

Human Rights Action

Contribution to the List of Issues Prior to the Submission of Montenegro's Fourth Periodic Report

Montenegro

Introduction

Distinguished members of the Committee against Torture,

Prior to the submission of the fourth periodic report of Montenegro, please consider these suggestions prepared by the NGO Human Rights Action (*Akcija za ljudska prava*).

This document of 10 pages includes reasoned conclusions and recommendations of HRA on the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Montenegro (hereinafter: the Convention). It follows the methodology of the 2022 Committee's concluding observations to Montenegro.

HRA is a Montenegro-based NGO founded in 2004, advocating for the implementation of international standards of human rights in Montenegro and promoting the culture of human rights. We also litigate cases and act as a reliable source of information on human rights and rule of law in Montenegro. The European Anti-Torture Committee (CPT) has met with us on every occasion of its visits to Montenegro in 2008, 2013, 2017, 2022 and 2024.

HRA is a grantee of the United Nations Voluntary Fund for Victims of Torture. We have received their emergency assistance in 2021 to provide victims of alleged police torture in the case of "bombing attacks" forensic examination and medical expenses, and have been supported to provide legal assistance to alleged torture victims in the police and prison settings from 2022 to date.

We have earlier submitted the following reports to several UN committees:

- In September 2014 the [alternative report](#) to the Human Rights Committee;
- In April 2014 the [alternative report](#) to the Committee against Torture;
- In October 2014 the [alternative report](#) to the Committee on Economic, Social and Cultural Rights together with 14 Montenegrin NGOs;
- In July 2017 the [alternative report](#) to the Committee on the Rights of Persons with Disabilities together with the Centre for Women's and Peace Education (ANIMA) and the Mental Disability Advocacy Center (MDAC);
- In March 2022 the [alternative report](#) to the Committee against Torture and
- In March 2022 the [alternative report](#) to the Committee against Torture with the Civic Alliance, Phiren Amenca and European Network on Statelessness.
- In October 2022 the Contribution to The Upcoming Universal Periodic Review of Montenegro by The UN Human Rights Council.

HRA greatly appreciates your attention and agrees to make the report publicly available on the Committee's website.

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1. DEFINITION OF TORTURE

With reference to the Committee's previous concluding observations (para. 7), the definition of torture still does not include persons acting in an official capacity as perpetrators, but only public officials in article 167, paragraph 2.

Also, the statute of limitations has not yet been abolished for all acts of torture.¹ The new Criminal Code (CC) prescribes the non-obsolescence of the criminal offence of 'torture' (Art. 167)². However, the recommendation provided by the CAT to Montenegro in 2014³ and 2022,⁴ was that all **acts amounting to torture** should not become obsolete. Besides the offense of 'torture' from Article 167, such acts also include 'extortion of testimony' (Art. 166) and 'ill-treatment' (Art. 166a). As the CC already justifiably equated the extortion of testimony by severe violence (Art. 166, para. 2) and 'torture' (Art. 167, para. 2) regarding sentencing, as the extortion of testimony just provides with a particular exercise of torture, there is no justification for a different approach to the issue of statute of limitations regarding the prosecution of the two offenses.

Also, while the new CC has tightened the penal range for acts of torture to some extent, prescribing a range of two to ten years (Art. 167, para. 2), it still does not align with the Committee against Torture's practice, which suggests that the "appropriate punishment" for torture should be prison sentences ranging from six to twenty years.⁵

HRA participated in the most recent working group on amendments to the Criminal Code. Through its advocacy, provisions for the non-obsolescence of extortion of testimony and an increase in penalties for acts of torture were included in the new draft law. This draft is currently under review by the European Commission, meaning it is still uncertain whether the proposed amendments will be adopted.

In this regard, HRA recommends that the Committee asks Montenegro to clarify whether the State party will adopt legislative measures to:

- a) Include persons acting in an official capacity and not only public officials, as potential perpetrators of torture (as HRA's proposal to that end had been denied by the Ministry of Justice two times already);
- b) Increase the penalty range for acts of torture, in line with Article 4(2) of the Convention,
- c) Ensure that all acts amounting to torture, including extortion of testimony, are not subject to statute of limitations.

