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Has Partitocracy Cleared the Path to the **EU**?

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Introduction

Montenegro is undoubtedly going through a period of accelerated reform. Laws are being adopted, institutions are being brought to full capacity, and political agreements are being reached between the government and the opposition, demonstrating that the political system is capable of delivering decisions. At the same time, however, this raises a more important question: why do institutions function only when political parties agree to let them?

The appointment of the remaining Constitutional Court judges illustrates this problem well. Montenegro has finally restored the Constitutional Court to its full composition, but the way these appointments were made shows that the problem was not a lack of candidates, but a lack of political agreement. The institution was left waiting for the parties, rather than the parties responding to the needs of the institution.

Constitutional changes concerning the judiciary raise another important issue. When public consultation on amendments to the Constitution is conducted merely as a formality, and the views of experts and other stakeholders have no meaningful influence on the final provisions, its democratic purpose is reduced to procedural box-ticking. European integration should not serve as an excuse for less democratic decision-making. It should be an opportunity to raise standards of transparency, accountability and quality.

Electoral reform has likewise failed to address issues that would fundamentally change the relationship between citizens and political parties.

Open lists have not been introduced, voter register reform has not been carried out, and longstanding problems concerning the protection of voting rights remain unresolved. Once again, political consensus has proved easiest to reach where the interests of the major parties align, while changes that would limit party control struggle to make it onto the agenda.

A similar pattern can be seen in other areas examined in this publication, including the relationship between the Government and Parliament, the public's right to information, the protection of media pluralism, and the way institutions respond to historical revisionism and centers of political and religious power.

For Montenegro, the final stage of European integration is not simply about closing negotiation chapters. It is an opportunity to demonstrate that reforms can bring visible and lasting changes to the functioning of institutions, the rule of law and democratic accountability.

This publication was prepared from that perspective: to highlight areas where the current reform momentum has yet to change practices that have constrained democratic development and institutional accountability for years, while also identifying opportunities to ensure that Montenegro's progress towards EU membership leaves behind stronger institutions and a state that is more accountable to its citizens.

CDT team

Institutions wait for political agreement

The appointment of the two remaining Constitutional Court judges represents an important step for Montenegro, primarily in terms of protecting citizens' constitutional rights, ensuring legal certainty and safeguarding the functioning of institutions, but also in meeting the country's obligations in the EU accession process. With the appointment of Predrag Krstonijevic and Jelena Ruzicic, the Constitutional Court returned to its full composition after several years, reducing the risk of decision-making deadlock and providing a more stable framework for resolving cases more efficiently. The significance of these appointments should therefore be measured not only by the fact that all seats on the Court have finally been filled, but also by its future effectiveness, its ability to reduce the backlog of cases and its capacity to protect citizens' constitutional rights with a full bench.

However, the way these appointments came about also highlights a recurring problem in Montenegro's political system: institutional matters remain blocked for months in the absence of political agreement, only for the same candidates to receive overwhelming support once that agreement is finally reached.

President Jakov Milatovic nominated Predrag Krstonijevic as a Constitutional Court judge in December 2025. In the first round of voting, Krstonijevic received only 25 votes, while 20 MPs abstained, falling well short of the required two-thirds majority. Instead of proceeding swiftly to a second round, further delays followed. The President requested an extraordinary parliamentary

session for 10 February 2026 specifically to hold the second vote, but no decision was taken. The vote was postponed several times, and MPs still did not vote on the candidate on 17 February.¹

Meanwhile, in March 2026, the President nominated Supreme Court judge Jelena Ruzicic for the second vacant seat, following a procedure launched through a public call in November of the previous year. Parliament also failed to vote on her appointment for months. As a result, both of the President's nominees remained pending throughout the spring of 2026: Krstonijevic, whose first round of voting had already been completed, and Ruzicic, for whom even the first vote had yet to be held.

The situation changed when the same candidates, without any new procedure or change in their professional qualifications, received far greater support than Krstonijevic had secured only a few months earlier. Krstonijevic was elected with 64 votes, with only five MPs abstaining, while Ruzicic received 69 votes.² Krstonijevic's case is particularly telling: a candidate who initially received only 25 votes in favor secured the support of 64 MPs just over six months later. The candidate had not changed. What had changed was the political willingness to elect him.

