecutor, etc. According to the research results, the largest number of respondents (38.7%) know that the Prosecutorial Council elects prosecutors in Montenegro. The reason why citizens are well informed about the election of the members of the Prosecutorial Council is that this topic has been brought into public "political" focus.

In your opinion, who elects prosecutors in Montenegro?

- Prosecutorial Council
- Government
- Judicial Council
- Parliament
- Supreme State Prosecutor



93.5%

No

Are you familiar with the composition of the Prosecutorial Council?

6.5%

Yes



By adopting amendments to the Law on the State Prosecution Service, the composition of the Prosecutorial Council was changed. New provisions of the Law define that the following shall be the members of the Prosecutorial Council: five state prosecutors; four eminent lawyers elected and dismissed by the Parliament of Montenegro; one representative of the state administration body responsible for judicial affairs; one eminent lawyer as a representative of non-governmental organizations with experience in a relevant field, who is elected and dismissed by the Parliament. The results of the research show that even 93% of respondents are not familiar with the

Do you support the composition of the Prosecutorial Council?



73.4%

Yes

4.7%

No

21.9%

Don't know

composition of the Prosecutorial Council. It is interesting that, for example, in the population with high school education this share is 100%, which indicates that it is necessary to implement certain informative and educational programs to raise the level of information among this population about the work of the state prosecutor's organization.

When asked who are the members of the Prosecutorial Council, some respondents even knew the last names of the Council members (Jovanovic, Gazivoda, Vuksanovic, Muk, Jovovic, Djukanovic). According to the research results, as many as 73.4% of respondents support the composition of the Prosecutorial Council.

Do you consider that the Prosecutorial Council is independent in its work?

9.4%
No,
absolutely

12.5%
Yes,
absolutely

27.4%
Yes,
partially

24.3%
More no
than yes

One of the biggest challenges in the work of the Prosecutorial Council will be achieving full independence and possible perception of political influence on the members of this body, especially having in mind that 6 of the total 11 members of the Prosecutorial Council are lawyers who are not part of the state prosecution organization. In this context, the research results show that almost 40% of respondents believe that the Prosecutorial Council is independent in its work, while 33.7% think that this institution is generally not independent in its work. It is interesting that a quarter of respondents could not estimate the answer to this question.

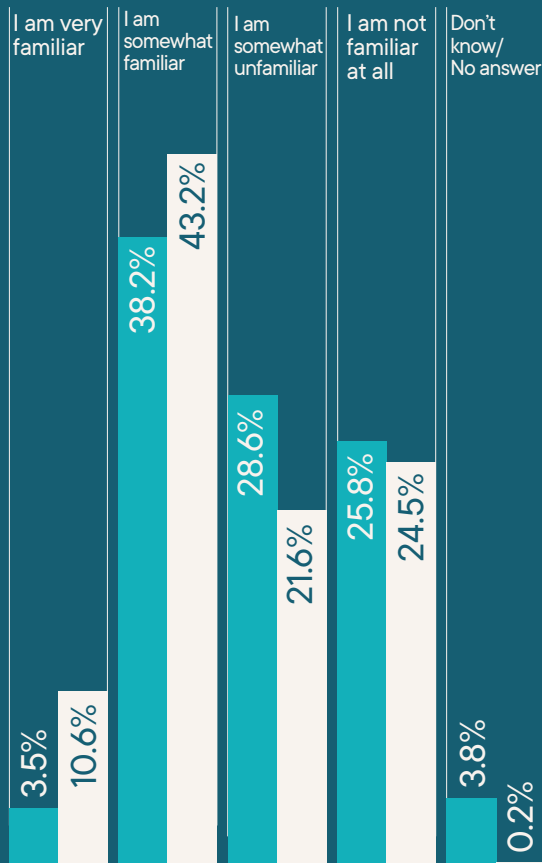
26.3%
I can't make
a judgement

Level of information about the State Prosecution Service

Sometimes it seems that the way of functioning of the State Prosecution Service and its jurisdiction is particularly abstract for the general public. However, the results of this research show that the citizens of Montenegro are quite confident when it comes to their knowledge about the competencies of the State Prosecution Service, given that 41.7% of the respondents stated that they think they are mostly familiar with the competencies of this institution. In 2020, this percentage was even higher - at that time as many as 53.8% of respondents answered that they are in general familiar with the jurisdiction of the State Prosecution Service.w

How familiar are you with the jurisdiction of the State Prosecution Service?

● 2022 ● 2020



Which of the following is the State Prosecution Service in charge of?

