

Mandates of the Special Rapporteur on the independence of judges and lawyers; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the situation of human rights defenders

Ref.: AL MNE 2/2025
(Please use this reference in your reply)

17 September 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the independence of judges and lawyers; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Special Rapporteur on the situation of human rights defenders, pursuant to Human Rights Council resolutions 53/12, 52/9 and 52/4.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning online and media attacks against lawyer Veselin Radulović, reportedly for his work as a lawyer representing police officers suspended in the vetting process underway; and against Ms. Tea Gorjanc Prelević, for publicly defending his work as a lawyer in this case and for calling for due process guarantees.

Ms. Tea Gorjanc Prelević is the director of Human Rights Action, a well-known human rights organization in Montenegro.

Mr. Veselin Radulović is a lawyer and legal representative of three police officers who have undergone 'vetting'.

According to the information received:

The Ministry of Interior commenced a process of security sector reform in late 2024¹, that since 2025, has included what has been called "vetting" of the police, with the aim of fighting the "infiltration of organized crime, lawlessness, corruption and all unauthorized influences in the security apparatus of the State"². The Government also commenced vetting in the armed forces, in June 2025.

According to official data, by late August, the Police Directorate had suspended around 100 police officers based on this vetting process.

The security sector in Montenegro is led by members of the political party Democratic Montenegro. They serve as the Deputy Prime Minister for Security, Defence, Fight against Crime and Internal Policy, the Minister of Interior and the Minister of Defence.

¹ [Spajić announced "extensive reforms" in the security sector](#)

² <https://www.gov.me/en/article/dpm-becic-vetting-initiated-in-defence-ministry> 24 June 2025

Official statements, through the Deputy Prime Minister, posited at least on two occasions that those who oppose vetting are not defending the State but are defending individuals who have “undermined it for years”³.

Information suggests that police officers who have been suspended as a result of the vetting process had not received any notice of what they are accused of so that they could prepare a defense. Their lawyers have not received any documentation either. The information further suggests that these officers have been suspended without due process, without being granted the right to defend themselves or make any statement on the accusations.

Mr. Radulović has criticized the vetting process for not having been legally established as such and for lacking oversight. He has also criticized the process as lacking due process rights for police officers.

The Government has, however, publicly stated that the vetting is conducted in accordance with the law.

After Mr. Radulović announced, in mid-August, that he would file criminal charges against the leaders of the Democratic Montenegro – for exceeding their authority and violating procedures in the process, Democratic Montenegro Members of Parliament publicly threatened Mr. Radulović and linked him to organized crime clans.

Since 22 August, Ms. Gorjanc has publicly supported Mr. Radulović and his right to carry out his role as a lawyer without hindrance and harassment. She reiterated the call of the Special Rapporteur on the independence of judges and lawyers, made in her 2024 report on her visit to Montenegro and on 1 July this year, for lawyers to be able to do carry out their functions without obstacles, without suffering attacks and without being identified with their clients. She criticized the Democrats for the threats and accusations made against Mr. Radulović. Ms. Gorjanc also publicly stated that vetting needs to be based on law, be conducted impartially and with full respect for the rights to a defense.

Reports suggest that many officials, especially from the Democratic Party, publicly claim that criticism of vetting are efforts to try to stop the cleanup of the police and security services for reasons such as possible connection with the former government and financial interests, among other things. Since at least 15 August, verbal attacks on social media, online, and on media outlets by this political party and its supporters have gotten heated and sometimes offensive; including mentioning Ms. Gorjanc’s family.

On 23 August, the Democrats published an article on its website attacking both Ms. Gorjanc and Mr. Radulović, making fierce allegations against both of them and a ‘group’ Ms. Gorjanc allegedly formed to oppose vetting, and described media reporting on the suspension of police as ‘criminal’. On 25 August, Democratic Member of Parliament and Deputy Speaker of Parliament in a public statement criticized Ms. Gorjanc for her support to Mr. Radulovic.

³ <https://www.gov.me/en/article/dpm-becic-vetting-initiated-in-defence-ministry>, 24 June 2025 and [Continuing the vetting process in the Ministry of the Interior and Ministry of Defence](#)

Since 24 August, more than 100 NGOs, civic organizations, civic activists and media professionals have expressed support for Ms. Gorjanc and Mr. Radulović and concern about the attacks by the Democrats.

On 25 August 2025, in his role as lawyer of two police officers who underwent vetting, Mr. Radulović filed a criminal complaint against the Deputy Prime Minister, the Minister of Interior, the Acting Director of the Police and two Members of Parliament of the Democrats for abuse of an official position, forgery of an official document, and endangering security.

Reports suggest that on that same date, a portal called Press, published a piece about Ms. Gorjanc's husband, in response to Ms. Gorjanc's public statements that everyone, and lawyers in particular, have the right to file a criminal complaint against the Government and not be threatened and publicly labelled a criminal gang member in return, and that vetting needs to be done in accordance with the law including due process rights.

The published piece placed Ms. Gorjanc's husband's legitimate business in a defamatory context, mentioning his business venture with an individual who allegedly was guarantor in a bank loan for the cousin of Montenegro's former president, several years ago. The piece also questions why Ms. Gorjanc did not make any public statement in the past about a storage unit, allegedly built without a permit, on property inherited by her husband.

While we do not want to prejudge the accuracy of these allegations, we express serious concerns about the reported statements from high-level public officials against Mr. Radulović, for carrying out his duties as a lawyer, and against Mr. Gorjanc, for defending the work of lawyers and the guarantees of due process. We are concerned that these threats and intimidation appear to have occurred in direct connection with the legitimate exercise of Ms. Radulović's professional functions as a lawyer and Ms. Gorjanc's work as a human rights defender, including the exercise of their right to freedom of expression.

