



A d v o k a t
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BASIC COURT

PODGORICA

PLAINTIFF: Darko Mađarić, from Nikšić, IV Crnogorske Street No. 8, employed at the Ministry of Internal Affairs – Police Directorate as a Senior Police Inspector First Class, represented by power of attorney by Veselin D. Radulović, attorney from Podgorica;

DEFENDANT: Ministry of Internal Affairs – Police Directorate

L A W S U I T

Subject: Determination of mobbing and compensation for damages

The plaintiff has been employed by the defendant for nearly 20 years, currently holding the rank of Senior Police Inspector First Class. Prior to and during his employment with the defendant, the plaintiff acquired professional knowledge necessary for performing duties within the Police Directorate. He completed the following educational and training programs: Secondary School of Internal Affairs – Danilovgrad, College of Internal Affairs – Zemun, Criminal Police Academy – Zemun and Specialist Academic Studies – University of Criminalistics and Police Studies, Zemun (360 ECTS). He has successfully completed multiple seminars in the field of security and has been commended and awarded multiple times for his professional achievements. Until 2021, the plaintiff was regularly evaluated by his immediate superiors with the grade of EXCELLENT for his work and contribution to public security.

EVIDENCE: Undisputed facts,
Testimony of the plaintiff as a party to the proceedings
If necessary, additional evidence to be submitted by the plaintiff in due time

On February 27, 2021, the plaintiff was contacted by telephone by the then Acting Director of the Police Directorate, Zoran Brđanin, who informed him that he had been dismissed from his position as Commander of the Police Station of the Security Center Nikšić, and that he would be

reassigned to a new position. One of the key reasons for the plaintiff's dismissal was political pressure from certain groups on the then-management of the Police Directorate.

EVIDENCE: Review of the published content in daily newspapers, as well as public statements made by politicians in the media and on social networks, all accessible at the following links:

- <https://www.pobjeda.me/clanak/grupa-gradana-proslavila-smjene-na-celu-niksicke-policije>
- <https://www.pobjeda.me/clanak/brdanin-smijenio-nacelnika-i-komandira-cb-niksic-mijenja-ih-dragoljub-pekovic>
- <https://www.pobjeda.me/clanak/dnp-pokrenula-peticiju-za-smjenu-nacelnika-cb-niksic-i-jednog-komandira>
- <https://www.facebook.com/pokretura/posts/-smijenjeni-na%C4%8Delnik-cb-nik%C5%A1i%C4%87-tihomir-goranovi%C4%87-i-komandir-stanice-policije-dar/1492126157657840/>
- <https://www.portalanalitika.me/clanak/peticijama-do-ostvarenja-politickih-ciljeva>
- <https://www.in4s.net/plac-internacionalnih-montenegrina-za-madjaricem-i-goranovicem-krive-brdjanina-za-smjenu-postenih-i-casnih-policijskih-sluzbenika/>
- <https://www.pobjeda.me/clanak/mandic-odmah-otkriti-napadace-na-trebjesanina>
- <https://www.pobjeda.me/clanak/knezevic-pronaci-napadace-na-trebjesanina-ili-mafija-ili-drzava>
- <https://www.vijesti.me/vijesti/politika/516149/mandic-napad-na-luku-je-napad-na-mene-dps-postao-ekstremisticka-organizacija>
- <https://www.novosti.rs/crna-gora/vesti/964521/nece-nas-zaustaviti-lazovic-slicni-kriminalci-ostra-reakcija-koalicije-buducnost-niksica-zbog-maltretiranja-mila-bozovica>
- <https://www.novosti.rs/crna-gora/vesti/963905/stoji-iza-skrnavljenja-dzamije-vrh-dps-pokusava-lazno-optuzi-srbe>
- <https://www.novosti.rs/crna-gora/vesti/964781/milovi-policaici-poslanike-privode-niksicu-sve-vise-incidenata-udaru-predstavnici-demokratskog-fronta-srpski-drzavljeni>

For the next three years, the plaintiff was not assigned to any position, and from the moment he was dismissed from the position of Commander of the Police Station of the Security Center Nikšić until January 10, 2024, when a new assignment decision was delivered to the plaintiff, he was neither called upon nor assigned to any specific post. He was effectively excluded from the work process without any explanation. Formally, he held the position of Commander of CB Nikšić (civil service post no. 3537), but he had no work duties, was isolated, professionally neglected, denied training opportunities, additional work, and advancement.