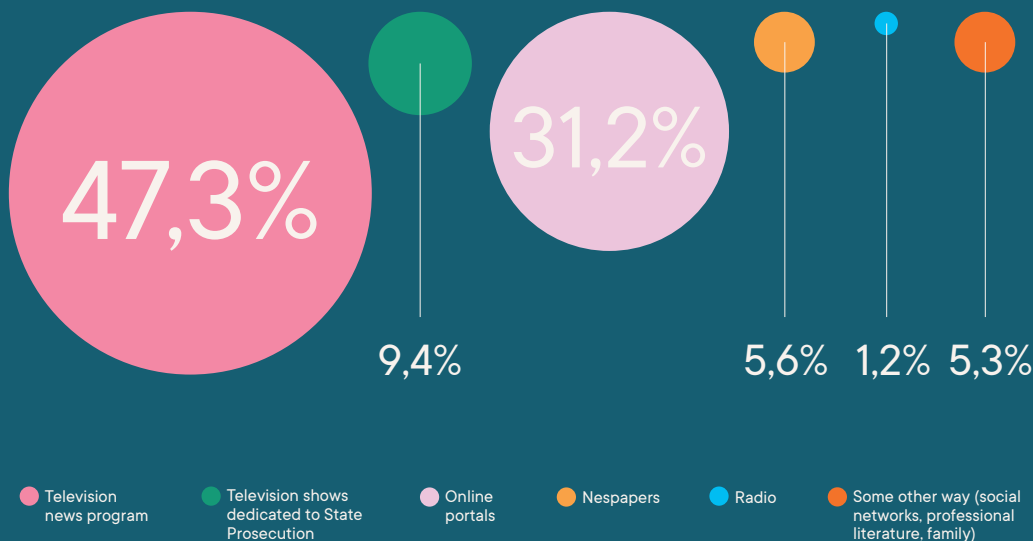
	Yes	No	Don't know/ No answer
Preventing and detecting criminal offenses and misdemeanours	63.1%	19.7%	17.3%
Prosecution perpetrators of criminal offenses that are prosecuted ex officio	77.2%	12%	10.8%
Declaring legal remedies against court decisions	51.3%	22.7%	26%
Conducting an investigation	68.3%	18.8%	12.9%
Finding and apprehending the perpetrators of criminal offenses and misdemeanours	57%	28.4%	14.6%
Concluding plea agreements	64.2%	15.5%	20.3%
Rendering a judgment in court proceedings	54.2%	26.5%	19.3%

More than 3/4 of respondents (77.2% compared to 83.3% in 2020) know that State Prosecution Service is in charge of prosecution perpetrators of criminal offenses that are prosecuted ex officio. This means that citizens generally have information about the basic social mission of the state prosecution organization. Although the usage of a plea agreement in the last few years is increasing, when we compare the results of this year's research (64.2%) with the results of the 2020 survey (79.8%), we can see that now a smaller percentage of respondents know that this is the jurisdiction of the State Prosecution Service.

How do you keep yourself informed about the work of the State Prosecution Service?



Citizens are predominantly informed about the activities of the State Prosecution Service through television (47.3%) and internet portals (31.2%). A very small percentage of respondents get information from other sources, such as TV shows dedicated to the work of the State Prosecution Service (9.4%), newspapers (5.6%), or the radio (1.2%). As many as 61.6% of respondents aged 55 to 65 receive information about the work of the State Prosecution Service via television, while over 90% of respondents aged 18 to 35 receive information by visiting internet portals.

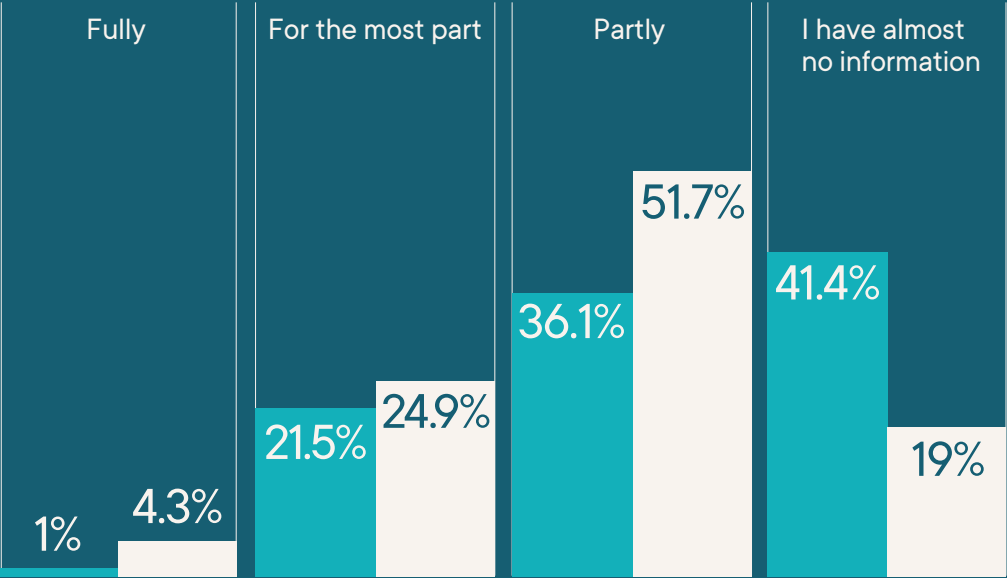


Generally speaking, how informed are you about the work of the State Prosecution Service?

2022 2020



Only 1% of respondents answered that they were fully informed about the work of the State Prosecution Service (2020: 4.3%), 57.6% of respondents answered that they were somewhat or partially informed, while 41.4% answered that they did not have any information about the work of the State Prosecution Service (2020: 19%). It is very important to note that 61.3% of young people aged 18-25 said that they have almost no information about the work of the State Prosecution Service. The same attitude is shared by 47% of women.



If you are uninformed or just partially informed, could you state why is that so?

