



Montenegro

Permanent Mission of Montenegro to the
United Nations Office and other International Organizations
in Geneva

No. OHCHR/ 134

The Permanent Mission of Montenegro to the United Nations Office and other International Organizations at Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and with reference to the Joint Communication AL MNE 2/2020 from the Special Procedures delivered by Mr. Nils Melzer Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and Elina Steinerte a Vice-Chair of the Working Group on Arbitrary detention has the honor to enclose herewith the letter of H.E. Srđan Darmanović Minister of Foreign Affairs of Montenegro with an attached annex and detailed information regarding the cases of Jovan Grujučić, Marko Boljević and Benjamin Mugoša they have kindly ask for.

The Permanent Mission of Montenegro would highly appreciate if the letter could be transmitted at earliest convenience to the esteemed recipients.

The Permanent Mission of Montenegro to the United Nations Office and other International Organizations at Geneva avails itself of this opportunity to express to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration. *AM*



Geneva, 23 October 2020

Office of the United Nations High Commissioner for Human Rights

Geneva



Montenegro
Ministry of Foreign Affairs
Minister

Podgorica, 22th October 2020

Dear Ms Steinerte and Mr Melzer,

I would like to thank you for your letter dated 20 August 2020 in which you have expressed your interest and sought information concerning the case of alleged arbitrary arrest, ill-treatment and forcing of three persons to give false testimonies regarding their complicity in bombing attacks at two establishments which occurred in 2015.

I wish to emphasize that Montenegro, as a member of all the most important international instruments in the field of human rights, consistently demonstrates its commitment to the implementation of standards in the promotion and protection of human rights and in making policies and developing strategic documents guaranteeing the respect for fundamental freedoms for all. Furthermore, as a candidate country for the EU membership, Montenegro consistently implements reforms with a view to amending the legislative framework to adopt the principles and achievements of an open democratic society, while strengthening institutional capacity to ensure implementation of laws and respect for human rights in all areas.

As a State Party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Montenegro fully complies with all obligations undertaken under the Convention and submit reports, in a timely manner, to the Committee against Torture on the measures it has taken to ensure effective implementation of the Convention. In that context, I would like to point out that the Third Periodic Report of Montenegro, which contains answers to the list of questions of the Committee against Torture, was submitted in August 2018. A very good cooperation has been achieved with the UN Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (SPT) in which since October 2016 Montenegro has had its representative – the expert Zdenka Perović.

Allow me to reiterate strong commitment to the implementation of the activities intended to strengthen administrative capacity by developing training programmes in cooperation with international partners and representatives of the civil society, as well as the institution of the Protector of Human Rights and Freedoms, with a view to fully implementing the legislation and strengthening the prevention of violations of human rights and freedoms. Challenges in this field have been identified in the adopted key document in this area, the Strategy for the Execution of Criminal Sanctions (2017-2021), in which one of the main goals is to strengthen prevention of and protection against ill-treatment and to further strengthen institutional capacity of the Administration for Execution of Criminal Sanctions. In this regard, cooperation with the Protector of

Human Rights and Freedoms is being enhanced with a view to preventing ill-treatment of detained and imprisoned persons and protecting them against ill-treatment through continuous training of prison staff on international standards. The Protector's role as the National Mechanism for the Prevention of Torture is also significant because as such the Protector has unrestricted access to all premises, closed-type institutions, without prior notice, as well as unlimited access to documentation.

Dear Vice-Chair of the Working Group and dear Special Rapporteur,

I wish to inform you that we have considered carefully your report and comments and that your communication gives us an opportunity to confirm hereby once again the commitment of Montenegro to remain a credible partner and to implement reforms necessary to strengthen legal certainty of our citizens. Therefore, the Ministry of Foreign Affairs consulted the competent institutions in order to obtain detailed information and answers which have been enclosed to this letter.

I would like to stress once again the importance attached by the Government of Montenegro to the cooperation with the system of special procedures duly taking into account their recommendations as guidance for building a society based on the principles of respect for and promotion of human rights and freedoms for all, and to reiterate our strong commitment to cooperate actively on all matters relevant to the advancement of human rights.

Please accept, the assurances of my highest consideration.

Prof. Srđan Darmanović, PhD



H.E. Mr. Nils Melzer

Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

H.E. Ms. Elina Steinerte

Vice-Chair of the Working Group on Arbitrary Detention

Geneva