EVIDENCE: Plaintiff's testimony

Additional evidence, if needed

Thus, for a full three years, the plaintiff was professionally and personally humiliated, suffering psychological consequences that also affected his family life. He was placed in a discriminatory position within the system and denied his basic labor rights, including: the right to work and career development, the right to professional training and acquiring new knowledge, the right to fair financial compensation (for overtime, on-call duty, work on holidays), and the right to be engaged in more complex professional tasks appropriate to his rank and capabilities.

In January 2024, the plaintiff received Decision No. 49 br.100/23-68248/1, dated November 22, 2023, by which he was reassigned to the Department for Support to Police Organizational Units, Work Improvement and Analytics, to the civil service position no. 4291.

EVIDENCE: Defendant's decision 49 br.100/23-68248/1, dated 22.11.2023.

However, the mobbing against the plaintiff continued even in the new department, as the assignment decision was not delivered by the immediate superior — the Head of Department, but rather by police officer Željko Peković from the Nikšić Police Department, acting on the orders of then Acting Assistant Director Lazar Šćepanović. Peković informed the plaintiff that he should report to the Coordinator for Juvenile Delinquency Affairs, in order to carry out operational-level tasks.

After the plaintiff explained to Željko Peković the job description from the assignment decision (in accordance with the act on job classification) and requested a written order for the delegated tasks, Peković responded that he would consult with then Acting Assistant Director Lazar Šćepanović on the matter.

EVIDENCE: Testimony of the plaintiff
Testimony of witness Željko Peković

On January 11, 2024, at the request of Acting Assistant Director of the Police Administration Lazar Šćepanović, a meeting was held in the official premises of the Nikšić Police Department, attended by the plaintiff, Tihomir Goranović, Željko Peković, and Goran Đurđevac.

At this meeting, Acting Assistant Director Lazar Šćepanović reiterated that the plaintiff should perform tasks related to juvenile delinquency. However, after the plaintiff pointed out his professional qualifications, the tasks he had been performing for many years, the job description contained in the job classification act, and his request for a written order, Šćepanović abandoned this unlawful intention and instead assigned the plaintiff to conduct analyses for the Juvenile Delinquency Department, in accordance with the job description specified in his assignment decision.

The plaintiff informed then Director of the Police Administration Zoran Brđanin in detail about the contents and outcome of this conversation during a meeting held on January 12, 2024, in the Director's office, which was also attended by police officer Tihomir Goranović.

Then Director Zoran Brđanin, being one of the individuals involved in the drafting of the job classification act, explained to the plaintiff the nature and professional level of tasks arising from the assignment decision, which stood in clear contradiction to the initial intent of then Acting Assistant Director Šćepanović.

EVIDENCE: Testimony of the plaintiff
Testimony of witnesses Zoran Brđanin and Tihomir Goranović

The plaintiff informed his immediate superior – the department chief – of both the first and second meetings and conversations through his regular monthly work report.

From the time he received the new assignment decision, and throughout the following 16 months of work, the plaintiff did not have a single work meeting with the department chief, even though he regularly submitted his work reports. For the year 2024, the plaintiff did not receive an official

annual performance evaluation, nor was he contacted regarding the evaluation process. In 2025, the plaintiff was not invited for a discussion on annual leave planning, nor did he receive a decision granting annual leave.

During 2025, the workplace harassment continued, with the plaintiff consistently being assigned tasks below the level of his professional title as a Senior Inspector First Class. Up until July 10, 2025, alongside tasks that aligned with his rank and complexity, the plaintiff was also assigned tasks whose nature, complexity, and level of responsibility corresponded to much lower-ranking positions, including positions requiring only secondary education.

