

Will partitocracy clear the way to the **EU**?

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Introductory notes

Two years after the formation of the parliamentary majority and halfway through the mandate of the 44th Government, the key question that continues to intrigue the public and around which political “battles” are being fought is whether Montenegro can truly close all negotiation chapters by the end of 2026 and become a member of the European Union (EU) by 2028.

What the vast majority of actors on the public scene will agree on is that Montenegro currently has a unique opportunity to finally become part of the EU. This opportunity stems, first and foremost, from the unequivocal political will expressed by the EU and its member states to make it happen, from the wider global political context and developments within the EU, but also from a noticeable tendency to “look the other way” when it comes to some of our shortcomings.

This situation opens a legitimate dilemma: should civil society temporarily soften its critical voice until this strategic goal is achieved, or should it continue to act in line with the principles and values it stands for? On the public stage and in political circles, a growing number of people – including well-intentioned ones – perceive such criticism as an unpatriotic act.

In certain areas of the EU integration process, there are indeed reasons for optimism and satisfaction: Montenegro has joined the SEPA payment system, the abolition of roaming charges for EU countries has been announced, an investment program for transport infrastructure and the continuation of the Bar-Boljare highway construction has been launched, a subsidy program for household energy efficiency has been introduced, while initiatives for modernization and digitalization of the education system have been announced.

However, in areas that form the backbone of any democratic society – elections, the rule of law, media freedom, the functioning of the Parliament, and the independence of institutions – there is little room for satisfaction.

Simply put, if we consider the scandals surrounding the appointment of Constitutional Court judges and the Director General of Radio Television of Montenegro (RTCG), the political obstruction in appointing members of the Council of the Agency for Audiovisual Media Services, the vice-governors and members of the Council of the Central Bank, it is clear that political parties are not ready to surrender their absolute control over the system’s independent institutions.

When we analyze the patterns of political pressure exerted by the authorities on the prosecution, the conditioning of the adoption of its reports, and the growing reluctance to launch proceedings against those currently in positions of power, it becomes evident that the rule of law remains a distant goal.

If we add to this the fact that electoral reform addressed only the “political” aspects of the process – with questionable quality of certain solutions and the neglect of key elements of voting rights – while issues such as the protection of electoral rights and the resolution of long-standing irregularities were barely touched upon, the cause for concern grows even greater.

In addition, mass party-based recruitment and the persistent evasion of efforts to optimize and rationalize public administration have been a defining feature of our governments for decades. We must not forget that Montenegro currently has the largest government in its history, which

underwent a second reconstruction in April 2025, not due to the real needs of society or improved administrative efficiency, but once again due to political interests.

Therefore, the Government and the ruling majority embrace and implement reforms only when these do not threaten their party's monopoly. In other words, Montenegro's path to the EU remains fraught with partisan obstacles that deliberately undermine democratic processes and run counter to the fundamental principles of the community it aspires to join.

Violence and hatred have become part of everyday life, while the authorities attempt to conceal or ignore the tensions and problems that occur almost daily. Xenophobia and hostility toward Turkish citizens, including attacks on their property, are merely the tip of the iceberg – one that could, in the near future, grow into a much larger problem for our society.

That the partitocracy is effectively obstructing Montenegro's EU accession can also be seen in the results of the latest CEDEM public opinion poll: citizens' trust is declining across all institutions associated with the democratic system and its values. In other words, on the very doorstep of the EU, Montenegro is witnessing a decline in confidence in democratic institutions, alongside rising exposure to partitocratic and autocratic tendencies.

For the Center for Democratic Transition (CDT), there is no dilemma: our role is to highlight the negative phenomena within our field of work and to firmly oppose the erosion of democracy in Montenegro.

This supposed "dilemma" has, in fact, been imposed by party monopolies unwilling to relinquish the power they have seized from citizens over the past decades. Preserving those

monopolies and destructively pursuing politics represents the key obstacle to our EU membership. That is why, in this crucial and sensitive phase of Montenegro's European journey, CDT is publishing this report – to draw attention to deliberate obstructions, artificial barriers and the duplicity of political elites.

Anyone who carefully reads our observations and recommendations will recognize that the core problem lies in the lack of genuine political will to implement reforms in the true spirit of European democratic values.

We are at a critical point in the process where the partitocracy, which seeks to maintain the status quo, continues to overpower the progressive segments of political parties, the Government, and the state administration. Whether this balance of power will shift or whether this will become yet another missed opportunity for Montenegro remains to be seen.

CDT will remain committed to these progressive forces and will dedicate its full capacity to achieving Montenegro's strategic goal of joining the European Union.

Finally, we express our sincere gratitude to the Embassy of the Kingdom of the Netherlands for its support of our work, of which this publication is a part. We deeply appreciate the understanding within the international community and the recognition of the importance of civil society's voice in all processes crucial to our country's future.

We remain open to public debate on the conclusions of this analysis, as well as to all well-intentioned criticism and suggestions.