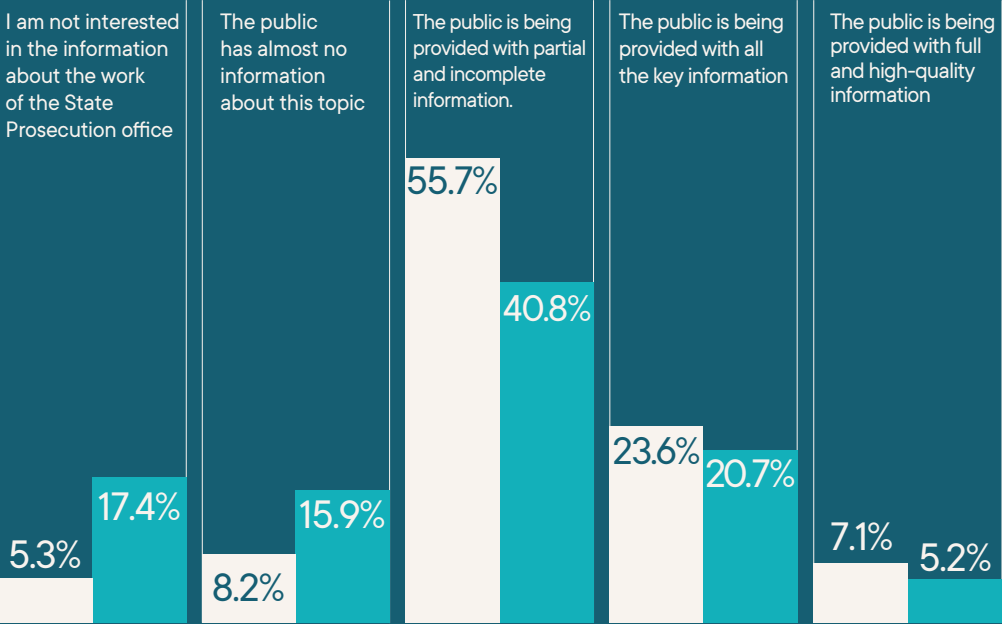


Explaining why they are not informed enough about the work of the State Prosecution Service, as many as 62% of respondents stated that they are uninformed because the State Prosecution Service is a closed institution and does not provide enough information. During the survey conducted in 2020, the percentage of respondents who said the same was significantly lower - 39.1%. Also, it is important to point out that over 61% of the respondents believe that the prosecution organization talks too much about specific cases and not enough about other topics. In their opinion, that is the reason for their lack of information about the work of the State Prosecution Service.

	It is the reason	It is not the reason	Don't know/ No answer
I am not interested in this topic	55.1%	43.5%	1.4%
The state Prosecution Service is a closed institution and does not provide enough information	62%	34.1%	3.9%
There is too much talk about a few specific cases and not enough about other topics	61.2%	29.9%	8.9%
There is not enough information about this topic in the media.	48.7%	46%	5.3%
The information is superficial and too general, there is no discussion on specific topics that interest me	56.3%	31.8%	12%

How would you evaluate the quantity and quality of information available to the public regarding the work of the State Prosecution Service?

2022 2020



↙ The research results indicate that citizens are generally dissatisfied with the quantity and quality of the information provided to the public about the work of the State Prosecution Service. Even 40.8% of respondents believe that the public is provided with partial and incomplete information (2020: 55.7%), while 15.9% of interviewees think that there is almost no information on this topic in the media. Only 5.2% of respondents believe that the public is provided with complete and high-quality information (2020: 7.1%).

Which topics regarding the State Prosecution Service would you like to be more informed about?

	I would like much more information	I would like more information	I am familiar enough	I am not interested in this topic
Explanation of procedures	26.1%	30.7%	9.1%	34.1%
Explanation of terminology	18.6%	30.9%	12.7%	37.8%
Getting to know the competencies of the prosecution organization	21.5%	34.4%	10.7%	33.4%
Getting to know about the situations in which citizens can contact the prosecution organization	28.5%	35.2%	9.3%	27%
Informing about the extent to which the prosecution can disclose information in order to protect the confidentiality of court proceedings	25.5%	32.4%	8.7%	33.4%



As in the 2020 survey, most citizens are interested in receiving information about situations in which they can address the state prosecutor's office. Namely, 63.7% of respondents pointed out that they would like to have more information on this topic (2020: 64.1%). In addition, citizens are interested in receiving more information that will explain the procedures carried out by state prosecutors (56.8%). Almost half of the respondents pointed out that they need clarification of the professional terminology that is most often used in the communication of the State Prosecution Service with the interested public.

When it comes to certain communication channels that have been developed so far between the State Prosecution Service and citizens, with this research we tried to obtain citizens' views on the State Prosecution Service announcements, their presence on television, internet portals, TV shows, but also about State Prosecution's website and the possibility of opening accounts on social networks.