¹ Montenegro Report 2024, European Commission, Brussels, 30.10.2024, page 35

² Criminal Code of Montenegro, *Official Gazette No. 040/08, 025/10, 073/10, 032/11..., 145/21, 110/23.*

³ See *Committee against Torture, Concluding observations on the 2nd periodic report of Montenegro*, 17 June 2014, item 6.

⁴ See *Committee against Torture, Concluding observations on the third periodic report of Montenegro*, 10 May 2022, item 7.

⁵ The UN Committee against Torture, *An Assessment*, Chris Ingelse, p. 342: "The Committee as a whole did not comment on the appropriate level on sentences for torture, although on the basis on individual opinions of members, it is possible to establish a range within which they should fall: the penalty for the predicate offence of torture should be a custodial sentence of between six and twenty years."

2. LEGAL AID

With reference to the Committee's previous concluding observations (para. 11), on the positive note, the recent amendments to Article 13 of the Law on Free Legal Aid extend the right to free legal assistance to victims of torture or inhuman or degrading treatment and victims of sexual offenses. Those victims are also entitled to free legal aid in related proceedings, such as family and civil matters, once a court has confirmed their victim status. The same attorney is generally required to continue providing legal aid throughout all those proceedings. On the other hand, the non-governmental organizations and other competent entities are still prohibited from providing State-sponsored free legal aid limiting broader access to legal support for victims.

The previous recommendation to take appropriate steps to ensure that the criteria determining access to legal aid are clearly and objectively defined and not left open to interpretation remains unimplemented, as no amendments have been made to the legislation in this regard.

In this regard, HRA recommends the Committee to ask Montenegro:

- a) What measures have been taken to ensure that the recent amendments to Article 13 of the Law on Free Legal Aid are effectively implemented, particularly in cases involving victims of torture and sexual violence;
- b) How does the State Party ensure that legal aid provided in related proceedings, such as civil matters, is timely, adequate, and accessible to victims of violence and torture;
- c) What mechanisms are in place to monitor and evaluate the effectiveness of the free legal aid system for victims of torture, inhuman treatment, and sexual violence;
- d) Has the State Party considered removing restrictions on NGOs and other competent bodies providing State-sponsored free legal aid to expand legal support for victims.

3. CONDITIONS OF DETENTION

With reference to the Committee's previous recommendations (para. 15), [material conditions in Montenegrin prisons remain uneven across different facilities, pavilions, and even individual rooms](#). Overcrowding continues to be a critical issue, with some rooms lacking adequate furniture, while others meet acceptable standards. The prison system also faces significant challenges, including deteriorating infrastructure, outdated furniture, poor sanitation, and understaffing, with nearly a third of positions vacant.

The existing Podgorica Remand Prison building fails to meet minimum standards, particularly regarding detainees' right to two hours outdoors and access to other out-of-cell activities. Although [HRA and Juventas recommended](#) the construction of a new remand prison building in 2015, the Government of Montenegro had not accepted this proposal to date.

3.1. Healthcare Concerns

Inmates requiring enhanced medical care continue to face severe challenges. Despite plans to build a new prison hospital and other facilities by 2025, conditions in the current detention unit remain extremely poor. The insufficient number of medical personnel remains a significant issue.

Another problem is that healthcare workers are employees of the prison administration, i.e. employed by the Ministry of Justice Correctional Department. Such set-up undermines their professional independence and impartiality. [HRA and Juventas have called](#) already in 2015 for the prison healthcare workers to be placed under the competence of the Ministry of Health, like all other medical workers in the country. However, this recommendation has still not been adopted.

3.2. Sexual Abuse Concerns

Of particular concern are recent reports of sexual abuse of prisoners by other inmates. These allegations were raised with NGO representatives conducting prison monitoring but were never officially submitted, likely due to fear of retaliation.