What was particularly humiliating for the plaintiff was that such treatment was taking place within the organizational unit he had previously managed, which further undermined his professional integrity, authority, and dignity.

EVIDENCE: Monthly work reports listing the plaintiff's assigned tasks by type and date, which were submitted to the supervisor via official email

On April 17, 2025, the plaintiff was summoned to an oral hearing without prior notice about its subject matter, which prevented him from adequately preparing and from securing legal assistance. The hearing was held regarding the implementation of a new job classification act, but this procedure was not applied equally to all officers, only to selected individuals — the plaintiff among them. At the hearing, the plaintiff was presented with a proposed reassignment that was not in accordance with his title, job position, or legal procedures, and he recorded his objections and opposition in the minutes.

Following the oral hearing held on April 17, 2025, the plaintiff immediately contacted his immediate superior, department chief Igor Glavatović, and asked whether he was aware of the content of the planned decision and its inconsistency with the current job classification act. Igor Glavatović informed him that he was merely signing the decision formally, and that the order for this decision had come directly from Acting Director Lazar Šćepanović.

The defendant, by notification no. 0277 UPI 100/25 – 5727/2 dated June 3, 2025, informed the plaintiff that, despite his objections and the arguments he presented during the hearing, the decision would be issued in accordance with the disputed proposal.

EVIDENCE: Notification of the defendant no. 0277 UPI 100/25 – 5727/2 dated June 3, 2025

Such conduct further confirms that the decision had been made in advance and that the entire process was a mere formality, without any genuine intention to consider the officer's objections.

In response to this notification, on June 10, 2025, the plaintiff submitted a written objection, pointing out that the notification contained neither results nor reasoning. The plaintiff challenged the inaccurate statements from the meeting minutes, reminded of his status as an unassigned officer from 2021 to 2024, and highlighted the continuity of mobbing and political pressure that led to his professional isolation.

EVIDENCE: Plaintiff's objection dated June 10, 2025

The continuation of ongoing mobbing followed on July 4, 2025, when the plaintiff was summoned for a meeting by the Chief of the Regional Security Center West, Darko Radusinović, who verbally informed him that a communication had been received from the Police Administration stating that

the plaintiff had failed the security clearance, was deemed “unsuitable for further employment in the Police Administration,” and that disciplinary proceedings had been initiated against him.

When the plaintiff asked what the reasons were for failing the security clearance and what allegations were being made against him, the Chief replied that he could not disclose the reasons or the specific issues. In this way, the plaintiff was denied a fundamental right to be informed of the accusations made against him and any evidence supporting those accusations — and thus also denied the right to defend himself.

The same day, the plaintiff notified the management of the defendant in writing about this meeting and conversation, and on July 8, 2025, he also informed the Head of the Department for Analytics, Improvement of Work, and Police Development, Igor Glavatović, via email.

EVIDENCE: Plaintiff's letter no. 50 239/25-5/785 dated July 4, 2025

Email from the plaintiff to the Head of the Department for Analytics, Improvement of Work, and Police Development dated July 8, 2025

On July 24, 2025, the plaintiff formally addressed the Chief of the Regional Security Center West, Darko Radusinović, requesting the following information: the document initiating the security check – exact date, file number, name and function of the initiator; the Minister's decision on forming the commission for conducting the security checks, including the names of its members and any decisions regarding changes to its composition; the document (or excerpt) issued by the commission stating that the plaintiff “failed” the security check, the date of the decision, signatures of the members, and justification; the case number and initiative under which disciplinary proceedings were initiated against the plaintiff at the Nikšić Police Department, or by the disciplinary prosecutor, and the date of initiation, if proceedings had indeed been initiated.