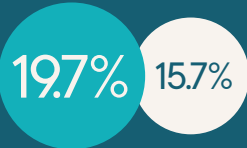
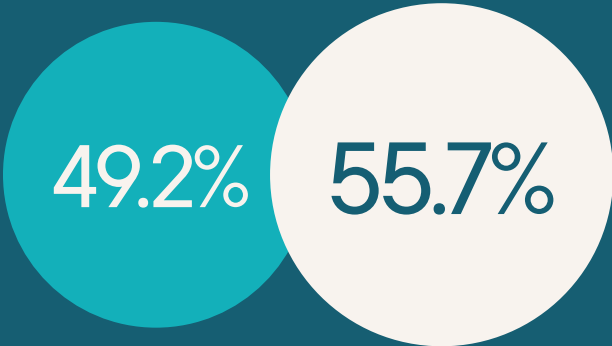
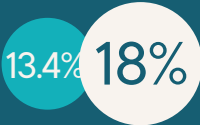
To what extent do you understand the statements of the State Prosecution Service?

When it comes to announcements as the most represented channel of communication used by the State Prosecution Service, more than sixty percent of the responders (62.6%) think that State Prosecution Service announcements are mostly understandable, which is a lower score compared with the results from 2020, when as many as 73.7% of the respondents pointed out that the statements of the State Prosecution Service are generally understandable. People with master's degrees showed the highest level of understanding of the terminology which is used by the State Prosecution Service in their announcements, while these announcements are the least understandable to those with elementary education and citizens living in rural areas.

2022 2020

Very comprehensible

Somewhat comprehensible



Somewhat incomprehensible



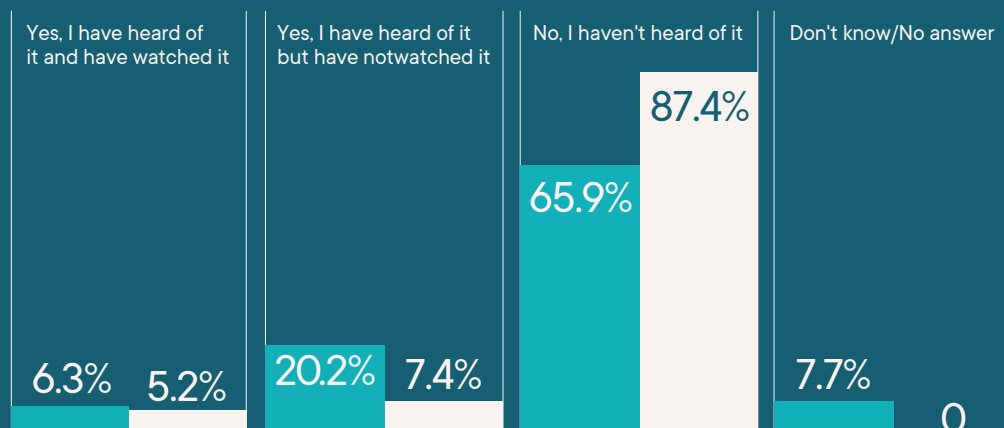
Not comprehensible at all



Don't know/No answer

Have you ever heard of the TV show “Get to know the Prosecution organization”?

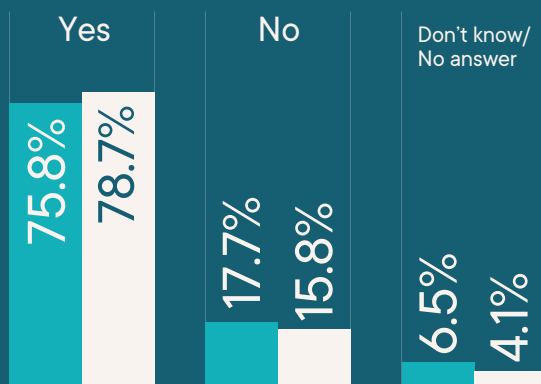
2022 2020



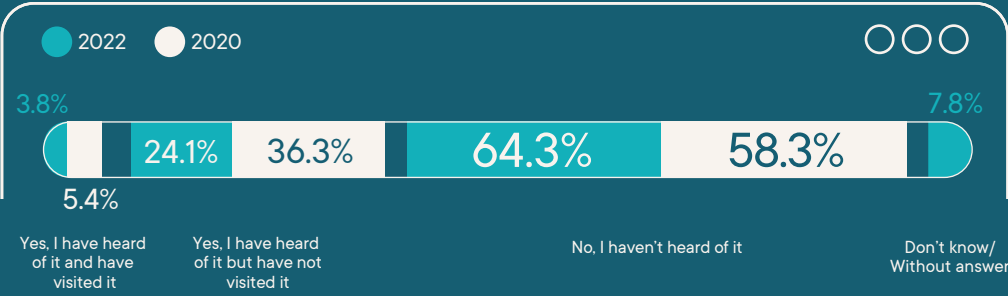
Did the TV show help you to understand the competencies and the work of the Prosecution organization?

2022 2020

Through research, we tried to get feedback from citizens about their perception and impressions of the TV show “Get to know the Prosecution organization”. The research results showed that only 6.3% of respondents heard of and watched this TV show, 20.2% heard about it but did not watch it, and 65.9% have never heard of that show. Over 75% of interviewees who had the opportunity to watch the show stated that it helped them understand the competence and work of the State Prosecution Service.



Have you ever heard of the official State Prosecution’s website www.tuzilastvo.me?



