



**PERMANENT MISSION OF MONTENEGRO TO THE UNITED NATIONS  
AND OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA**

No. 01/106/OHCHR

The Permanent Mission of Montenegro to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, Special Procedures Branch, and, with reference to Joint Communication from Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Special Rapporteur in the field of cultural rights, Special procedure on the right to education and Special Rapporteur on the situation of human rights defenders, dated on 8 March 2024, has the honour to transmit herewith the letter from H.E. Mr. Filip Ivanović, Minister of Foreign Affairs of Montenegro.

The Mission would highly appreciate the kind assistance of the Office in forwarding the letter to the esteemed recipients.

The Permanent Mission of Montenegro to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights, Special Procedures Branch, the assurances of its highest consideration.



Geneva, 16 May 2024

**OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS**



*Montenegro*  
*Ministry of Foreign Affairs*  
*Minister*

Podgorica, 8 May 2024

Dear Ms. Khan,  
Dear Ms. Xanthaki,  
Dear Ms. Shaheed,  
Dear Ms. Lawlor,

I have the honour to acknowledge the receipt of your letter dated on 8 March 2024, requesting detailed information regarding the judicial proceedings involving Mr. Boban Batrićević, a civil society activist, researcher and columnist.

On September 12, 2023, the High State Prosecution submitted the request to the Misdemeanour Court to initiate misdemeanour proceedings against Mr. Boban Batrićević under Article 19 of the National Law on Public Order and Peace. Upon reviewing the case, the head of the High State Prosecutor's Office determined that there were no elements of an offense in the request for initiating misdemeanour proceedings, therefore instructing the prosecuting state attorney to cease further action against Mr. Batrićević.

During the hearing held on March 26, 2024, the prosecuting state attorney followed the mentioned mandatory instruction and withdrew the misdemeanour prosecution against Mr. Batrićević regarding the specific offense. Consequently, pursuant to Article 196, Paragraph 1, Point 5 of The Misdemeanor Law, The Misdemeanor Court decided to terminate the misdemeanour proceedings against Mr. Batrićević on March 26, 2024.

In terms of safeguarding the rights of individuals, including civil society activists, to exercise and defend their right to freedom of expression without fear of harassment and reprisal, I would like to highlight that the new Media Law Proposal, to be adopted by the Parliament of Montenegro, includes certain provisions to cover journalists for the first time, encompassing category of columnists like Mr. Batrićević. Notably, it bolsters source protection, stipulating that journalists are obligated to reveal their sources only upon a court order, at the request of the state prosecutor, and solely in cases vital for national security, territorial integrity, public health, or individual protection in instances of media content publication without consent. Additionally, the Media Strategy for 2023-2027 and the inaugural Action Plan for 2023-2024 outline an array of measures aimed at strengthening freedom of expression, alongside efforts to improve the socio-economic standing of media professionals and provide safe working environments for journalists.

In concluding, the Government of Montenegro remains a constructive partner in strengthening freedom of expression, as a fundamental value of democratic societies, based on respecting diversity of opinions and fostering media pluralism.

Please accept, dear Special Rapporteurs, the assurances of my highest consideration.

Dr. Filip Ivanović



Ms. Irene Khan  
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Ms. Alexandra Xanthaki  
Special Rapporteur in the field of cultural rights

Ms. Farida Shaheed  
Special Rapporteur on the right to education

Ms. Mary Lawlor  
Special Rapporteur on the situation of human rights defenders