CDT Team

Democratic and fair elections – only if the parties allow it

After ten years, a consensus was finally reached, and part of the long-awaited electoral reform was implemented.¹

The new framework introduced updated rules for financing political entities, granting them significantly larger amounts of state funding – a level unprecedented in comparative practice. Additionally, the amendments established the Central Election Commission (CEC) as a depoliticized and professionalized institution, with partial professionalization of municipal election commissions.

The process of electing the CEC president and members is currently underway. It is being conducted by a commission composed of representatives of the two strongest political parties and experts from civil society. Among the key innovations are a 40% gender quota for the less represented sex – in practice, women – and the introduction of general local elections, meaning all local elections will be held on the same day.

A considerable portion of the political elite and the international community regard these reforms as a “historic success” and a significant step forward on Montenegro’s path toward EU membership. However, another segment of society – while recognizing their importance for EU integration – sees the reform as a partitocratic maneuver

to illegally postpone local elections and extend political power by limiting citizens’ right to vote and be elected. Critics also highlight the absence of opinions from relevant international institutions, particularly the Venice Commission (VC) and the OSCE/ODIHR.

In its latest report, the European Commission noted that these legislative changes “were adopted without substantial dialogue with relevant stakeholders” and that they “only partially addressed existing recommendations” from international organizations. Brussels, therefore, clearly concludes that Montenegro’s electoral framework remains misaligned with European standards for inclusive, transparent, and resilient electoral processes.

The fact that political parties have once again been granted the authority to decide who receives a vacant parliamentary mandate represents a direct challenge to the principle of a free mandate. This practice contravenes not only European standards but also the Constitutional Court of Montenegro’s legal positions, which, in rulings from 2004 and 2018, explicitly defended the protection of a free and independent mandate.

The likely merging of parliamentary and local elections has also become a central argument of the critics.²

¹ A significant part of the electoral reform, which addresses the substance of the electoral process and the resolution of long-standing, decades-old problems, was not even discussed at the Committee’s session, despite the decision on its establishment and the publicly given promises of its members. The implementation of a large portion of the OSCE/ODIHR recommendations was not considered, nor was the drafting of the proposal for the Law on the Election of Councillors and Members of Parliament (so far, only amendments have been made). Likewise, no proposal was defined for the Law on the Voter Register and Law on the Registers of Permanent and Temporary Residence, and no analysis was prepared regarding the implementation of the Law on Identity Cards, Law on Montenegrin Citizenship, and Law on Political Parties. Amendments to the Law on the Election of the President were also not addressed, nor was a Code of Conduct for election campaigns prepared.

² Dragan Koprivica, *Comprehensive or Contrived Electoral Reform?*, Center for Democratic Transition, Podgorica, 2025.

By the end of October, the work of the Committee on Electoral Reform had resumed, with numerous solutions expected to be prepared by the end of 2025 – though it remains unclear why two valuable months were lost. It is hoped that this resumption is not yet another act of political hypocrisy but a sincere effort to modernize outdated electoral rules.

The Parliament does not control the Government – nor does it try to

Patterns increasingly visible in the work of the Parliament of Montenegro point to the erosion of institutional culture, inconsistent application of parliamentary procedures, and the growing arbitrariness of the ruling majority. Symbolically, these tendencies range from arbitrary changes to the Parliament's logo to the simulation of parliamentary oversight.

The Parliament's role is often reduced to that of a rubber stamp for predetermined party agreements, while genuine deliberation and parliamentary dialogue are neglected. This diminished role of the highest democratic institution has even been "formalized" through the coalition agreement of the governing parties.³

Parliament's oversight function is also alarmingly weak. Although the Rules of Procedure stipulate 15 sessions dedicated to the Prime Minister's Questions, since the beginning of the 44th Government's mandate, only nine such sessions have been held – and in 2025, merely three.

The work of parliamentary committees likewise shows no notable improvement in exercising supervisory powers. In 2025, only seven control hearings were held, which underscores the committees' limited capacity to oversee the executive branch.⁴

All of this is possible because Montenegro lacks laws that regulate the functioning of its key institutions and operationalize the constitutional principle of the separation of powers. This situation reveals a striking example of political duplicity: nearly all political actors, a decade ago, publicly advocated for the adoption of laws in the Parliament⁵ and the Government⁶, yet today they actively obstruct their passage.⁷ Such laws would, after all, significantly undermine the entrenched political monopolies that have dominated Montenegro's system for decades.

³ RTNK Editorial Team, "Ovo je tekst finalnog sporazuma o formiranju nove vlasti" ("This is the Text of the Final Agreement on the Formation of the New Government") RTNK, 19 October 2023.

⁴ Data updated on 30 October 2025.

⁵ The Speaker of the Parliament and his cabinet have on several occasions announced that work on the Law on the Parliament is ongoing, but no details of that process have been made public.

⁶ Although the Law on Government has been in preparation for more than three years, the version submitted to the European Commission still fails to introduce key mechanisms for a more efficient and accountable executive.