EVIDENCE: Plaintiff's request no. 50-070/25-6552 dated July 24, 2025

On August 4, 2025, the Chief of the Regional Security Center West, Darko Radusinović, responded to the plaintiff with an official letter in which he confirmed that on July 4, 2025, he had held a conversation with the plaintiff during which he informed him that security impediments exist for his continued work in the police service. He stated that this constitutes a disciplinary offense, and that a proposal to initiate disciplinary proceedings had been submitted against the plaintiff. He further noted that during the conversation, the plaintiff was informed that there is no obligation to disclose the reasons on which the determination of a security impediment was based, and that he would be informed of the details by the Disciplinary Commission. The same letter also stated that the security check was conducted by a commission formed by the Minister, and that it was classified, so the requested data could not be provided. Finally, it was noted that the Nikšić Security Department, by act “I” no. 7343 dated July 8, 2025, had initiated disciplinary proceedings against the plaintiff.

EVIDENCE: Letter from the Chief of the Regional Security Center West, Darko Radusinović, no. 50-070/25-6552/1 dated August 4, 2025

On August 1, 2025, the defendant issued decision no. 01-123/25-UI-17548, temporarily suspending the plaintiff from work at the Ministry of Interior, Police Administration, on the grounds that a decision to initiate disciplinary proceedings had been issued against him under file no. I-7343 dated July 23, 2025, for a serious violation of official duty as defined in Article 173, paragraph 1, point 28 of the Law on Internal Affairs. Before this decision was made, the plaintiff was not given an opportunity to respond, was not informed of the charges against him, nor was he

provided with the decision on the initiation of the disciplinary procedure or any other document indicating his alleged responsibility.

EVIDENCE: Defendant's decision no. 01-123/25-UPI-17548 dated August 1, 2025

On August 7, 2025, the plaintiff once again addressed the Chief of the Regional Security Center West, Darko Radusinović, with a request – urgency letter for the delivery of information and documentation related to the security check and disciplinary procedure.

EVIDENCE: Plaintiff's urgent request no. 50/070/25-6552/1 dated August 7, 2025

On the same day, the plaintiff also submitted to Chief Radusinović a separate request for information, asking for: the name, surname and function of the official who initiated the act leading to the decision on his temporary suspension; the date of the initiative; the reference number under which the document was registered; all documents that preceded or were related to the said decision.

EVIDENCE: Plaintiff's request no. 50/1-123/25-7018 dated August 7, 2025

On August 11, 2025, Chief Darko Radusinović responded to the plaintiff by informing him that his requests had been forwarded to the Department for Coordination of Police and Related Affairs of the Police Administration, which would respond and inform the plaintiff accordingly.

EVIDENCE: Letter from Chief Radusinović no. 50-123/25-7018/1 dated August 11, 2025

Also, on July 30, 2025, the plaintiff addressed the defendant – the Directorate for Normative-Legal and Personnel Affairs, the Directorate for Human Resources, Personnel and Legal Affairs, with a request for access to and copying of his personal file.

EVIDENCE: Plaintiff's request to the defendant no. 02-105/25-39695/1 dated July 30, 2025

The defendant did not respond to this request, so on August 20, 2025, the plaintiff sent a follow-up urgent request for access to and copying of the personal file.

EVIDENCE: Plaintiff's urgency request to the defendant no. 02-105/25-39695/2 dated August 20, 2025

The defendant also did not respond to this urgency.

On July 24, 2025, the defendant's Disciplinary Commission sent the plaintiff a summons to a disciplinary hearing scheduled for August 20, 2025, at 1 p.m., concerning a serious violation of official duty under Article 173, paragraph 1, point 28 of the Law on Internal Affairs. Along with the summons, the defendant did not provide the plaintiff with the decision to initiate disciplinary proceedings, evidence against him, or any other document indicating the specific charges.

EVIDENCE: Summons from the Ministry of Interior Disciplinary Commission no. DP 123/25-115 dated July 24, 2025

On July 24, 2025, at the scheduled time of 1 p.m., the plaintiff, accompanied by his attorney, appeared at the summons, but none of the members of the disciplinary commission were present in their office, and the office where the commission convenes was locked.

To summarize, February 27, 2021 marks the beginning of the plaintiff's mobbing and behavior that constitutes a violation of dignity, reputation, personal and professional integrity, and such behavior has continued uninterrupted until the filing of this lawsuit.