This is the key lesson from the process. Montenegro did not lose more than six months because it lacked candidates for the Constitutional Court, or because new candidates had to be found, but because the necessary political will was absent. The appointment of the judges is an important

¹ "Poslanici neće danas o Krstonijevicu" [MPs Will Not Vote on Krstonijevic Today], Cdm, 17 February 2026.

² Aljoša Turović, "Krstonijevic i Ruzicic izabrani za sudije Ustavnog suda" [Krstonijevic and Ruzicic Elected as Constitutional Court Judges], Vijesti Online, 16 July 2026.

achievement. At the same time, the cases of Krstonijevic and Ruzicic demonstrate the cost to Montenegro of a practice in which issues affecting the functioning of key institutions are resolved only once political parties incorporate them into broader packages of political agreements.

A constitution shaped by deadlines or by the needs of the judiciary?

Amending the provisions of the Constitution governing the judiciary offered an opportunity to address, in a lasting manner, some of the problems that have hampered the functioning of the courts and the State Prosecutor's Office for years. Although the amendments were adopted on 24 August with 68 votes in favor and none against or abstaining, such broad parliamentary support does not necessarily imply professional consensus on the quality of individual provisions, particularly given the reservations raised during the parliamentary debate itself.³

One of the key shortcomings of the constitutional amendments, as CDT has pointed out, is the lack of a consistent approach to the Judicial and Prosecutorial Councils. Although the selection of members of both bodies and the majorities required for their election are regulated in a similar manner, their composition is based on different principles for which no convincing justification has been provided. It is unclear, for example, why lawyers are subject to membership

restrictions in one council but not the other, why a representative of the NGO sector is envisaged only for the Prosecutorial Council, or why the two bodies are chaired under different arrangements.⁴

The Constitution does not need to prescribe identical compositions for the two councils at all costs. However, any differences should stem from their specific powers and functions, rather than from ad hoc political arrangements. We have therefore called for a clear and sustainable long-term model that would protect judicial independence while ensuring accountability and pluralism within the bodies responsible for governing the judiciary and prosecution service. In this context, we have also proposed giving serious consideration to professionalizing membership of the councils.⁵

The composition of the Prosecutorial Council warrants particular attention. State prosecutors, together with the Supreme State Prosecutor, who chairs the Council, hold a majority. An attempt to shield the prosecution service from political influence may therefore create a different problem: an increasingly closed system within the prosecution service itself and a greater risk of corporatism. Given the hierarchical structure of the prosecution service, there is a real risk that prosecutor members will follow the position of the Supreme State Prosecutor. As a result, a body that formally consists of eleven members could, in practice, come to reflect the dominant will of a single individual or of the prosecution service itself.

³ K.R., "Skupština usvojila predlog amandmana na Ustav" [*Parliament Adopts Proposed Constitutional Amendments*], RTCG portal, 24 August 2026.

⁴ CDT, "Ustavne promjene u pravosuđu ne smiju biti skup ad hoc rješenja" [*Constitutional Changes to the Judiciary Must Not Be a Set of Ad Hoc Solutions*], CDT portal, 10 August 2026.

⁵ Ibid.

The Venice Commission's recommendations cannot therefore be reduced to a simple formula requiring prosecutors to hold a majority on the Prosecutorial Council. Their purpose was to strike a balance between two equally important risks: political control and corporatism. The constitutional amendments go a considerable way towards addressing the first risk by requiring a qualified majority for the election of members chosen by Parliament, but in doing so they reopen the second. Of particular concern is the possibility that eminent lawyers without relevant experience in the justice system may have significantly less influence than an organized and hierarchically connected prosecutorial majority.⁶

Closely related to this issue is the question of who chairs the Prosecutorial Council. The arrangement under which the Supreme State Prosecutor also chairs the Council has been retained, while a different principle applies to the Judicial Council, whose president is elected from among its non-judge members. It is difficult to justify a system in which the person at the head of the hierarchically organized State Prosecutor's Office simultaneously chairs the body that is supposed to oversee that system. Combining these roles increases the risk of a concentration of power and weakens the Council's oversight function.

We therefore proposed applying the same principle to the leadership of both the Judicial and Prosecutorial Councils, with their presidents elected from among members who are not judges or prosecutors, respectively. This would reduce the risk of excessive concentration of power, strengthen the councils' oversight role and bring greater consistency to the constitutional framework governing the judiciary.