⁷ Portal Analitika Editorial Team, "Vuletić: Blizu smo da iniciramo donošenje zakona o Skupštini" ("Vuletić: We are close to initiating the adoption of the Law on the Assembly") *Portal Analitika*, 26 May 2019;

CDM Editorial Team, "Zakon o Vladi neophodan, ne smije biti prostora za zloupotrebe" ("Law on the Government is necessary, there must be no room for abuse"), *Portal CDM*, 15 June 2022;

CDM Editorial Team, "Zakoni o Skupštini i Vladi do kraja godine?" ("Laws on the Assembly and the Government by the end of the year?") *Portal CDM*, 3 October 2025.

Parties close the gate on freedom of information

In his Presentation of the Government's Program⁸, Prime Minister Spajic committed the Government of Montenegro to upholding the key principles of democratic governance – transparency and openness.

In practice, however, the 44th Government has been marked by a lack of transparency toward the public, the media, and, at times, even members of Parliament.

According to the Regional Openness Index for 2025⁹, the government fulfills only two-thirds of the basic transparency criteria for executive authorities, while ministries meet just half.

An unprecedented practice has also taken hold – the Government now makes most of its major decisions via telephone sessions. As many as 60 percent of its meetings during this mandate have been held in this manner.¹⁰ To illustrate: decisions on the Economic Reform Program, the public call for hiring 815 police officers, the leasing and use of parts of the coastal zone, and the suspension of the visa-free regime for Turkish citizens were all made over the phone.

After three failed attempts, a new Freedom of Information Act was finally discussed during the last session of Parliament's spring sitting in July 2025 – yet it was never put to a vote. The European Commission, in its latest report on Montenegro, emphasized on several occasions the urgent need for the law's adoption.

The political parties forming the ruling majority have failed to deliver on the promise made in the Prime Minister's exposé – a commitment that clearly implied the adoption of this crucial law. In this contest, for now, *partitocracy* prevails over the principles and values of the European Union.

⁸ "Modernization of institutions, strengthening of administrative capacities in public administration, and improving transparency and efficiency of government work will be key priorities on the path toward full EU membership... A second priority in this area concerns the adoption of a new Law on Freedom of Information, to establish maximum transparency as a vital tool in the fight against corruption." – Presentation of the Government's Program by the Prime Minister, 31 October 2023

⁹ The project "Regional Openness Index" is implemented by the regional network of civil society organizations ACTION SEE, with the support of the National Endowment for Democracy (NED). Available at: <https://otvoreneinstitucije.cdtmn.org>

¹⁰ Nikola Obradovic, "Demokratija traži odluke u institucijama, a ne u grupama kroz telefonske aplikacije" ("Democracy Requires Decisions in Institutions, Not in Chat Groups") CGO, 26 September 2025.

Media freedom – only when it suits the partitocracy

The media in Montenegro operate in an environment where formally guaranteed freedoms are frequently undermined by informal pressures. Although Montenegro has shown some progress in the Reporters Without Borders (RSF) Media Freedom Index, the 2025 report highlights that political influence, attacks on journalists, and economic pressures continue to endanger media freedom.¹¹

Journalists often face death threats, physical intimidation, and attempts to restrict their work.¹² When such threats materialize into real attacks, the inefficiency of the judiciary becomes apparent while court cases drag on for years without resolution.¹³

The first-instance conviction of the RTCG Council President and four of its members for abuse of office during the appointment of the Director General shows that negative practices within this public broadcaster are far from a thing of the past.¹⁴

In fact, the scandal surrounding the appointment of the Director General of RTCG has now been confirmed¹⁵ in seven separate court rulings. In January 2023, the Basic Court in Podgorica ruled that the appointment of Boris Raonic as Director General was unlawful.

Similar judgments were later issued by the Basic¹⁶, High¹⁷, and Supreme Courts¹⁸, and most recently – in October 2025 – the Basic Court in Podgorica annulled the RTCG Council's September 2024 decision to reappoint Raonic to the same position.¹⁹

Problems in governance and the legality of personnel policies are also evident at the local level, notably in the case of RTV Podgorica. The Basic Court found the appointment of Vladimir Otasevic as acting director at the end of 2023 to be illegal. Nevertheless, he was later appointed for a full term, effectively circumventing the court's ruling. An audit revealed hiring without public competition and the use of service contracts for regular, ongoing jobs. The Labor Inspectorate further found that two editors had been illegally appointed, having been transferred directly from private media without public notice.²⁰

¹¹ Media Freedom Index – Report for Montenegro 2025, RSF.

¹² Jelena Jovanovic, "Uhapšeni Bećirović i još dvije osobe, sumnjiče se da su napali novinarku "Pobjede" i demolirali joj automobil" ("Becirovic and Two Others Arrested for Attacking 'Pobjeda' Journalist and Vandalizing Her Car") Vijesti online, 11 November 2024.

¹³ Pobjeda Editorial Team, "Sudjenje za ubistvo Kruščića i napad na novinarku Lakić ponovo odloženo" ("Trial for the Murder of Kruščić and the Attack on Journalist Lakić Postponed Again"), Portal Pobjeda, 7 October 2025.