When it comes to the State Prosecution’s website www.tuzilaštvo.me, 3.8% of respondents have heard of and visited its pages, while 24.1% have heard of but haven’t visited this website. The percentage of respondents who have not heard of the State Prosecution’s website is high - 64.3%. It is interesting that even 60% of student respondents have never heard of this website. This indicates the need to increase the amount of information that students receive about the available channels of communication with the State Prosecution Service, with a focus on the website where they can find a lot of useful information that will help them improve their knowledge, and also about the work of the State Prosecution Service. This should especially be applied to law faculty students.

Do the following statements describe the State Prosecution’s website www.tuzilastvo.me?

	It describes	It does not describe
Arranged	68.4%	31.6%
Easy to navigate	60.5%	39.5%
Old-fashioned	34.2%	65.8%
Visually appealing	39.5%	60.5%
Informational	50%	50%

When talking about the respondents who had the experience of visiting the State Prosecution’s website, 68.4% pointed out that it has been well arranged, 60.5% said that the website is easy to navigate, while 50% of respondents believe that the site has enough information.

Have you found all of the information you needed on the site?

● 2022 ● 2020

Yes

78.9%

59.5%

No

21.1%

40.5%



Compared to the results of the 2020 research, when 59.5% of interviewees who visited the State Prosecution's website pointed out that they were able to find all the information they were looking for, this year's research confirmed the increase to 78.9% of the so-called satisfied users.

One of the issues that are particularly interesting to the public lately is whether the judicial institutions in Montenegro are ready to communicate through their accounts on social networks. We have witnessed that in the previous two years there has been an expansion of the use of social networks by almost all executive and legislative institutions, as well as by leading people in those institutions. Because of all this, the public has the right to ask about the possibility of opening accounts on social networks by judicial institutions, with the main goal to improve communication with citizens. Research shows that 30.7% of respondents indicated that they would probably follow the State Prosecution Service on social networks (2020: 33.2%), while 57% said that they probably or definitely wouldn't follow their accounts (2020: 63.2%). Almost 40% of respondents aged 36-44 would follow their accounts on social networks, as well as over 40% of respondents with a master's degree. It is interesting that 45% of people with high school degrees would certainly not follow the prosecution's orders on the prosecution's social networks, as well as 48% of respondents who live in rural areas.

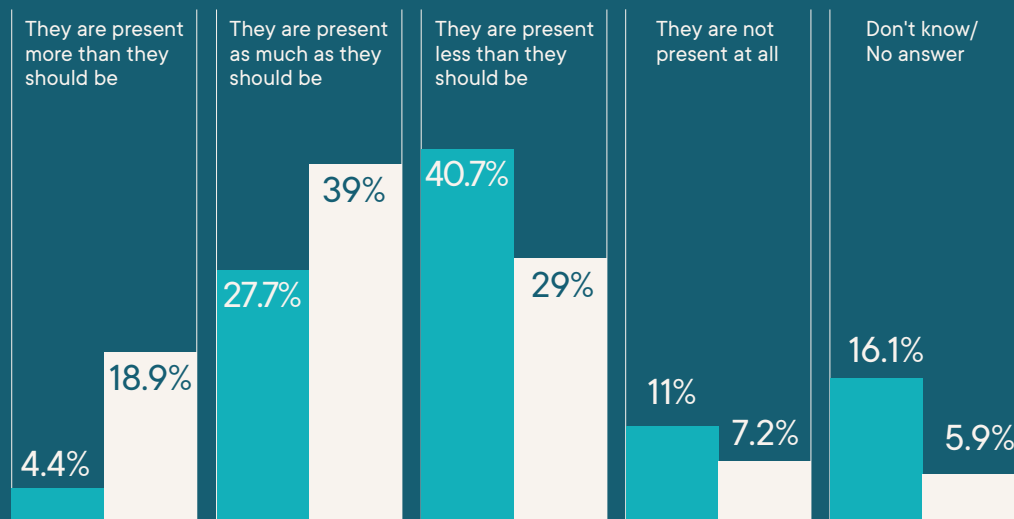
Citizens' attitudes about the presence of state prosecutors in public

Law on the State Prosecution Service stipulates that the publicity of the State Prosecution Service work is ensured in the manner prescribed by law. In accordance with the legal provisions, information about the work of the State Prosecution Service is provided by the Supreme State Prosecutor or by a person he/she has authorised, whereas information about the work of state prosecution offices is provided by the heads of state prosecution offices or by the persons they authorised. In informing the public about the work on a specific case, the information that can be provided is only about the actions that were taken or are taken, without mentioning the names of participants in proceedings or the content of the actions taken. Also, the law prescribes that a special service for public relations can be established in state prosecution offices for the purpose of informing the public.

Therefore, bearing in mind these legal provisions, it can be concluded that the existing legal framework prescribes clear limitations on the free communication of state prosecutors with the interested public. However, during the previous period, we witnessed the practice of frequent media appearances of state prosecutors, even in media formats like “public debates” or “TV duels” which are not forms of communication that state prosecutors or heads of state prosecution offices should use while they are on that position. In the next few sections, we will present the views of citizens on certain issues related to the appearance of prosecutors in public.

In your opinion, are prosecutors enough present in public?