For these reasons, the final adoption of the amendments should have been preceded by an open and informed professional debate on a model capable of preventing political control over the judiciary while also preventing judicial and prosecutorial bodies from becoming closed systems without effective external oversight.

However, the public consultation on the constitutional amendments was conducted largely as a formality. Representatives of civil society, the professional community and other stakeholders took part, but not a single proposal was incorporated into the final text of the amendments. The Constitutional Committee justified this approach by citing tight deadlines and the need for any changes to be aligned again with the European Commission and the Venice Commission before the vote.⁷ This explanation can hardly justify reducing public consultation to a procedural formality, particularly given the deadlines previously set for amending the Constitution and the fact that these changes concern the country's highest legal act. Precisely because constitutional provisions are difficult to amend, they can shape the institutional order for decades.

⁶ Siniša Gazivoda, *JUDICIARY ANTE PORTAS: The Judiciary's Readiness for European Union Accession*, Center for Democratic Transition, Podgorica, 2026.

⁷ Biljana Matijašević, "Brisel kao izgovor, javna rasprava kao dekor: Odbor utvrdio predlog amandmana na Ustav, nijedna sugestija nije usvojena" [Brussels as an Excuse, Public Consultation as Window Dressing: Committee Finalises Proposed Constitutional Amendments Without Accepting a Single Suggestion], *Vijesti* online, 18 August 2026.

Electoral reform or reform in the parties' interest?

After ten years of waiting, a package of amendments to electoral legislation was adopted in July 2025, presented by the government and part of the opposition as a major step forward in the reform process and the product of political consensus. A 40% quota for the underrepresented gender was introduced, local elections were to be held on the same day, the rules on political finance were amended, and the State Election Commission was to be transformed into a professional and depoliticized Central Election Commission (CEC). Even then, however, it was clear that the reform was only partial. A significant number of recommendations by international organizations remained unaddressed, while many longstanding problems within the electoral system were not tackled at all.

A year later, in July 2026, the government and the opposition hastily agreed on a new round of "reform", introducing another set of changes to electoral legislation.

Amendments to the Law on the Election of Councilors and MPs were adopted on 29 July. The most problematic change concerns the criteria for selecting the president and members of the CEC. The pool of potential candidates was rightly expanded to include political scientists as well as lawyers. However, the professional qualifications and experience that had previously served as mandatory criteria for selecting candidates were effectively downgraded to additional factors that the selection commission may take into consideration.

This significantly lowered the bar for membership of an institution intended to drive the professionalization of electoral administration. The formal requirements are now limited to the right to vote, the appropriate level of education and ten years of professional experience, five of which may have been acquired in a very broadly defined range of fields, from elections and political systems to the judiciary and human rights protection. As a result, candidates may meet the statutory minimum without having substantial experience in organizing, monitoring or understanding electoral processes. Restrictions on individuals with a history of party involvement have been retained, but in a system where political party ties are often difficult to establish formally, high standards of professional expertise and experience should have provided an additional safeguard against party capture of the CEC.⁸

More importantly, the 2026 amendments did not amount to the long-awaited comprehensive electoral reform. Open lists, one of the key issues for democratizing the electoral system, were not discussed, nor was the long-promised reform of the voter register carried out. Electoral legislation was not codified, media coverage rules and the candidate nomination system were not comprehensively reformed, and there was no serious discussion of issues such as the way local assemblies are constituted or the direct election of mayors.

⁸ Nikola Dragaš, "Izbori onima koji o njima pojma nemaju: Milica Kovačević o predlozima izmjena izbornih zakona" [*Elections Entrusted to Those Who Know Little About Them: Milica Kovacevic on Proposed Amendments to Electoral Laws*], *Vijesti* online, 29 July 2026.

Longstanding problems concerning the protection of voting rights also remain unresolved. There is still no possibility of appealing against an election commission decision that upholds a complaint, regardless of the consequences of that decision. Nor was the recommendation accepted that elections should not be annulled because of procedural irregularities that could not have affected the outcome. As a result, formal irregularities with no actual impact on voters' choices may still lead to a repeat vote or bring the electoral process to a standstill. The possibility of establishing a parliamentary committee to monitor implementation of the law as it relates to the media has also been retained, leaving room for political oversight of media coverage during election campaigns.