¹⁴ Jelena Kocanovic, "Predsjednik i dio članova Savjeta RTCG krivi za zloupotrebu službenog položaja prilikom izbora Raonića" ("RTCG Council President and Members Found

¹⁵ Guilty of Abuse of Office During Raonic Appointment"), Vijesti online, 23 September 2025.

Basic Court in Podgorica, litigation 3110/2021, 4 January 2023.

¹⁶ Basic Court in Podgorica, litigation 2827/2023, 30 April 2024.

¹⁷ High Court in Podgorica, litigation 815/2023, 10 May 2023.

¹⁸ Supreme Court of Montenegro, civ. appeal 628/2023, 24 January 2024.

¹⁹ Pobjeda Editorial Team, "Osnovni sud poništio odluku Savjeta RTCG-a o imenovanju Raonića" ("Basic Court Annuls RTCG Council's Decision on Raonic Appointment"), Portal Pobjeda, 8 October 2025.

²⁰ Ivan Cadjenovic, "Slučaj RTV Podgorica: Afere vidljivije od programa" ("The RTV Podgorica Case: Scandals More Visible Than the Programme"), Monitor online, 24 October 2025.

The same political urge to control independent institutions is evident in the ongoing delay to appoint the missing members of the Council of the Agency for Audiovisual Media Services (AMU) – the key regulatory body for Montenegro’s media sector. The Speaker of Parliament has repeatedly postponed the public call to complete the Council’s composition, while parliamentary obstruction continues. These actions clearly indicate that partitocratic interests still take precedence over the public interest and the state’s European obligations.²¹

It remains to be seen which specific political interests lie behind these actions of the authorities. The issues of preserving the independence of the AAVMS and the public broadcaster, as well as the implementation of media legislation, may, according to the European Commission’s report, have direct implications for Chapter 10.

These and many other cases further confirm that the absolute control of politics over state institutions is the dominant feature of the functioning of the country, even when this may negatively affect Montenegro’s path toward the European Union.²² It is clear that the “reform capacity” of most ruling parties is limited by an autocratic need to control all institutions and processes in the country. What is particularly worrying is that a part of civil society has become complicit in this partitocratic system, lending legitimacy to the authorities’ dangerous intentions.

A quarter of a century of judicial reform – problems remain the same

Judicial reform in Montenegro has been ongoing for nearly a quarter of a century, and despite numerous changes to the constitutional and legal framework from 2000 to the present, the problems in this area remain largely unchanged – the judiciary is still perceived as slow, inefficient, and subject to political influence.

The IBAR process, which government propaganda has hailed as a symbol of success and progress, has not produced tangible results, and its impact remains significantly limited. Instead of genuine structural reform, the measures adopted have largely served to meet formal EU obligations – measures that quickly proved unsustainable, as they have already become the subject of new, once again partial, amendments.²³

One undeniably positive step forward is the appointment of a President of the Supreme Court for a full term, after the position had been filled in an acting capacity for almost four years. This represents an important step toward stabilizing the judiciary, yet it cannot, by itself, make up for the lack of substantive reform.

The current Judicial Reform Strategy (2024–2027) falls short of providing a clear vision for change. It is an unambitious document – drafted merely to satisfy EU formalities – lacking real analytical

²¹ Analitika Editorial Team, “Izabrani članovi Savjeta RTCG, ne i Savjeta AMU” (“Members of RTCG Council Elected, Not Those of AAVMU Council”), Portal Analitika, 30 July 2025.

²² European Commission, Rule of Law Report 2025 – Chapter on the State of the Rule of Law in Montenegro, Strasbourg, 2025.

²³ Darvin Muric et al., Šestomjesečni pregled reformskih dometa 44. Vlade Crne Gore: “Stabilnost” ili reforme: Status quo kao “evropska politika” (Six-Month Review of the Reform Performance of Montenegro’s 44th Government: “Stability” or Reforms? The Status Quo as “European Policy”), CDT, 2025.

depth, clear objectives, measurable indicators, and defined institutional responsibilities. Notably, the issue of vetting – the creation of a potential mechanism to verify the integrity of judges and prosecutors, a topic frequently discussed in public – is entirely absent from this strategy.²⁴

In the area that requires direct engagement from the executive branch – improving infrastructure and technical capacities, as well as providing the basic conditions for judges to perform their duties effectively – there has been no meaningful progress. Similarly, the long-discussed relocation of the Special State Prosecutor's Office (SSPO) to adequate premises remains unresolved.

Amendments to the Constitution concerning the Judicial Council have been initiated, but the process is moving slowly. In April 2025, the Government submitted a Proposal for Constitutional Amendments to align with long-standing recommendations of the European Commission, Venice Commission, and GRECO. The Prosecutorial Council has been amended through legislation, but the new composition has effectively excluded individuals with genuine judicial experience.