The Committee should ask Montenegro the following questions:

- a) What measures has the State Party taken to address overcrowding in prisons, and what is the timeline for their implementation?
- b) How does the State Party plan to improve the material conditions in prisons, particularly in terms of inadequate furniture, poor sanitation, and outdated infrastructure?
- c) What steps will the State take to ensure that detainees in the Podgorica Remand prison have access to at least two hours outdoors and other out-of-cell activities, in compliance with minimum international standards?
- d) Has the State reconsidered constructing a new remand prison building, and if not, what alternative measures are planned to address the current facility's inadequacies?
- e) What measures will the State take to improve opportunities for access to work opportunities and rehabilitation, including for women and juvenile prisoners?
- f) What concrete actions has the State Party taken to address the insufficient number of medical personnel in prisons, and what is the plan to ensure adequate healthcare for inmates?
- g) What steps is the State Party taking to transfer the competence for the healthcare services for prisoners from the Ministry of Justice to the Ministry of Health?
- h) What measures will the State take to ensure that prisoners can safely report incidents of sexual abuse without fear of retaliation, and how will the State enhance independent monitoring and investigation of such allegations in detention facilities?

4. PSYCHIATRIC FACILITIES

Despite the Committee's previous recommendations (para. 16 and 17), conditions in institutions for persons with psychosocial and intellectual disabilities remain unchanged, with overcrowding still unaddressed. [A new Psychiatric Clinic opened in Podgorica](#) in September 2024, and the [2025–2028 Deinstitutionalization Strategy, along with a 2025 action plan](#), were adopted in December 2024, but no significant progress has been made. The special hospital within the Criminal Sanctions Enforcement Directorate is still under construction as of March 2023, with no confirmed opening date.

Crucially, no new community services have been introduced to address hospital overcrowding, reflecting the authorities' delayed response to previous recommendations. The hospital has 241 beds, with 90 (almost 40%) occupied by so-called social patients who no longer need treatment but remain there due to the lack of community services or alternative housing. The

[Final Report on the 2021-2023 Mental Health Strategy Action Plan](#) shows that of 19 planned activities, only 5 were completed, 3 partially completed, and 11 not implemented. A key failure was the lack of community-based treatment options, hindering the deinstitutionalization of patients no longer in need of hospital care.

Montenegro has not yet implemented the UN Committee on the Rights of Persons with Disabilities recommendations from 22 September 2017, particularly regarding: a) adopting a human rights-based approach to disability across all laws and policies; b) replacing the current guardianship system with supported decision-making that respects the autonomy and dignity of persons with disabilities, along with transparent remedies for those whose legal capacity has been removed; c) ensuring adequate resources for effective deinstitutionalization. Additionally, community-based services that promote autonomy, dignity, and privacy, including peer support and alternatives to the medical model, have not been developed.

In light of these issues, HRA recommends that the Committee asks Montenegro the following:

- a) What specific actions have been taken to address overcrowding at the Dobrota special psychiatric facility in Kotor? Given the prolonged delay, what immediate steps has Montenegro taken to address these critical issues?
- b) Please provide information (statistical data) on how many individuals from the Dobrota special psychiatric facility in Kotor have been transitioned to community care, and how many years of institutionalization they had prior to the transfer.
- c) What measures have been put in place to establish new community-based services, such as supported living, aimed at reducing reliance on institutional care and alleviating hospital overcrowding? How does Montenegro plan to expand and integrate these services into the healthcare and social system to further decrease dependence on institutional care?
- d) What support and resources have been provided to institutions for persons with psychosocial and intellectual disabilities to improve conditions and meet international standards? What steps has the government taken to enhance conditions in these institutions?
- e) What plans does Montenegro have to accelerate the completion and opening of the special hospital within the Criminal Sanctions Enforcement Directorate, and when is the expected opening date?
- f) What timelines and measurable indicators has Montenegro established to track the progress of its Deinstitutionalization Strategy and address overcrowding in hospitals?