The amendments nevertheless introduce several useful changes. Citizens may now sign in support of more than one electoral list, the duration of election campaigns has been aligned with the Law on Financing of Political Entities and Election Campaigns, the excessively long restriction on the publication of opinion polls has been shortened, and the activities prohibited during the election silence period have been defined more precisely. A clearer prohibition has also been introduced to prevent the misuse of female candidates renouncing their mandates as a means of circumventing the gender quota. These are useful improvements, but taken together they do not address the system's key shortcomings.

The amendments to the Law on Financing of Political Entities and Election Campaigns, also adopted by Parliament at the end of July, are even more limited in scope. Certain penalty provisions have been amended, but the sanctions remain insufficient to deter violations when compared with the benefits parties may gain

from breaking the rules. The proposal to classify the most serious forms of illegal political financing as criminal offences was not accepted. Nor were longstanding problems repeatedly highlighted by CDT and ODIHR addressed, including the unequal position of political actors and the significant initial financial advantage enjoyed by the largest parliamentary parties. No mechanisms have been introduced to provide funding for relevant non-parliamentary political actors, nor has oversight by the Agency for Prevention of Corruption been significantly strengthened. At the same time, political parties remain able to transfer funds from their regular accounts to election campaign accounts without any meaningful restrictions.⁹

The problem lies not only in the substance of the reform, but also in the way it has once again been conducted. After key amendments were rushed through in 2025, electoral legislation was amended again only a year later, following a professional debate that lasted just a few days. This approach confirms a familiar pattern: political parties are quick to reach consensus when changing rules on which their interests align, while issues that would fundamentally democratize the electoral system, strengthen voters' rights and limit party control remain sidelined for years.

Even after the 2026 amendments, therefore, Montenegro cannot be said to have completed a comprehensive electoral reform. What it has received is another package of technical changes, accompanied by a weakening of some of the mechanisms that, only a year earlier, had been presented as safeguards for the professionalization of electoral administration. Rather than being built around electoral integrity and citizens' rights, electoral rules continue to be shaped all too often by whatever compromise the largest political parties can reach at a given moment.

⁹ Ibid.

Laws on the Government and Parliament:

Systemic laws without a systemic approach

The adoption of laws on the Government and Parliament has long been recognized as an important step towards defining the relationship between the executive and legislative branches more clearly and strengthening their accountability. However, the process so far gives little indication that these two laws will be used as an opportunity for systemic improvements to the institutional framework. The Draft Law on the Government fails to address some of the key problems affecting the functioning of the executive, while the Law on Parliament has been in preparation for some time, with no information available on the process, those involved or the content of the future legislation.

The Draft Law on the Government, submitted to Parliament in February 2026, represents a step backwards from some earlier versions. One of the clearest examples is the decision not to set an upper limit on the number of ministries and deputy prime ministers. This was a missed opportunity to establish at least a basic safeguard against the practice of creating and splitting ministries to accommodate political agreements rather than the functional needs of the public administration. There are also problems with the provisions governing transparency in decision-making. Although the requirement for the Government to publish meeting agendas, materials and minutes has been retained, the Draft Law also allows meetings to be held by telephone in “urgent cases”, without specifying what constitutes such a case. Unlike earlier versions, it no longer excludes decisions on appointments and dismissals from

being taken at telephone meetings. The Draft Law also provides that draft laws requiring a two-thirds majority in Parliament cannot be decided on at such meetings. It is unclear, however, why this restriction does not extend to laws requiring a majority of all MPs, including those governing the exercise of citizens’ rights and freedoms, Montenegrin citizenship, referendums, citizens’ financial obligations, state symbols and their use, defense¹⁰ and security, the armed forces, the establishment, merger and abolition of municipalities, the declaration of a state of war or state of emergency, and the adoption of the spatial plan, among others.

More significantly, the final version weakens certain provisions governing the Government’s accountability to Parliament. While the obligation for the Prime Minister or a member of the Government to attend a parliamentary sitting at which they are required to answer an MP’s question has been retained, the previous requirement for the Prime Minister and ministers to respond to a summons from a parliamentary committee and attend an oversight hearing has been removed. This is difficult to justify in circumstances where Parliament’s oversight function already faces serious problems in practice.