Each year, Montenegrin courts receive more cases than they resolve, and the backlog of old cases remains high despite various measures aimed at reducing it. The system of accountability within the judiciary has not become effective. Although the frameworks for performance evaluation and disciplinary responsibility have been amended, these reforms were neither piloted beforehand nor accompanied by measurable outcomes.

The Constitutional Court has long been a key center of political influence and power distribution. Although its partial unblocking in early 2023 – through the appointment of several judges – was initially welcomed, the civil sector's warnings that the process amounted to political bargaining, with expertise and integrity sidelined, have proven accurate. The Court is once again on the brink of paralysis, and as a new round of negotiations for judicial appointments unfolds, selection criteria continue to be subordinated to political interests rather than to the state's and citizens' need for an independent and professional guardian of constitutionality and fundamental rights.

This 25-year-long reform has been accompanied by frequent public accusations regarding the absence of verdicts in high-profile criminal cases and repeated procedural failures that have resulted in the termination of prosecutions involving individuals linked to political power. At the same time, visible political pressure on the Prosecutor's Office, the conditioning of the adoption of its annual reports, and its growing reluctance to initiate proceedings against those currently in positions of authority all suggest that

²⁴ Ibid.

Silencing criticism through attacks on civil society

In his Presentation of the Government's Program, the Prime Minister promoted the need to improve the quality of cooperation between the government and civil society.²⁵

However, the environment in which civil society operates has significantly deteriorated since the establishment of the new parliamentary majority and during the mandate of the 44th Government, especially after its reconstruction in July 2024.

The effort to discredit NGOs, civic activists, and certain segments of the media has become a persistent feature of government behavior. This campaign is carried out through the direct involvement of government members and ruling party officials, with the support of sympathetic media outlets and networks of online bots. A particularly visible pattern is the silencing of public criticism by portraying anyone who disagrees with the ruling coalition as collaborators of criminal clans or mercenaries of controversial businesses – an approach intended to discredit all criticism and intimidate those who expose abuses.

The clearest example of the government's stance toward dissent is the announcement of the draft law on "foreign influence agents" in Montenegro. This proposal opened the door to verbal attacks

against NGOs and critical voices and shares many characteristics with repressive and authoritarian regimes.²⁶

The campaign's goal is to stigmatize civil society through various methods: spreading disinformation about NGOs and their work, issuing public insults and threats by government representatives,²⁷ labeling critics as "Satanists" and attempting to criminalize them,²⁸ filing SLAPP lawsuits against professional media,²⁹ and announcing criminal charges and lawsuits against prominent activists.³⁰

This hostile climate for NGOs and media has existed almost continuously, with only brief interruptions, and nearly all major civil society leaders and critical media outlets have faced attacks from the authorities or their affiliated media.³¹

European Commission President Ursula von der Leyen³² and EU Ambassador to Montenegro Johan Sattler³³ have both reacted to these ongoing threats, issuing separate statements that underscore the danger such actions pose to democratic societies. The European Commission's report on Montenegro also warned about public officials' statements discrediting the work and reputation of human rights defenders.

²⁵ Presentation of the Government's Program of Prime Minister Miloško Spajić, 31 October 2023.

²⁶ Laws of similar content have been adopted in Russia, Belarus, Kyrgyzstan, and Hungary.

²⁷ Dragan Koprivica, European Path versus Authoritarian Ideas: Facts about the Proposed Law on Foreign Influence Agents, CDT, Podgorica, 2024.

²⁸ Srđan Janković, "Pokušaj kriminalizacije studenata koji traže odgovornost ministara zbog masakra na Cetinju" ("Attempt to criminalize students demanding ministerial accountability for the Cetinje massacre") Radio Free Europe, 9 January 2025.

²⁹ CDT, Cijena kritike koju plaćaju NVO i mediji: SLAPP tužbe, diskreditacija i politički pritisci (The Price of Criticism Paid by NGOs and the Media: SLAPP Lawsuits, Discreditation and Political Pressure), Podgorica, 2025.

³⁰ Portal Dan, "Bogdanović: Podnijecu tužbe i krivične prijave protiv Radulovića" ("Bogdanović: I will file lawsuits and criminal charges against Radulović") *Portal Dan*, 17 September 2025;

Ne.V., "Laković najavio da će tužiti MANS: Neosnovani i besprizorni napadi, svjestan sam pozadine" ("Laković announced he will sue MANS: Unfounded and shameless attacks, I am aware of the background") *Vijesti online*, 28 May 2025.

³¹ Center for Democratic Transition, Cijena kritike koju plaćaju NVO i mediji: SLAPP tužbe, diskreditacija i politički pritisci (The Price of Criticism Paid by NGOs and the Media: SLAPP Lawsuits, Discreditation and Political Pressure), Podgorica, 2025.

³² Sinisa Luković, "Von der Leyen: Cilj da Crna Gora uđe u EU nadahvat ruke, volimo to što ste ambiciozni i zbog toga ćemo vas podržati" (Von der Leyen: The Goal of Montenegro's EU Membership is within Reach; We Love your Ambition and Will Support you Because of it), *Vijesti online*, 14 October 2025.