5. INVESTIGATIONS OF CASES OF TORTURE AND ILL-TREATMENT

With reference to the Committee's previous recommendations (para. 19), investigations into allegations of torture are still ineffective, and sentencing policies tend to be lenient, creating a climate of impunity that discourages victims and allows abuse to persist. Police officers still operate without proper identification while wearing masks, do not use body cameras during operations, are not regularly suspended when necessary, and disciplinary proceedings are not initiated in a timely manner. Additionally, police and prosecutorial interrogations continue to lack recording protocols.

5.1. Investigations

As of November 15, 2024, the State Prosecutor's Office in Montenegro was investigating the responsibility of more than 114 police officers for acts of torture against 140 individuals, involving 76 cases at various stages of proceedings: preliminary investigation (49),

investigation (1), indictment review and trial (19), and appeal (7). Out of the 49 cases in the preliminary investigation phase, only 13 (26.5%) were initiated in 2024, while the remaining 36 date back to previous years. This implies that the preliminary investigation in all these cases has been ongoing for at least a year, with some lasting up to nine years, thereby seriously violating the obligation of effective proceedings.⁶ This concern is further confirmed by two decisions of the Constitutional Court in 2023 and 2024.⁷

Despite this, on March 23, 2023, the news portal Libertas Press [published photos](#) and SKY application transcripts involving police special unit officers and members of the notorious Kavac drug gang. These materials have been available to the Special State Prosecutor's Office since July 2021. The photos show special unit police officers beating prisoners, putting guns in their mouths, suffocating them, and torturing them with electricity. Additionally, the officers shared these photos with their counterparts in the organized crime gang. Of the six victims depicted in the published photos, five were identified by HRA in 2022 and reported to the Supreme State Prosecutor's Office, along with an additional 19 cases of extortion of testimony. However, these cases have not been addressed in a timely manner by the authorities, and indictments were raised only in 5 cases. Notably, [two indictments were raised in 2022](#), and [three in 2024, after the SKY communications were published](#).

All other cases still remain in the pre-investigation phase. The best example is Mr. J.G., where four prosecutors have performed investigative activities from the Basic State Prosecutor's Office since 2020. One of those prosecutors, M. K., dismissed the criminal charges against all reported police officers four times following a superficial investigation. Acting upon the complaints of the injured party's attorney, a prosecutor from the High State Prosecutor's Office in Podgorica found on all four occasions that prosecutor M. K. dismissed criminal charges [without grounds](#). However, the fact that she didn't have any consequences because of that speaks out loud regarding the relation of the prosecution and the cases of torture.

Also, despite the pattern of ill-treatment allegations in these cases, none of their superiors or senior officers who led the police actions were held accountable for their line-management responsibilities.

In light of these issues, HRA recommends the Committee to ask Montenegro the following:

- a) What has Montenegro done in the previous period to make the Prosecutor's Office more effective regarding investigations and prosecutions of acts of torture?
- b) How long do torture pre-investigations and investigations typically last in Montenegro?
- c) What are the oldest pending cases of torture currently under the jurisdiction of the State Prosecutor's Office that remain unresolved?
- d) Can you provide an update on the ongoing investigations into police officers involved in torture cases, specifically regarding the cases from 2020 and 2021 that are still in the preliminary investigation phase?
- e) Why have no senior officers or supervisors been held accountable for their role in managing police operations that resulted in torture or ill-treatment?
- f) What measures are being taken to ensure that prosecutors handling torture cases do not dismiss charges without adequate investigation, as seen in the case of Mr. J.G.?

⁶ The Constitutional Court of Montenegro issued another decision in 2023 regarding cases of police torture during the October 2015 protests. The Court found that the actions of the Basic State Prosecutor's Office in Podgorica violated both the substantive and procedural aspects of Article 3, as its investigation (preliminary inquiry) failed to meet the standards of thoroughness, independence, and urgency. Furthermore, it did not lead to the identification and punishment of police officers reasonably suspected of committing the criminal offense of abuse to the detriment of the complainant. Decision of the Constitutional Court U-III 1720/19 dated March 21, 2023.