The process of drafting the Law on Parliament, which should address the other side of this institutional relationship, remains entirely non-transparent. Although the President of Parliament and his office have repeatedly announced the law, even basic information about the drafting

¹⁰ Milena Gvozdenović, “Predlog zakona o Vladi neće obezbijediti odgovornost izvršne vlasti” [Draft Law on the Government Will Not Ensure Executive Accountability], CDT portal, 23 February 2026.

process remains unavailable to the public. In late 2025, unofficial reports suggested that the law had already been drafted and could be adopted before the end of the year.¹¹ Yet the text has still not been made public, nor has a consultation process been opened.

This approach is particularly problematic given that the Law on Parliament should primarily serve to strengthen Parliament's institutional position, its oversight function and the mechanisms for holding the executive accountable. The irregular scheduling of Prime Minister's Questions and the inconsistent conduct of oversight hearings demonstrate that the existing framework is insufficient to ensure effective parliamentary scrutiny of the executive.

The right to free access to information, at citizens' expense

After years of waiting and several unsuccessful attempts at reform, Montenegro adopted a new Law on Free Access to Information in late 2025. The Law introduces important improvements, most notably by significantly expanding institutions' proactive disclosure obligations and removing business secrecy as grounds for restricting access to information. However, its actual contribution to greater institutional openness will depend on consistent implementation, the capacity of the competent authorities and the effectiveness of oversight mechanisms.

At the same time, the Law's potential to strengthen the public's right to know was significantly undermined by an amendment adopted at the very end of the legislative process. The amendment provides that, in administrative disputes initiated because an authority has failed to respond, each party must bear its own legal costs. This means that citizens, media outlets or civil society organizations forced to seek information through the courts because an institution failed to comply with the law must cover their own costs even when the court finds that the institution acted unlawfully.

This provision not only discourages the exercise of the right to free access to information, but also further weakens institutional accountability for failing to respond and for unlawfully withholding information. It is particularly concerning that such provisions are being introduced in a system where proceedings before the competent institutions can already take months or even years.

For this reason, in January 2026, the NGO MANS submitted an initiative to the Constitutional Court challenging the constitutionality of this provision, arguing that it creates an obstacle to effective judicial protection.¹² The Constitutional Court has yet to issue its decision.

¹¹ Biljana Matijašević, "Penzije od dvije hiljade eura, Mandić da dijeli ordenje? Zakon o Skupštini pripremljen, dogovaraju se detalji" [*Two-Thousand-Euro Pensions, Mandić to Award Decorations? Law on Parliament Drafted, Details Still Being Negotiated*], *Vijesti* online, 28 December 2025.

¹² Dejan Milovac, "MANS podnio inicijativu Ustavnom sudu: Ukinuti član Zakona o SPI kojim se ohrabruje skrivanje informacija" [*MANS Files Initiative with Constitutional Court: Repeal the Provision of the Free Access to Information Law That Encourages Information to Be Withheld*], MANS, 20 January 2026.

Foreign ownership, domestic political influence

In recent years, Montenegro's media market has been marked by an increasing regional concentration of ownership. A significant share of the country's most influential private television and online media outlets are owned by companies whose owners or decision-making centers are based outside Montenegro, particularly in Serbia. In a small and politically polarized society, this is not merely a business issue. It poses a serious challenge to media pluralism and democratic processes, particularly during election campaigns. An important step towards understanding this problem was taken by the Agency for Audiovisual Media Services (AMS) with the establishment of its Digital Map of Media Ownership. At its presentation, the Agency itself warned that Montenegro takes a liberal approach to the entry of capital into the media market and has almost no restrictions on ownership concentration, allowing political influence, business interests and various centers of power to enter the media landscape through capital and ownership structures.

Transparency of formal ownership, however, is only the first step. Understanding who actually wields influence requires information about who controls the capital, which legal entities are connected, where the funding comes from, what business and political ties the owners have, and how all of this may affect editorial policy. This is precisely why European standards place increasing emphasis on transparency of media ownership and financing, as well as the protection of editorial independence. The European Media Freedom Act further strengthens mechanisms for safeguarding pluralism and ownership transparency.

While the regulatory framework is gradually moving closer to European standards, the market continues to see greater ownership concentration and an expanding presence of media groups from Serbia. A particularly telling example is the acquisition of the IN4S portal in May 2026 by the Belgrade-based company Alo Media System. The acquisition further expanded the group's presence in Montenegro's online media landscape, where it already operates through other outlets. Such developments cannot be viewed in isolation from the political context, particularly given public debate over the links between certain media owners and political structures in Serbia.

