



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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29 August 2016

Excellency,

In our respective capacities as Chairperson of the Committee against Torture and Rapporteur of the Committee for Follow-up to Concluding Observations, we have the honor to refer to the follow-up to the examination of the second periodic report of Montenegro, in accordance with the Guidelines for Follow-Up to Concluding Observations (CAT/C/55/3).

At the end of its 52nd session, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/MNE/CO/2, para. 28) requested the State Party to provide within one year further information on the specific areas of concern identified in paragraphs 7, 13 and 14 of the concluding observations.

On behalf of the Committee, allow us to express appreciation for your letter of 15 July 2015, providing your Government's response on the above-mentioned paragraphs (CAT/C/MNE/CO/2/Add.1), and to make the following comments:

Fundamental legal safeguards (para. 7)

The Committee appreciates the information provided by the State party, which addresses the *de jure* implementation of the recommendation. However, the Committee considers that the steps to ensure and evaluate whether these rights are afforded in practice are not addressed in the State party report, but that initial steps have been taken towards the implementation of the recommendation (2/B2).

Impunity for war crimes and remedy for victims (para. 13)

The information provided by the State party is thorough and addresses the recommendation. However, the Committee remains concerned that only initial steps have been taken to implement the recommendation made (3/B2).

Investigations (para. 14)

The Committee appreciates the information submitted by the State party but considers that it does not address the recommendation made. In addition, the Committee regrets the absence of information regarding steps taken: to improve criminal investigation methods; to ensure prompt, impartial and effective investigations into all allegations of torture, ill-treatment and excessive use of force by the police; to ensure the prosecution and punishment of all persons under investigation for having committed acts of torture or ill-treatment, as well as to ensure that they are immediately suspended from their duties (1/C).

.../...

H.E. Mr. Nebojša Kaludjerovic
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Permanent Representative of Montenegro
to the United Nations Office at Geneva
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The Government of Montenegro is encouraged to provide additional information, if any, which may further contribute to the Committee's analysis of the progress made regarding the specific issues of concern. This additional information may be provided in any subsequent report by the State party pursuant to the Committee's request in its concluding observations on the second periodic report of Montenegro.

The Committee looks forward to a continued constructive dialogue with the authorities of Montenegro on the implementation of the Convention.

Accept, Excellency, the assurances of our highest consideration.

Jens Modvig
Chairperson

Committee against Torture

Abdelwahab Hani
Rapporteur for Follow-up to Concluding Observations
Committee against Torture