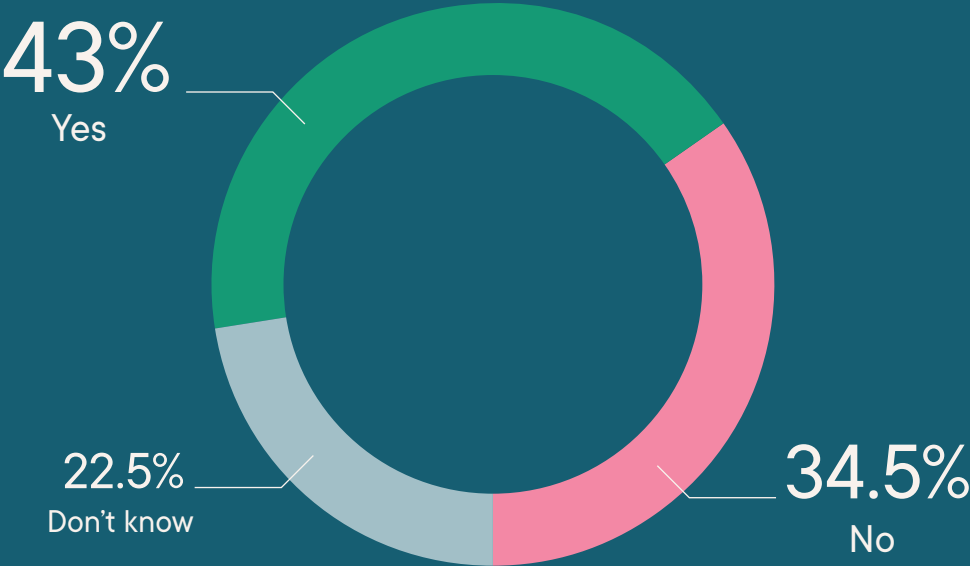
2022 2020



When it comes to the presence of prosecutors in public, 40.7% of respondents believe that prosecutors are present in public less than necessary (2020: 29%), while 11% of respondents think that prosecutors are not present in public at all. Only 4.4% of respondents believe that prosecutors are present in public more than necessary, while 27.7% of them believe that they are present in public as much as necessary (2020: 39%).

Chief Special Prosecutor Novovic was accused by some media houses that he didn't use media enough to communicate with the public "about several major investigations", which marked his work in his initial period on duty. Media in our country, used to the way the former Chief Special Prosecutor communicated with them, expected that similar communication practices will continue after the appointment of the new Chief Special Prosecutor. However, this is not the case for now. During the interview with Prosecutorial Council, Chief Special Prosecutor indicated that, after being appointed, he would end this practice, and for now that's exactly what he is doing. Because of that, we asked citizens whether the Chief Special Prosecutor should inform the public about the cases under his jurisdiction through press conferences.

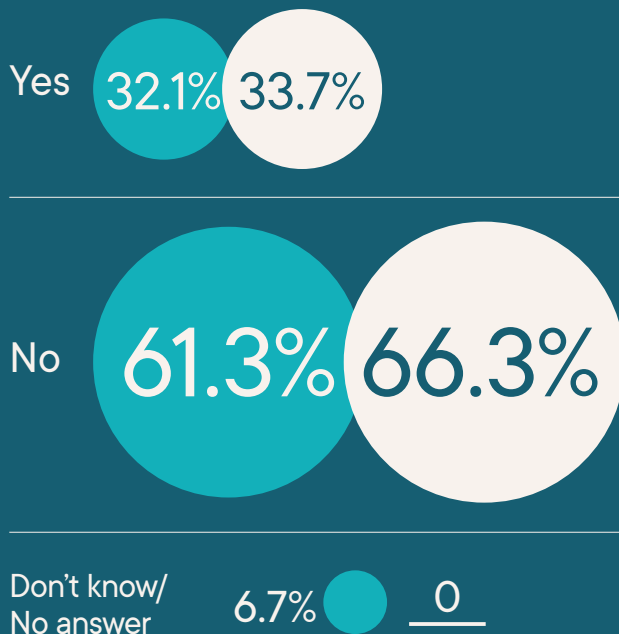
Should the Chief Special Prosecutor inform the public about the cases under his jurisdiction through press conferences?



Since 43% of the respondents answered Yes to this question, we can say that citizens would generally like to see the Chief Special Prosecutor inform the public through press conferences about the cases under his jurisdiction. On the other hand, 34.5% believe that the Chief Special Prosecutor should not communicate with the public through press conferences, while 22.5% did not have an answer to this question. As many as 77% of respondents with a master's degree believe that Chief Special Prosecutor should communicate with the public in this way.

Have you watched a public appearance of any state prosecutor in the last 12 months?