³³ Pobjeda Editorial Team, "Sattler upozorava na pritisak, Vujović misli da nema ugrožavanja slobode medija" ("Sattler Warns of Pressure, Vujović Believes There is no Threat to Media Freedom"), *Portal Pobjeda*, 11 November 2025.

Right-wing media, bots, and misinformation out of control

While important processes are underway in the EU to regulate the digital media space – to protect citizens’ privacy, defining relations with major technology companies, and defending the democratic order from increasingly evident threats by both internal and external actors – decision-makers in Montenegro seem largely indifferent to these developments. They display an alarming degree of institutional inertia, remaining trapped in patterns of the analog media era.

At the end of 2023, Montenegro adopted its first-ever Media Strategy since becoming an independent state,³⁴ which was expected to provide a strong impetus for developing mechanisms to protect the country’s democratic order. However, the so-called “media laws”³⁵ identified by this strategy as key instruments for achieving these goals have neither defined nor recognized mechanisms for addressing the identified problems.

The fight against disinformation is carried out almost exclusively by civil society, while media outlets operating in the grey zone are allowed to “run wild,” publishing dozens of disinformation items every week. Media with more professional editorial structures, despite often showing political bias and a lack of credible sources, are rarely the original creators of disinformation.

Montenegro has developed an ecosystem designed to spread disinformation and discredit its political opponents, especially those who criticize the government. The main drivers of this system are certain media outlets, networks of bot accounts, and segments of the political elite on both sides of the political spectrum. This system operates with complete impunity, regardless of whether its coordination center lies inside or outside the country. The absence of legal mechanisms and the unregulated relationship with technology companies allow such activities to go unsanctioned – an outcome that clearly benefits the ruling structures, which are themselves partly involved in these operations.

In its report, the European Commission urged Montenegro to significantly strengthen its response to disinformation and hate speech, accelerate alignment with European digital and media legislation, and “close the space for foreign influence and information manipulation.”

The new European framework for digital regulation, the Digital Services Act (DSA), represents a significant step in Montenegro’s EU accession process and in regulating the digital sphere.³⁶ This legal instrument presents Montenegro with an opportunity to align its existing laws with European standards and establish a system that safeguards citizens and democratic processes in the digital environment.

³⁴ Government of Montenegro, “Usvojena prva Medijska strategija 2023 – 2027. koja će doprinijeti unapređenju ambijenta za slobodno i profesionalno novinarstvo” (“The first Media Strategy 2023–2027 adopted, aimed at improving the environment for free and professional journalism”), 19 October 2023.

³⁵ Law on Media, Law on Electronic Media, Law on the National Public Broadcaster Radio and Television of Montenegro.

³⁶ The Digital Services Act (DSA) defines the responsibilities of digital platforms—from content moderation and combating hate speech to obligations for rapid response to user reports and transparency in sponsored content systems.

In mid-2025, the Ministry of Culture and Media established a working group³⁷ tasked, among other things, with implementing the Digital Services Act in Montenegro. The working group has begun holding sessions³⁸, and its members face a challenging task, constrained by short deadlines. This is because, according to the Government's agenda, the negotiation process is expected to be completed by mid-2026.

It remains to be seen whether, and to what extent, national legislation will be thoroughly aligned with European standards.

Revision of history through the campaign of the church, politicians and the media

Montenegro is facing a third wave of serious historical revisionism, driven primarily by a political agenda.³⁹

Following the first wave, which occurred in the 1990s, and the second in the early 2000s, a third wave is now unfolding – led by similar actors, including a segment of right-wing parties with a Serbian national orientation and the Serbian Orthodox Church (SPC). From time to time, other

actors join in, including certain media outlets or members of the so-called “intellectual elite” with other national or religious affiliations. At the core of this third wave is a campaign to portray the war criminal Pavle Djurisić as an anti-fascist, despite clear historical evidence to the contrary. It also involves the denial of war crimes committed by Djurisić's formations during the Second World War, while the public is misled – through memorial services and commemorative events – about how some of their members actually met their end.⁴⁰

Unlike the first two waves, this third one also involves politicians who hold high state offices, making it, for the first time, part of official state policy. In some cases – particularly the erection of monuments to Djurisić – certain state institutions acted not in the interest of the legal order but in the interest of those in positions of power. This once again demonstrates that the alliance between the partyocracy and religious institutions is often stronger than the state itself.⁴¹

What is particularly concerning is that some political parties utilize these mechanisms to heighten tensions whenever reforms that could reduce their political monopoly or modernize society and the state are brought to the agenda. This mode of partyocratic operation can be especially perilous at moments when Montenegro must make decisive and challenging choices to meet the most crucial conditions for EU membership.

³⁷ Ministry of Culture and Media, “List of NGO representatives for membership in the Working Body for EMFA and DSA,” 10 June 2025.

³⁸ Podkast “E2 Crna Gora i DSA – de smo?” (E2 Montenegro and DSA – how do we fare so far?), NVO 35mm, 11.09.2025.