The problem becomes even more serious when ownership concentration is considered alongside the content produced by these media outlets. Analyses conducted over the years by CDT's Raskrinkavanje.me portal have shown that some of these outlets disseminate disinformation, manipulative content, foreign information narratives and messages directed against Montenegro's Western integration. IN4S and Borba, among others, have repeatedly been the subject of analyses concerning the publication of such content.

Against this backdrop, the announced takeover of part of the media group that includes Vijesti represents one of the most significant issues for the future of media pluralism in Montenegro. In June, Alpaca Capital announced that it had initiated formal proceedings before the relevant Montenegrin institutions, while providing assurances that the media outlets' editorial

independence and pro-European orientation would be preserved.¹³ Vijesti co-founder Zeljko Ivanovic publicly questioned the transparency of the process as a whole, as well as the ownership structure and political connections of the prospective buyer. Representatives of civil society and the European Federation of Journalists also expressed concern about the potential consequences of the transaction.

The process has since entered the institutional stage. On 31 July 2026, the AMS Council considered documentation relating to requests for prior approval of changes to the ownership structures of Television Vijesti and Nova M, but did not reach a decision at that session. In August, the Commercial Court of Montenegro temporarily blocked changes to the company's ownership and management structure, finding sufficient grounds to preserve the status quo until the dispute over the sale of the majority stake is resolved.¹⁴

The outcome of this process could have consequences extending far beyond a single business transaction. If a change in the ownership of one of the few major media groups outside the media sphere politically aligned with the authorities in Belgrade were to further narrow the space for editorially independent and pluralistic content, Montenegro could enter its next election cycle with a media market even more vulnerable to external political influence. This is precisely why the process requires full transparency and close scrutiny by regulators, institutions responsible for protecting competition, and the public.

State-assisted historical revisionism

Montenegro continues to face historical revisionism driven by a clear political agenda. The main actors in this process remain certain political parties and the Serbian Orthodox Church (SPC), supported by media outlets and public figures close to them. Particularly concerning is the involvement of politicians holding the highest state offices. As a result, revisionism is ceasing to be merely a social or church phenomenon and is increasingly taking on the characteristics of state policy.

The case of the monument to war criminal Pavle Djurisic demonstrated how far institutional tolerance of such policies can go. The monument was illegally erected in Gornje Zaostro, then moved to church premises, before eventually disappearing from the sight of the competent authorities altogether. When the state is unable to locate a bronze statue several meters tall whose movements were known to the police and other authorities, it is difficult to describe the situation as a simple institutional failure.

This leaves two equally troubling explanations: either state authorities are incapable of enforcing the law, or they are not permitted to do so. In either case, there has been no concrete accountability at the level of command, professional responsibility or political responsibility.

¹³ Dragan Koprivica, "Javnost ima pravo da zna ko preuzima uticajne medije u Crnoj Gori" [*The Public Has the Right to Know Who Is Taking Over Influential Media in Montenegro*], CDT portal, 22 June 2026.

¹⁴ Mihailo Jovović, "Zaustavljena promjena vlasništva u TV Vijesti: Privremena mjera Privrednog suda zbog spora oko prodaje većinskog udjela" [*Change of Ownership at TV Vijesti Halted: Commercial Court Issues Interim Measure amid Dispute over Sale of Majority Stake*], Vijesti online, 18 August 2026.

The case also exposed the problematic nature of the state's relationship with the Serbian Orthodox Church. No religious community can function as a parallel authority, nor can its premises become spaces where the jurisdiction of state institutions ceases to apply. If objects sought by the police and the prosecution service are moved to or concealed on church premises, the state has an obligation to establish who enabled this and whether anyone obstructed the enforcement of the law. Instead, the impression has been created that institutions are retreating in the face of certain centers of political and religious power.

The commemoration in Krnovo, where President of Parliament Andrija Mandić and Metropolitan Metodije of the Serbian Orthodox Church spoke, demonstrated that the revisionist campaign did not end with the monument case. Members of Djurić's formations were portrayed as unarmed young men killed by a "brotherly hand", although historical documents show that they were members of an armed formation involved in German operations against Partisan forces. Historical facts are thus being reshaped to serve contemporary political needs, with representatives of both the state and the Church taking part.