● 2022 ● 2020

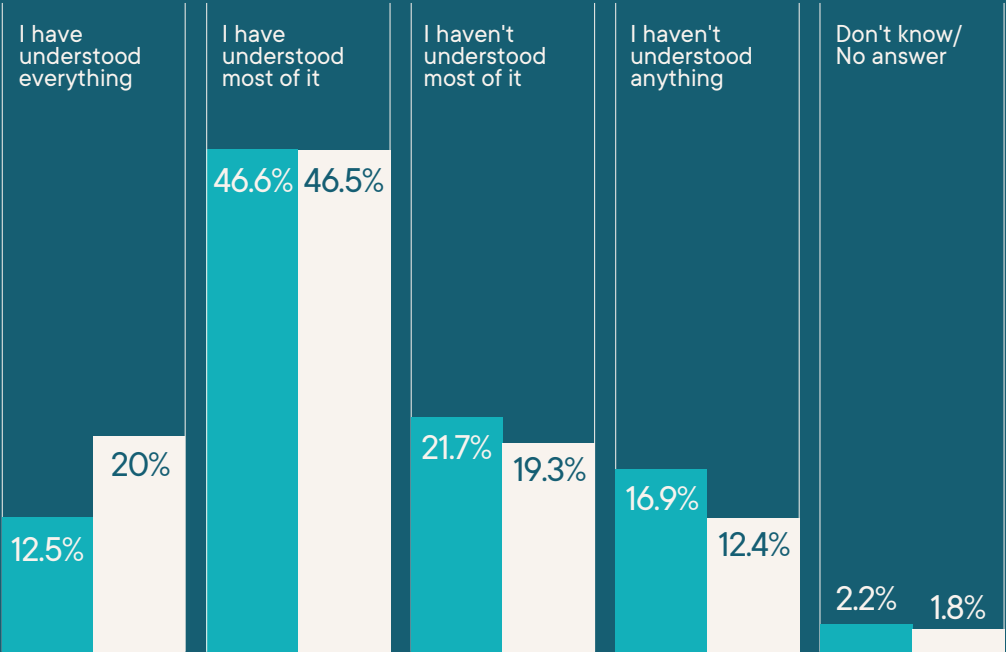


When asked whether they watched a public appearance of some of the state prosecutors in the previous 12 months, 32.1% (2020: 33.7%) of respondents answered positively, while 61.3% did not have the opportunity to see some of them address the public. Among the respondents who positively answered this question, as many as 64.9% answered that they had the opportunity to watch the public appearance of the former Chief Special Prosecutor Katnic, while 13.1% answered that they saw in public the current Chief Special Prosecutor Novovic, and 6.1% mentioned the Acting Supreme State Prosecutor Maja Jovanovic. A small percentage of respondents stated that they had the opportunity to see prosecutors Vukas Radonjic and Sasa Cadjenovic.

How much have you understood from what the prosecutor was saying?

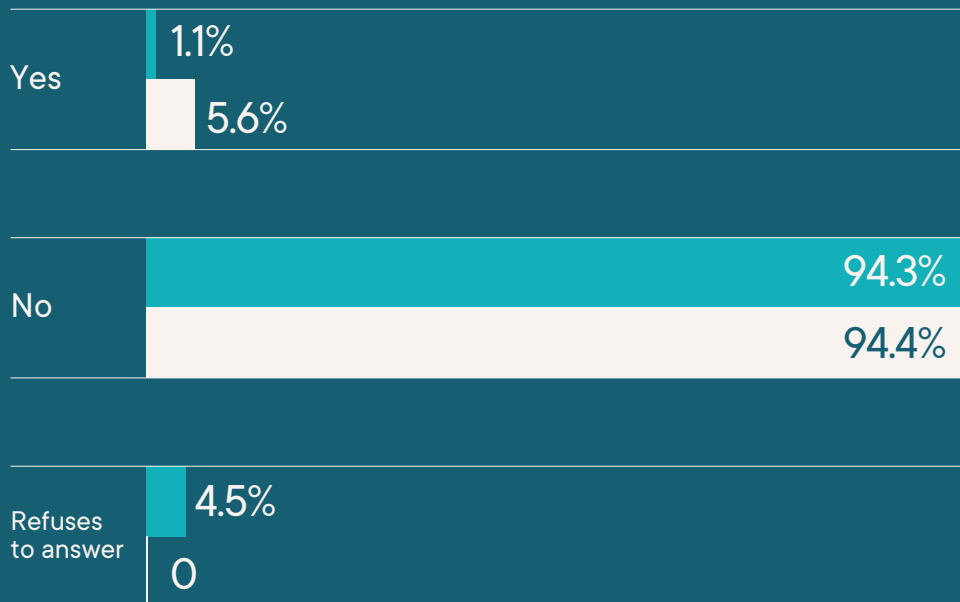
2022 2020

There were 59.1% (2020: 66.5%) among respondents who said that they have understood enough of what the prosecutor said in the public speech, while 38.6% of the respondents pointed out that they either haven't understood enough or haven't understood anything about what the prosecutor was saying.



Have you had an opportunity to talk to any prosecutor in the last 12 months?

● 2022 ● 2020



Only 1% of respondents had the opportunity to talk to some of the state prosecutors during the previous 12 months. According to the 2020 survey, the number of respondents who had the opportunity to talk to some of the state prosecutors during the same period (12 months) was five times higher (2020: 5.6%). According to their claims, in the last 12 months, respondents had the opportunity to speak with the prosecutors Katnic, Micovic, Djalović, and Lukac, as well as with the member of the Prosecutorial Council Gazivoda.

Recommendations based on the findings of the research

The State Prosecution Service will soon begin with the preparation of the new strategic document about communications with the public. That document should be based on the analysis of the implementation of the Communication Strategy for the period 2020-2022 with clearly identified challenges in the implementation of general, specific, and operational goals of the Strategy. It is very important to point out certain observations that we noticed through this research and that can be used for defining recommendations for the working group of the State Prosecution Service and Prosecutorial Council, which will work on the preparation of the Communication Strategy.