⁷ Decision U-III 1720/19 dated March 21, 2023, and Decision U-III no. 435/22 dated March 12, 2024.

5.2. Sanctions:

In 2022/2023, in 15 criminal proceedings concluded by a final judgment, the defendants – police and prison officers - were charged with committing criminal offenses classified as internationally recognized forms of ill-treatment. There were no convictions for torture and extortion of statements.

In these proceedings, 27 officers were charged, and 22 were convicted (81.5%). Although the courts found them guilty in most cases, only six officers were sentenced to effective imprisonment. A total of 15 sentenced state officials received suspended sentences, that is, 68.2% of the total number of convictions. One person was sentenced to house detention.

The highest prison sentence was six months of imprisonment, whereas others were within the sentencing minimum required by law or even below (e.g., 30 days for ill-treatment).

Five officers were acquitted (18.5%).

In light of these issues, HRA recommends that the Committee asks Montenegro the following:

- a) Why are sentences for police officers convicted of torture and ill-treatment so lenient, and what steps are being taken to ensure that punishments reflect the severity of the crimes?
- b) Can you explain the high number of suspended sentences for convicted officers, and what is being done to impose more appropriate penalties?
- c) Are there any sanctioning guidelines for judges and has the state consider introducing them?

5.3. Suspension and disciplinary proceedings

Regarding the suspension of five accused crime inspectors for extortion of statements in 2023, former Minister of the Interior, Filip Adžić, only fulfilled his legal duty to suspend them after nine months of refusal, despite CAT urging the authorities to enforce the law. This suspension was only achieved due to HRA's persistent public pressure, [while the Minister dismissed their warnings as "pressure" and "manhunt," equating HRA to criminals.](#)

Additionally, of the 30 police officers currently facing criminal proceedings in Montenegro, at least 5 have not been suspended, although some of the proceedings began in 2021. The Police Directorate has yet to provide information on 11 others, and their status remains unknown. Furthermore, no disciplinary proceedings have been initiated for 18 of these 30 officers concerning serious violations of their duties.

In light of these issues, HRA recommends that the Committee asks Montenegro the following:

- a) What steps have been taken to ensure that police officers facing criminal proceedings are suspended from duty in accordance with the law?
- b) What actions are being taken to ensure the timely initiation of disciplinary proceedings for police officers involved in serious violations of duty?
- c) Are disciplinary proceedings being conducted in each case of abuse that is being prosecuted? (please provide evidence to corroborate your reply)

5.4. Identification marks

On 21 July 2023, members of the anti-terrorist unit raided the hotel "Podgorica" in Podgorica and applied force and other official prerogatives against employees and guests of the hotel, they were not wearing any identification marks on their uniforms, despite the CAT and CPTs' continuous recommendations ever since 2008 that the special intervention forces should wear a nametag/identification number when conducting operations as a key safeguard against ill-treatment and the fight against impunity.

In light of these issues, HRA recommends that the Committee ask Montenegro the following:

- a) Why do members of the anti-terrorist unit continue to operate without wearing identification marks, despite long-standing recommendations from the CAT and CPT?
- b) What measures are being taken to ensure that all law enforcement officers wear visible identification when conducting operations to prevent abuse and ensure accountability?

5.5. Medical screening

Documenting injuries and other traces of torture and ill-treatment by medical professionals still represents a challenge. The problem implies that doctors providing medical assistance in detention on remand (as well in civil institutions) still fail to properly document traces of ill-treatment in a manner envisaged in the Istanbul Protocol and standards of the CPT – the victim's statement, detailed description of injuries, and final assessment on the correlation between the first two. There are four layers of this problem:

- incomplete or inaccurate medical documentation on examinations of victims after incidents, contrary to the Istanbul Protocol;
- delayed and inadequate medical expertise, which does not involve direct examination and documentation of possible injuries, but is reduced to compiling reports and giving opinions solely on the basis of existing, often poor medical documentation, mostly in prison (AECS), emergency services, or doctors general practice, without the participation of a forensic specialist;
- the absence of psychological and psychiatric expertise as additional evidence of abuse,
- the fact that doctors in prisons fall under the jurisdiction of the Ministry of Justice rather than the Ministry of Health, which affects their impartiality.