The involvement of senior state officials and church dignitaries in rewriting historical facts, combined with the inability of state institutions to enforce the law in the case of the Djurić monument, demonstrates that revisionism is no longer merely a struggle over how the past is interpreted. It is becoming an instrument of contemporary politics and an indicator of where power in the state actually lies.

Towards more accountable institutions and a stronger democracy

At this final stage of European integration, it is reasonable to expect institutions to act swiftly and reform commitments to be completed within the agreed deadlines. At the same time, speed must not become an excuse for compromising the quality of solutions, restricting professional and public debate, or reducing political agreement to the formal fulfilment of recommendations. The problem does not lie in tight deadlines as such, but in the fact that important reform tasks have not been addressed thoroughly or in a timely manner, with accelerated procedures then used in an attempt to make up for lost time.

The adoption of constitutional amendments concerning the judiciary fulfils an important commitment on the European agenda, but it does not resolve concerns about the quality of certain provisions that have now become part of the country's highest legal act. The approach that has become common with numerous legislative amendments cannot be applied to the Constitution: adopting legislation only to raise the question of amending it almost immediately afterwards. This is precisely why political actors were expected to show particular responsibility for the quality, consistency and long-term sustainability of the solutions adopted. The fact that the necessary political agreement on constitutional changes was reached and an obligation from the European agenda was fulfilled does not remove the shortcomings identified by the professional community during the process.

Electoral reform has revealed similar limitations of political consensus. After ten years of waiting and two rounds of amendments to electoral legislation, Montenegro still does not have a reform that addresses some of the issues on which the genuine democratization of its political system depends.

If sufficient political will for such changes has not emerged even after a decade, it is difficult to avoid the conclusion that meaningful democratization of the electoral system will have to wait for more responsible political elites, willing to change rules that directly affect their own party interests rather than only those on which inter-party compromise can be reached relatively easily.

The Laws on the Government and Parliament should be approached as interconnected elements of a systemic reform of relations between the executive and legislative branches, rather than as two legislative tasks that simply need to be formally completed. The Law on the Government must provide clearer answers to problems concerning the organization of the executive, the transparency of its work and its accountability to Parliament. We therefore call on the Parliament of Montenegro to substantially improve the proposed Law on the Government and not miss the opportunity to contribute to the adoption of legislation that delivers genuine reform.

It is equally important for the Law on Parliament to strengthen Parliament's institutional position and its oversight mechanisms. Prime Minister's Questions, parliamentary questions and oversight hearings must not depend on the political will of those whom Parliament is supposed to scrutinize. The process of drafting the Law on Parliament must be open to the public and the professional community, particularly given that this legislation

is intended to provide a long-term framework for one of the central institutions of the democratic system.

We hope that the significantly expanded proactive disclosure obligations under the Law on Free Access to Information will be consistently implemented and that their effects will be reflected in greater institutional openness. At the same time, we believe that the provision requiring each party to bear its own costs in administrative disputes arising from an authority's failure to respond should be reviewed as soon as possible. This provision weakens the effectiveness of the right of access to information and reduces institutional accountability for lawful and timely action, which is why we have emphasized the need for it to be amended.

Montenegro can no longer approach the issue of media ownership solely through the formal registration of companies. What is needed is a unified and functional system that gives the public access to information on direct, indirect and beneficial owners, the origin of capital, related legal entities and relevant financial relationships, backed by effective oversight and sanctions. These rules must also apply to online media.

At the same time, the future system for screening foreign investments must recognize the media sector as an area of particular importance to democracy and the national public interest. A major foreign investment in a factory and a major foreign investment in a media outlet do not have the same implications. Those who control the media gain the ability to influence which issues society discusses, how those issues are understood and, ultimately, the political choices citizens make. In a country where a large share of influential private media is already owned by entities based outside its borders, protecting

media pluralism must become a matter of democratic security, not merely one of market competition.

The state must also demonstrate that enforcement of the law does not depend on the political, party or religious power of those to whom it applies. The highest state officials must likewise be expected to act responsibly when publicly addressing historical facts. The participation of state representatives in politically motivated attempts to relativize war crimes and rewrite history cannot be regarded as merely their personal view of the past, because the authority attached to public office gives such messages institutional and political weight.



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