Recommendation 1:

Conduct a comprehensive analysis of the current situation and challenges in the communication of the state prosecutor's organization, with a focus on the analysis of performance in the realization of all seven operational goals defined by the Communication Strategy for the period 2020-2022.

Recommendation 2:

When we talk about the way State Prosecution Office and Prosecutorial Council communicate with the general public, both institutions should continue activities that would lead to the constant improvement of the level of information that citizens receive about the jurisdiction of state prosecutors, as well as about the specific activities they carry out. It should be especially taken into account that the majority of citizens (63.7%) are interested in receiving information from the prosecutor's office about the situations in which they can contact the State Prosecution Service. Also, they are interested in getting more information that will explain to them the procedures carried out by state prosecutors (56.8%).

01

02

Recommendation 3:

Given that the largest percentage of citizens are informed about the State Prosecution Service through television (47.3%) and internet portals (31.2%), communication activities should somehow be directed towards these two communication channels.

Recommendation 4:

It is necessary to continue with the organization of the "Open Days of the Prosecution Service" since more than half of the respondents (50.5%) expressed the view that the State Prosecution Service is generally open and accessible. Also, it is important to direct these activities in order to increase the awareness of citizens in local communities about the available channels of communication with basic state prosecution offices or with the Prosecutorial Council. Through this activity, it is very important to promote communication between citizens and prosecutor's office spokespersons.

Recommendation 5:

Certain results of this research indicate that the level of information about the work of the State Prosecution Service is low among young people. For example, within the young population (18-25 years old) more than half of the respondents do not have a defined attitude toward the State Prosecution Service, while 100% of people with high school education are not informed about who are the members of the Prosecutorial Council. Having in mind all this mentioned above, defining and implementing educational activities intended for these target groups should be taken into account. One of the activities that were planned by the still valid Strategy was the organization of the so-called "Prosecutor's Class" intended for high school students. In that context, the implementation of educational activities in partnership with non-governmental organizations that have experience in implementing educational programs for young people should be considered.

Recommendation 6:

It is necessary to adapt the communication channels of the State Prosecution Service to the target groups by age. This statement is supported by data from this research. According to data, 61.6% of respondents aged 55-65 receive information about the work of the State Prosecution Service via television, while over 90% of respondents aged 18-35 receive information

06

via the internet portal. In that sense, the prosecution organization should reconsider opening official accounts on social networks, especially for communication about the external activities of the Supreme State Prosecutor and the Special State Prosecutor.

Recommendation 7:

Considering that the research result shows that only 6.3% of respondents have heard and watched the TV show “Get to know the Prosecution organization”, it is necessary to think about how to improve the promotion of this TV show in order to make it more attractive to a larger percentage of citizens. The State Prosecution Service should consider broadcasting this TV show through local TV stations.

07

Recommendation 8:

Given that only 3.8% of the respondents heard about or visited the prosecution’s website, it’s necessary to improve the promotion of the website so that citizens would use it more often.

08

Recommendation 9:

Bearing in mind that 40.7% of respondents believe that prosecutors are present in public less than necessary (2020: 29%), while 11% of them think that prosecutors are not present in public at all, it is necessary to consider how to improve the presence of state prosecutors in public. Here we are primarily referring to prosecutor’s office spokespersons, who should be more proactive when it comes to their presence in the media.

09

Recommendation 10:

Press conferences of the Special State Prosecution Office should be organized as often as possible. All activities of the Special State Prosecution Office should be prepared through the development of internal communication rules and protocols. Given that the Chief Special Prosecutor is not obliged to be present at press conferences, in this part the role of the Special State Prosecution Office spokesperson should be strengthened.

10

ANNEX

Methodology

Pattern design

Observing the estimated population from a sample-based survey requires that the sample has to be representative of the entire population. The best results are achieved by probabilistic sampling, with each unit having a known probability of selection. In this research, a random stratified multi-stage sample was used, in which polling stations were selected as units of the first phase, it was predetermined that households should be selected as units of the second phase, and persons in the household were selected as units of the last stage (with Birthday Method).

Stratification and allocation

The framework for the selection of the sample is the 2011 Census, Population estimates for 2021, and the Voter list for 2021.

Citizens over the age of 18 are the target population. As already described, a multi-step sample design was applied. The units are grouped into 6 strata (groups) according to the territorial division (North, Centre, South) and according to the type of settlement (urban and rural). The number of units of the first stage was selected by the probability method which is proportional to the number of persons aged 18 and over.

Households as units of the second phase were selected by a random sample, with a predefined step to ensure randomness by selecting 10 households at the polling station level.

The units of the last stage were persons in the household selected by the Last Birthday Method.

Sample size

1000 households and 1000 persons distributed in 19 municipalities of Montenegro.

Weighting

The weights were calculated in several successive steps. Design weights were calculated first. Since the selection of electoral districts is made with probabilities proportional to the number of persons over 18 years of age, we receive a probability in the first stage of selection. In the second stage of selection, we receive the probability of choosing a household within the polling station.

The final weights for households and individuals were calculated by normalizing the weights so that the weighted number of households/individuals was equal to the unweighted number of households/individuals.