Dostupno na: <https://www.youtube.com/watch?v=ZgNaPRrBiM>

³⁹ Balsa Rudović, Mihailo Jovović, „Čuva li stražu četničkom komandantu: Zašto sutkinja Popović uporno odbija zahtjev da se odzme spomenik iz manastira” (“Guarding the Chetnik Commander's Monument: Why Judge Popovic Continues to Refuse the Request for Its Removal from the Monastery”) *Vijesti online*, 19 October 2025.

⁴⁰ Biljana Nikolić, „Od Krnovo bi da naprave Lazine: Istoričar Filip Kuzman o nedavnom parastosu četnicima i porukama Mandića” (“They Want to Turn Krnovo into Lazine: Historian Filip Kuzman on the Recent Memorial Service for the Chetniks and Mandić's Messages”), *Vijesti online*, 20 October 2025.

⁴¹ Balsa Rudović, Mihailo Jovović, „Čuva li stražu četničkom komandantu: Zašto sutkinja Popović uporno odbija zahtjev da se odzme spomenik iz manastira” (“Guarding the Chetnik Commander's Monument: Why Judge Popovic Continues to Refuse the Request for Its Removal from the Monastery”) *Vijesti online*, 19 October 2025.

The Prosecutor's Office often fails to hear hate speech

The phenomena of historical revisionism mentioned above are directly linked to the growing incitement of tensions and the increasing use of hate speech by individuals in positions of power – politicians, mayors, members of Parliament, representatives of religious communities, and other public figures.

A vivid example of such behavior is the statement made by the mayor of Niksic, Marko Kovacevic, who publicly declared that citizens who are not his “brothers” would be treated as “Turks.” It should be recalled that this is a politician who had previously been acquitted in proceedings for denying the Srebrenica genocide.

An even more striking case involves church dignitaries who describe Pavle Djuriscic – Hitler's decorated ally, a proven collaborator of fascist and Nazi forces, and commander of units that committed mass crimes against civilians – as a “hero of invincible character.”

The European Court of Human Rights has already determined that the glorification of Hitler, as well as the denial or relativization of crimes, does not constitute freedom of speech but rather hate speech. The same standard must apply to his Balkan allies. Ignoring this principle means that Montenegro is failing to defend not only its legal obligations but also its own anti-fascist identity.

The stance taken by the Prosecutor's Office on these issues is deeply concerning. Under the guise of protecting freedom of expression, it fails to pursue adequate proceedings against those

in positions of power. Judicial statistics and practice clearly reveal the pattern under which prosecutors operate: the law on hate speech and the glorification of war criminals is applied only when the perpetrator is an anonymous citizen on social media.

By absolving public figures of responsibility, the Prosecutor's Office is establishing a practice that may be extremely harmful and dangerous to society – one in which hate speech is tolerated if it originates from those in authority. The consequences are visible: instead of being curbed, hatred is becoming normalized, and violence is emerging as a real threat.

Such a practice fuels xenophobia and radicalization and facilitates the transition from words to actions. The campaign against Turkish citizens and the attacks on their property clearly show how online violence and political hysteria can swiftly spill over into street aggression.⁴³ This is a clear example of how the failure to enforce the law becomes an ally of extremism.

Whether these prosecutorial decisions have been influenced by politics, the Serbian Orthodox Church, their combined pressure, or something else cannot be stated with certainty. Nevertheless, one can only hope that the reason is not the upcoming reappointment of prosecutorial leadership and their desire to appease the ruling powers. Whatever the case, such conduct must not be characteristic of the judiciary of a country that stands on the threshold of meeting the EU membership criteria.

⁴² European Court of Human Rights, “Factsheet – Hate Speech,” 2023. Available at: https://www.echr.coe.int/documents/d/echr/fs_hate_speech_eng

⁴³ Ana Raickovic, “Nacionalistički usklici, lomljenje auta i filmsko hapšenje Turaka” (“Nationalist Shouts, Car Wrecking, and a Cinematic Arrest of Turks”), Portal Pobjeda, 27 October 2025.

Recommendations for improving the situation

The problems that we have been observing and describing in this publication for years do not have simple solutions. This is not because Montenegro lacks the knowledge or expertise needed to address them, but because what is most essential is still missing – political will.

The key to resolving these issues lies in limiting political monopolies. However, this will not happen on its own, particularly since Montenegro has yet to see the emergence of a political elite willing to relinquish its own influence for the sake of the public interest and social progress. So far, there have been no political leaders ready to complete reform processes without calculation, even if doing so could harm their prospects in the next elections.

Be that as it may, we will continue to fight for a just society founded on independent institutions, no matter how distant that goal may seem today. Below is an overview of the most important reform measures that should be implemented to at least reduce the problems described and make a significant step toward Montenegro's membership in the European Union.

1. In the event of inactivity or lack of results from the Committee on Electoral Reform in 2025, extend its mandate to create the formal conditions for continuing the reform, ensuring its completion one year before the regular parliamentary and general local elections.