The Committee should ask Montenegro the following questions:

- a) What specific measures will the State take to ensure that doctors in detention facilities and civil institutions properly document injuries and other traces of torture and ill-treatment in accordance with the Istanbul Protocol and CPT standards?
- b) How does the State plan to ensure timely and professional medical examinations, including direct assessments by forensic specialists, rather than relying on incomplete medical reports from prison, emergency, or general medical services?
- c) Will the State ensure the regular inclusion of psychological and psychiatric expertise as additional evidence of abuse?

- d) Does Montenegro plan to transfer the jurisdiction over prison doctors from the Ministry of Justice to the Ministry of Health to ensure their impartiality and professional independence?

6. IMPUNITY FOR WAR CRIMES AND REMEDY FOR VICTIMS

With reference to the Committee's previous recommendations (para. 23) the Special State Prosecutor's Office of Montenegro has recently shown increased proactivity in gathering evidence from the International Residual Mechanism for Criminal Tribunals.

Compared to the previous period (from November 17, 2022, to November 16, 2023), when only two requests for access to evidence were sent from Montenegro to the Office of the Mechanism, there has been a significant increase in 2024, with seven requests sent in the first half of the year. This improved cooperation has resulted in the filing of one indictment in 2024 against Z. Č., a police officer from Montenegro, for crimes against humanity in Hadžići, Bosnia and Herzegovina. Furthermore, an investigation has been launched in 2024 against former chief special prosecutor M. K. for alleged war crimes against civilians in Cavtat, Croatia. Proactivity in cases that do not rely on the evidence from the Mechanism have not been recorded.

The trial of S. P. [has been ongoing](#) since 2022, concerning the alleged murder of two individuals and the rape of a Bosniak woman in Foča in 1992.

Since the last CAT observations, no new judgments have been issued, and no cases concerning command responsibility for war crimes have been initiated.

In 2024, the Supreme State Prosecutor's Office initiated a new strategic approach to the prosecution of war crimes, by adopting a new Strategy for Investigation of War Crimes 2024-2027 but it has yet to produce significant results. A key test of this approach will be the re-examination of previously prosecuted cases that were handled in violation of international humanitarian law, including the cases of Bukovica, Deportation of refugees, Morinj, and Kaluđerski Laz. This was an obligation of the Special State Prosecutor's Office since 2015, but no serious efforts have been made to address it.

While regional cooperation continues, it remains largely superficial, confined to responding to mutual legal assistance requests. In significant cases such as [Klapuh, Dubrovnik, Lora 3, and the case of Ranko Radulović, the results of collaboration are still lacking](#).

Reparations for war crime victims continue to be an unresolved issue. The status of civilian war victims has not yet been secured, nor have the victims of war crimes received compensation. The new Draft Law on Amendments to the Law on Veterans and Disability Protection, adopted on December 28, 2024, [fails to address](#) the real-life situations of many families affected by the tragic events of the past. While it recognizes the status of civilian war victims who died or disappeared during armed conflicts, it imposes a citizenship requirement that unjustly excludes those whose family members lacked Montenegrin citizenship at the time of their deaths. This exclusion is a significant setback from the previous draft, which did not impose such a condition.

Moreover, the absence of one-time compensation in the current proposal neglects the ongoing struggles faced by these families, who have awaited legal recognition of their rights for decades. Many children of victims have grown up without the support and protections they

deserve, and the current provisions do not address their specific needs. Offering appropriate compensation is a moral obligation, acknowledging the state's failure to provide necessary support in times of distress. It is also crucial to recognize that many citizens of the former SFRY, including Montenegrin citizens, have settled outside their republics of origin. Denying rightful compensation to families of civilian war victims solely because their parents or spouses did not hold Montenegrin citizenship at their time of death is not only unfair but overlooks the reality of their lives in Montenegro today. These families should be entitled to compensation, reflecting the contributions they continue to make to Montenegrin society.

