



Amnesty International Report 2015/16 - Montenegro

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Montenegro

Head of state: **Filip Vujanović**

Head of government: **Milo Djukanović**

Threats and attacks against independent media and journalists continued; few perpetrators were brought to justice. Police used excessive force during mass protests organized by opposition parties against the government's failure to address poverty, crime and corruption.

CRIMES UNDER INTERNATIONAL LAW

In October the State Prosecutor rejected a request to review the legality of the final judgment in the "Deportations Case" which had acquitted nine former police officials of the enforced disappearance in 1992 of 60 Bosnian refugees. Amnesty International had considered the verdict to be inconsistent with domestic law and international humanitarian law.

In September the UN Committee on Enforced Disappearances expressed concerns about shortcomings in war crimes proceedings, which may have led to impunity, urged the authorities to recognize the relatives of the disappeared as victims, and called on the new Commission on Missing Persons to establish the whereabouts of 61 people missing since the armed conflicts of the 1990s.

FREEDOM OF EXPRESSION

In May a Commission established to investigate historical attacks on journalists requested access to relevant classified documents; the request was rejected without legal reasoning by the agency responsible for protection of personal data.

A witness to the 2004 murder of *Dan* newspaper editor Duško Jovanović was promised protection before testifying. In August, his widow left the country after her car was vandalized. Damir Mandić's conviction for complicity in the murder was confirmed in October.

In November, on the eve of International Day to End Impunity for Crimes against Journalists, the prosecutor closed the investigation into the beating in 2007 of journalist Tufik Softić, despite the arrest and detention of two suspects in 2014.

Journalists and human rights defenders were vilified in pro-government media. In January, TV Pink called for the imprisonment of Tea Prelević, director of the NGO Human Rights Action, following her advocacy on behalf of a trafficked woman.

In April, Podgorica Court found that the security services' surveillance since 2010 of the NGO MANS, which conducts investigations into corruption and organized crime, had been unlawful, and awarded compensation to MANS employees.

EXCESSIVE USE OF FORCE

Hundreds of riot police used excessive force and tear gas on 17 October to remove a camp outside Parliament, established during mass demonstrations that commenced on 27 September. Opposition leaders and Members of Parliament were injured. Two journalists were detained. On 24 October, members of the Democratic Front opposition party attempted to force their way into Parliament after being denied entry, injuring 20 police officers. Police reacted with tear gas, shock-grenades and rubber bullets, injuring 27 protesters, including those who had not used violence. The Council for Civil Control of the Police, which subsequently reviewed three incidents, found police officers responsible for ill-treatment and abuse of authority. In November, two members of the Special Anti-Terrorist Unit were detained on suspicion of the ill-treatment of Miodrag Martinović.

TORTURE AND OTHER ILL-TREATMENT

In April the European Court of Human Rights ruled that Montenegro should pay compensation to Dalibor Nikezić and Igor Milić, who were ill-treated at Spuž prison in 2009, finding that the state prosecutor had discontinued criminal proceedings without adequately assessing the available evidence.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE

Proposed Pride marches in Nikšić were prohibited on three occasions on security grounds; the Podgorica Pride took place without incident in December.

In May, three men were each sentenced to three months' imprisonment for a verbal attack in April on Stevan Milivojević, director of the NGO LGBT Forum Progres.

REFUGEES' AND MIGRANTS' RIGHTS

Some 1,107 Roma, Egyptians and Ashkali people displaced from Kosovo in 1999 had been granted legal status in Montenegro. However, 595 others remained at risk of statelessness, pending approval of their applications; most of the 700 who had not applied were believed to have left the country. According to UNHCR, the UN refugee agency, 144 Roma, Ashkali and Egyptians were assisted to return to Kosovo. In December, 48 Kosovo Roma and Egyptian families who had lived at Konik camp since 1999 were finally resettled into new apartments.

Over 4,000 Montenegrins sought asylum in the EU, 3,233 of them in Germany.

Montenegro remained a transit country for migrants and refugees, mainly Syrian nationals. By the end of November, out of 1,570 applicants, 14 had been granted refugee status, and two subsidiary protection.

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