2. Sprovesti nastavak izborne reforme u skladu sa prethodnim partijskim dogovorom, odnosno Odlukom o osnivanju Odbora za sveobuhvatnu izbornu reformu koja će u sebi sadržati izmjene koje tretiraju i kvalitet izbornog procesa i rješavanje nagomilanih problema.

3. Pripremiti i usvojiti Zakon o Skupštini Crne Gore u kojem će, u skladu sa evropskim standardima, biti uređena pravila funkcionisanja ove institucije i njen odnos sa drugim djelovima vlasti, s naglaskom na parlamentarne procedure i kontrolu rada izvršne vlasti.

4. Usvojiti Zakon o Vladi koji će na kvalitetan način urediti sve aspekte funkcionisanja ove institucije, s naglaskom na povećanje transparentnosti sjednica Vlade i transparentnosti donošenja odluka, povećati kvalitet komuniciranja sa javnostima i jasno utvrditi obaveze Vlade prema parlamentu.

5. Usvojiti izmjene Zakona o slobodnom pristupu informacijama i unaprijediti ovu oblast u skladu sa standardima zemalja EU.

6. Pripremiti i usvojiti Strategiju razvoja otvorenosti izvršne vlasti u kojoj će biti definisani svi segmenti otvorenosti Vlade, ministarstava i organa uprave.

7. Hitno kompletirati Savjet AMU, i kroz inkluzivan i otvoren postupak, izabrati kandidate sa najboljim referencama koji ne podliježu partijskim uticajima.

8. Odmah nakon pravosnažne presude koja bi potvrdila do sada donešene sudske odluke, pokrenuti postupak za izbor novih članova savjeta RTCG.

9. Dovršiti ustavne izmjene kojima će se reformisati Sudski i Tužilački savjet, potpuno uskladiti sastav i izbor članova sa standardima Venecijanske komisije i obezbijediti jasne mehanizme njihove odgovornosti.

10. Uspostaviti finansijsku nezavisnost sudova i tužilaštva kroz zakonski okvir koji garantuje predvidivo povećanje budžeta, reformu sistema zarada i jačanje profesionalnih i administrativnih kapaciteta sudova i tužilaštava.

11. Uvesti sistem stalnog praćenja učinka pravosuđa - analizu opterećenja, optimizaciju pravosudne mreže na osnovu stručnih kriterijuma, mjerljive pokazatelje efikasnosti i redovno javno izvještavanje o rezultatima.

12. Predstaviti javnosti jasan i zvaničan koncept vetinga u pravosuđu – sa definisanim ciljevima, obuhvatom, kriterijumima, fazama realizacije i očekivanim rezultatima. Ukoliko planira uvođenje vetinga, Vlada treba da sprovede inkluzivnu javnu raspravu, prije nego što eventualni model vetinga uvrsti u strateška dokumenta i sprovede u skladu sa međunarodnim standardima, uz institucionalno učešće pravosuđa i civilnog sektora.

13. Uspostaviti aktivniji odnos Vlade i međunarodne zajednice, za poboljšanje ambijenta u kome funkcionišu nevladine organizacije i civilno društvo. Pokrenuti kampanju o ulozi civilnog društva u EU u kojoj će učestvovati predstavnici vlasti sa najvišeg nivoa.

14. Harmonizovati “medijske zakone” sa ciljevima Medijske strategije 2023 – 2027. godine u dijelu koji se odnosi na zaštitu demokratskih procesa od dezinformacija i uloge demokratskih država u tim procesima.

15. Povećati otvorenost rada radne grupe koja se bavi pripremanjem rješenja za implementaciju Akta o digitalnim uslugama u Crnoj Gori i sprovesti temeljnu implementaciju i harmonizaciju crnogorskog zakonodavstva sa ovim aktom.

16. Unaprijediti institucionalni odgovor na istorijski revizionizam i negiranje utvrđenih istorijskih činjenica kroz dosljednu primjenu važećih propisa i razvoj obrazovnih i medijskih programa zasnovanih na činjenicama i finansiranim od strane države, kako bi se spriječilo glorifikovanje ratnih zločina i saradnika fašističkih i nacističkih režima.

17. Pripremiti analizu postupanja Državnog tužilaštva u slučajevima govora mržnje i veličanja saradnika fašista, nacista i ratnih zločinaca i na osnovu nje sprovesti temeljnu reviziju politike (ne)pokretanja postupaka osoba koje djeluju sa pozicija moći.

18. Pripremiti Strategiju demografskog razvoja i usvojiti kvalitetnu populacionu, a u okviru nje migracionu i imigracionu politiku, kako bi se, na održiv način, nadomjestio demografski deficit i ostvarilo neophodno privlačenje nedostajućeg stanovništva iz drugih zemalja u Crnu Goru. Na osnovu ove strategije kreirati i viznu politiku koja je u skladu sa politikama EU, koja se ne donosi ad hoc, nije usvojena pod pritiskom bilo koga i ne predstavlja osnovu za jačanje ksenofobije, nasilja i antimigrantskih aktivnosti i narativa u Crnoj Gori.