Additionally, Montenegro currently lacks official days of remembrance for war crime victims. These commemorative days are mainly observed by NGOs, although some officials are beginning to participate in the commemorative events organized by NGOs. At the highest levels, war crimes are often downplayed, and victims are exploited for political gain. The erection of monuments and renaming of streets in honor of "heroes" from the JNA during the wars of the 1990s obscure both accountability for these crimes and the political irresponsibility of those who unjustifiably sent them to war. Meanwhile, longstanding initiatives aimed at memorializing the victims continue to be overlooked.

In light of these issues, HRA recommends that the Committee ask Montenegro the following:

- a) What concrete steps have been taken to ensure that cases involving command responsibility for war crimes are investigated and prosecuted?
- b) What progress has been made in the re-examination of old cases, such as Bukovica, Deportation, Morinj, and Kaluđerski Laz, prosecuted in violation of international humanitarian law?
- c) Can the State provide updates on the investigations and indictments against Z.Č. and M.K. for war crimes, and what measures are in place to ensure these proceedings are conducted in line with international standards?
- d) What steps are being taken to strengthen regional cooperation beyond mutual legal assistance requests, particularly in cases such as Klapuh, Dubrovnik, Lora 3, and Ranko Radulović?
- e) How does the State plan to compensate the families of victims who perished during the 1990s, and what specific mechanisms will be implemented to ensure fair and comprehensive reparations?
- f) What plans does the State have to officially recognize days of remembrance of war crime victims and ensure their dignified memorialization without political exploitation?
- g) What measures will be taken to address the erection of monuments and renaming of streets in honor of individuals associated with war crimes from the 1990s, which obscure accountability and justice?

7. ATTACKS ON JOURNALISTS

With reference to the Committee's previous concluding observations (para. 26 and 27), attacks on journalists in Montenegro, both verbal and physical, remain a significant concern, with 20 cases reported in 2024, 16 in 2023, 28 in 2022, 28 in 2021, 17 in 2020, 3 in 2019, 4 in 2018 (more information available [here](#)).

In April 2024, the Supreme State Prosecutor issued guidelines for handling cases involving threats, violence, murder of journalists, and attacks on media property, aiming to improve investigations and enhance cooperation with the Commission for Monitoring Attacks on

Journalists. However, no progress has been made in the investigations into major attacks on journalists.

The Montenegrin government has not involved foreign experts to review the investigation into Duško Jovanović's 2004 murder, despite a 2018 request from its Commission Monitoring Investigations of Attacks on Journalists and Media Property. While it is widely suspected that the mastermind is connected to the former government, the current administration, in power since 2020, has shown little commitment to solving the case. As a result, the investigation remains stalled, with prosecutors failing to address queries from 2016 or recommendations from 2022. Furthermore, no developments have occurred in the 17 years since the attempted murder of journalist Tufik Softić in Berane.

In July 2024, an indictment was confirmed against several suspects, including the organizer and members of a criminal group. They face charges for forming a criminal organization, inflicting severe bodily harm in 2018, illegal possession of weapons, incitement to murder a journalist Olivera Lakić in 2020, and drug trafficking. However, the motives behind the attack and previous incidents targeting her and her family remain unclear.

In light of these issues, HRA recommends that the Committee ask Montenegro the following:

- a) What concrete steps has Montenegro taken to improve the investigation and prosecution of attacks on journalists, including those that occurred prior to 2024?
- b) Why has the Montenegrin government not involved foreign experts to review the investigation into the 2004 murder of Duško Jovanović, despite the 2018 request?
- c) What specific measures is the government taking to ensure that the investigation into the murder of Duško Jovanović and the wounding of Olivera Lakić are prioritized and resolved?
- d) How does the government plan to address the stalled investigations and ensure that recommendations from the Commission for Monitoring Attacks on Journalists are fully implemented?
- e) What efforts are being made to hold accountable those responsible for the 17-year-old case of the attempted murder of journalist Tufik Softić?