Article 2 of the Law on the Prohibition of Workplace Abuse defines: "Mobbing, in the sense of this law, is any active or passive behavior at work or related to work towards an employee or group of employees, which is repeated and which aims at or constitutes a violation of the dignity, reputation, personal and professional integrity of the employee and causes fear or creates a hostile, humiliating or offensive environment, worsens working conditions or leads to the employee being isolated or induced to resign from the employment contract or other agreement on their own initiative."

All of the above clearly indicates that the plaintiff has been constantly abused at work, his dignity, reputation, personal and professional integrity have been insulted, a hostile environment has been created against him, accusations have been made against him which amount to serious criminal allegations, he has not been informed of the charges against him, nor has he been allowed to respond to any circumstances. His working conditions have been continuously worsened to isolate him or induce him to leave the Ministry of Interior. When the defendant failed in that, he suspended the plaintiff without explanation of the concrete reasons and initiated disciplinary proceedings against him without providing the decision to initiate the procedure, any evidence, or informing him of the specific charges.

Due to the mobbing, the plaintiff suffers intense emotional distress.

The plaintiff tried to avoid court proceedings with the defendant and hoped the mobbing would stop. In accordance with the provisions of the Law on the Prohibition of Workplace Abuse, on July 21, 2025, the plaintiff addressed the minister pointing out the mobbing.

EVIDENCE: Complaint – request for initiation of protection procedure from mobbing no. 01-215/25-37637/1 dated July 21, 2025

Nevertheless, the defendant continued the mobbing and did not act on this complaint-request, so the plaintiff submitted an urgency no. 01-215/25-37637/1 to the minister on August 6, 2025, warning about violations of deadlines prescribed by the Law on the Prohibition of Workplace Abuse.

EVIDENCE: Plaintiff's urgency no. 01-215/25-37637/2 dated August 6, 2025

In this procedure as well, the plaintiff was subjected to additional mobbing and prevented from protecting his rights through legally prescribed procedures. The defendant did not act on the plaintiff's request for protection and urgency.

According to Article 15, paragraph 3 of the Law on the Prohibition of Workplace Abuse, the defendant was required to initiate mediation within three days of receiving the plaintiff's complaint-request. According to Article 20 of the same law, the defendant was required to complete the mediation procedure within eight days, and for justified reasons, this period could be extended for a maximum of 30 days from the start of the procedure. According to Article 22 of the same law, the defendant was obliged to notify the plaintiff within three days after the expiration of the mediation period if mediation was unsuccessful.

The defendant ignored the plaintiff's requests and urgencies, thus the procedure was neither initiated nor completed according to the law, and the plaintiff was not informed that mediation had failed, continuing the practice of mobbing against the plaintiff.

Since the plaintiff followed the legal procedure—first addressing the employer with a request to initiate protection against mobbing, and since mediation was unsuccessful due to the defendant's persistent ignoring of requests and urgencies—I propose that the court, after the evidence procedure and conclusion of the main hearing, issue the following:

JUDGMENT

I. **IT IS ESTABLISHED** that the plaintiff, Darko Mađarić, suffered workplace abuse by the defendant, and the defendant is prohibited from repeating actions that constitute workplace abuse, which the defendant must acknowledge and ensure compliance with this prohibition in the future, within eight days of the finality of the judgment.

II. **THE DEFENDANT IS OBLIGATED** to pay the plaintiff compensation for the violation of personality rights, specifically the rights to dignity, reputation, personal and professional integrity, in the amount of _____ € (the amount to be specified during the procedure), within eight days of the finality of the judgment, under the threat of enforcement.

III. **THE DEFENDANT IS OBLIGATED** to reimburse the plaintiff for the costs of the proceedings, in the amount determined in accordance with the applicable AT, within eight days of the finality of the judgment, under the threat of enforcement.

In Podgorica, on September 2, 2025

For the plaintiff, attorney:
Veselin D. Radulović, lawyer from Podgorica