We are also concerned about the reported interference that the events and context described may have with the work of lawyers and human rights defenders in general. If these allegations prove to be accurate, they would be in contravention of international human rights standards.

In this regard, we note that there appears to have been no investigation into the verbal attacks and harassment described in this letter and we remind your Excellency's Government of the obligation to protect the work of lawyers and human rights defenders and ensure it can be carried out in an enabling environment.

The legal profession and its free exercise are an essential element of the rule of law, the protection of human rights and the functioning of an independent judicial system. The free exercise of the legal profession contributes to ensuring access to justice, oversight of state power, protection of due process and judicial guarantees.

According to international standards, States must put in place all appropriate measures to ensure that lawyers are not subject to, or threatened with, prosecution or any administrative, economic or other sanctions for any action taken in accordance with recognised professional duties, standards and ethics. International and regional standards also expressly prohibit the identification of lawyers with their clients or their clients' causes in the discharge of their professional duties.

The Human Rights Committee affirms there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression. Recognizing how journalists and persons who engage in the gathering and analysis of information on the human rights situation and who publish human rights-related reports, including judges and lawyers, are frequently subjected to threats, intimidation and attacks because of their activities, the Committee stresses that "all such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted (CCPR/C/GC/34).

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide all the details of the measures put in place to ensure the physical and psychological integrity as well as the safety of Mr. Radulović and Ms. Gorjanc.
3. Please provide detailed information on the legislative and other measures adopted by Montenegro to ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference (principle 16(a) of the Basic Principles on the Role of Lawyers).
4. Please provide information on steps taken by your Excellency's Government to ensure that human rights lawyers, human rights defenders, and other civil society actors are able to carry out their work, including exercising their right to freedom of expression and including online, without fear of surveillance or any other intimidation, threats or reprisals in a safe and enabling environment.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please accept, Excellency, the assurances of our highest consideration.

Margaret Satterthwaite
Special Rapporteur on the independence of judges and lawyers

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

Mary Lawlor
Special Rapporteur on the situation of human rights defenders

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw the attention of your Excellency's Government to the following human rights standards, in particular, the International Covenant on Civil and Political Rights (ICCPR) ratified by Montenegro on 23 October 2006.

We wish to recall article 14(1) of the ICCPR, which sets out a general guarantee of equality before courts and tribunals and the right of every person to a fair and public hearing by a competent, independent and impartial tribunal established by law. In addition, article 14 of the ICCPR provides a set of contain procedural guarantees that must be made available to persons charged with a criminal offence, including the right of accused persons to have access to, and communicate with, a counsel of their own choosing.

In its general comment No. 32 (2007), the Human Rights Committee explained that the right to communicate with counsel enshrined in article 14(3) (b) requires that the accused is granted prompt access to counsel. Counsel should be able to meet their clients in private and to communicate with the accused in conditions that fully respect the confidentiality of their communications. She Counsel should also be able "to advise and to represent persons charged with a criminal offence in accordance with generally recognised professional ethics without restrictions, influence, pressure or undue interference from any quarter" (CCPR/C/GC/32, para. 34).

Article 19 of the ICCPR guarantees the right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers. This right applies both online and offline and includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend. In general comment No. 34, the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including "political discourse, commentary on one's own and on public affairs, canvassing, (and) discussion of human rights" among others (CCPR/C/GC/34, para. 11). The Committee also asserts that States Parties to the ICCPR "shall to put in place effective measures to protect against attacks aimed at silencing those who exercise their right to freedom of expression" (para. 23). Recognizing how journalists and those engaged in collecting and analyzing information on the human rights situation and publishing human rights-related reports are frequently subjected to threats, intimidation and attacks because of their activities, the Committee stresses that "all such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted, and the victims be in receipt of appropriate forms of redress" (para. 23).

We would also like to refer your Excellency's Government to the Basic Principles on the Role of Lawyers, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (Havana (Cuba), 27 August-7 September 1990).

In addition, principle 16 of the Basic Principles on the Role of Lawyers requires governments to take all appropriate measures to ensure that lawyers are able to perform

all of their professional functions without intimidation, hindrance, harassment or improper interference, and to prevent that lawyers be threatened with prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Principle 23 of the Basic Principles on the role of Lawyers provides that lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognized standards and ethics of the legal profession.

Furthermore, we would like to refer your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted on 9 December 1998 (also known as the UN Declaration on Human Rights Defenders). Articles 1 and 2 of the Declaration state that everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote, and implement all human rights and fundamental freedoms.

Likewise, we would like to bring to the attention of your Excellency's Government the following provisions of the UN Declaration on Human Rights Defenders:

- Article 5(b), which provides for the right to form, join, and participate in non-governmental organisations, associations, or groups;
- Article 13, which stipulates that everyone has the right, individually and in association with others, to solicit, receive, and utilize resources for the express purpose of peacefully promoting and protecting human rights and fundamental freedoms;
- Article 6(b) and (c), which provides for the right to freely publish, impart, or disseminate to others views, information, and knowledge on all human rights and fundamental freedoms; and to study, discuss, form, and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and to draw public attention to those matters;
- Article 9(1), which establishes that in the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights, everyone has the right to benefit from an effective remedy and to be protected in the event of the violation of those rights;

- Article 12(2) and (3), which provides that the State shall take all necessary measures to ensure the protection of everyone against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure, or any other arbitrary action as a consequence of their legitimate exercise of the rights referred to in the Declaration. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, and acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.