



Téléfax: (41-22) 917 90 08
Téléphone: (41-22) 917 91 02
Internet www.ohchr.org
Email: jnataf@ohchr.org



Adresse:
Palais des Nations
CH-1211 GENEVE 10

REFERENCE: cc/jmnf/jli/follow-up/CAT

19 November 2010

Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the United Nations Committee against Torture, I refer to the examination of the initial report of Montenegro (CAT/C/MNE/1) on 11 and 12 November 2008. At the end of that session, the Committee's concluding observations (CAT/C/MNE/CO/1) were transmitted to your government. In paragraph 28 of those concluding observations, the Committee requested that the State party provide, within a year further information regarding areas of particular concern identified by the Committee in paragraphs 6, 11, 12, and 17.

With regard to the comments that have been provided relating to paragraphs 11 and 12, I have reviewed these with care and the additional information provided assists the Committee in its ongoing analysis of the issues identified for follow-up in the paragraphs above. As Rapporteur on Follow-up, I would be grateful for clarification on the following matters, where sufficient information is not yet provided to complete an analysis of the progress made regarding implementation of the recommendations of the Committee.

The Committee thanks and commends the State party for the information provided regarding the compensation awarded by courts for material and non-pecuniary damages to surviving kin of persons who were extradited from Montenegro to Bosnia-Herzegovina and were killed or suffered severe human rights abuses as a result. The Committee would be grateful to receive updated information on the number of such cases that have been filed in 2009 and 2010, the number of persons who have been awarded compensation, and in what amount. The Committee also looks forward to receiving your Government's response to the other issues raised in paragraph 11 of the Concluding Observations regarding the measures taken to integrate displaced persons from Croatia and Bosnia and Herzegovina, and internally displaced persons from Kosovo, residing in Montenegro, including by granting them proper legal status.

With regard to the Committee's concerns in paragraph 12, thank you for the information provided in the "Kaluderski Laz", "Morinj", "Deportation of Muslims", and "Bukovica" cases. According to information before the Committee, trials in the "Morinj" and "Deportation of Muslims" cases began after your letter to the Committee, on March 12, 2009 and November 26, 2009 respectively, while the "Bukovica" case has been forwarded for further action. In view of this, please provide the Committee with updated information on the status of these trials, including in the "Kaluderski Laz" case, and whether any judgments have yet been concluded. The Committee would also be grateful to receive detailed information on the investigations into these cases, including which agencies were responsible for carrying them out.

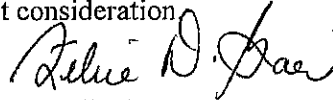
.../...

H.E. Mr. Milomir MIHALJEVIC
Ambassador extraordinary and plenipotentiary
Permanent Representative of Montenegro
to the United Nations Office at Geneva
Fax: 022 732 66 82

The remainder of the information sought by the Committee within the context of the follow-up procedure concerning paragraphs 6 (Fundamental legal safeguards) and 17 (Prompt and impartial investigations) has not been provided yet. As more than one year has elapsed from the transmittal of the Committee's Concluding Observations, I would be grateful for clarification as to the current status of your Government's responses on these matters, and as to when the remainder of the information requested will be forthcoming.

The Committee looks forward to pursuing a constructive dialogue it has started with the authorities of Montenegro on the implementation of the Convention, and in this context, to receiving clarification to our follow-up questions as well as the remainder of the information sought relating to the follow-up procedure.

Accept, Excellency, the assurances of my highest consideration



Felice D. Gaer

Rapporteur for Follow-up on Concluding Observations
Committee against Torture