

**ISTANBUL PROTOCOL MEDICO-LEGAL REPORT**

**I. CASE INFORMATION**

Date of exam: 18-19 December 2020

Exam requested by: International Rehabilitation Council for Torture Victims (IRCT) in response to the request of Human Rights Action (HRA)

Duration of evaluation: 5 hours

Subject's given name: **Jovan**

Subject's family name: **Grujić**

Gender: male

Subject's ID No: [REDACTED] (issued by Podgorica Police Department)

Birth date: [REDACTED]

Birth place: Podgorica, Montenegro

Reason for exam: Case filed before the Basic State Prosecutor's Office in Podgorica

Clinician's name: Dr. Djordje Alempijevic, Dr. Pierre Duterte & Dr. Önder Özkalıpçı in their capacity as members of the Independent Forensic Expert Group (IFEG)

Interpreter: Yes, Jelena Pralas

Informed consent: Yes (See Annex 1)

Subject accompanied by (name/position): None

Persons present during exam (name/position): None

32. [REDACTED] takes his medication [REDACTED] feels fine, and only takes [REDACTED] when needed as prescribed, takes all [REDACTED]

5. [REDACTED]

33. [REDACTED] pack of cigarettes [REDACTED]

34. [REDACTED] using drugs [REDACTED] that he had [REDACTED] intra [REDACTED] says he tried to find the [REDACTED] that he had [REDACTED]

35. [REDACTED] with alcohol, because [REDACTED] even before the [REDACTED] before the events, [REDACTED] that the [REDACTED] and drugs and had put [REDACTED] and had been released.

36. [REDACTED]

#### V. ALLEGATIONS OF ILL-TREATMENT

37. "The night before the events, I was in the hospital and I was surprised not to receive my treatment, I was woken up early by the nurse, who asked me to come to the infirmary", said Mr. Jovan Grujičić. "Have you asked for your treatment?", she asked. "Yes of course", he replied. The nurse explained to him that the doctor had said that he should have a meal.

38. He was ordered to put on his shoes. The director was there at 6am, early.

39. "Were you handcuffed in the office?", we asked. "No, but afterwards, once in the car", responded Mr. Jovan Grujičić.

40. "What did the car look like?" "It was a normal car, recognizable as a police car. It was brown, Opel and Astra type." The windows were black, he was sitting in the back seat, a guard was driving another one in front and one next to him, Mr. Jovan Grujičić said he was sitting behind the passenger seat.

41. His hands were handcuffed on the front. Very tightly from the beginning. No words were exchanged until they reached Podgorica.

42. "Were they driving normally?" I asked, to which Mr. Jovan Grujičić answered: "We were driving very fast, we arrived at Podgorica at 7 am." Mr. Jovan Grujičić cannot remember if there was music playing inside the car.
43. Mr. Jovan Grujičić added that they had told the director that he would be brought back at noon as he was leaving for an examination. Mr. Jovan Grujičić said that he had been in hospital for a month at this point.
44. When asked if this period of time was not longer, Mr. Jovan Grujičić answered that yes it was, adding that before the time he was allowed to go on for a weekend outing, he had already been hospitalized for three weeks, so the whole thing added up to a longer hospital stay.
45. Mr. Jovan Grujičić says he was brought handcuffed to cell 117, on the second floor of the Podgorica police headquarters. At that moment he said he realized that he was in real trouble, because the room he was interrogated in was dirty. The furniture consisted of only two chairs, two desks and two computers, nothing else. Mr. Jovan Grujičić added that there was a window.
46. The three guards had taken him to this room which was empty before they entered. The four of them stayed there. He had been told not to talk to anyone. Then, the guards left him on his own for about 20 minutes.
47. Mr. Jovan Grujičić explains that he was forced to take a polygraph examination (lie detector test). He described the polygraph device as looking like a computer with wires coming out of it. They tied wires to his fingers and around his belt. They never asked him for his consent, nor the did they explain the purpose of this examination. He said that he was questioned about the bomb attack on the Grand hotel; that they were trying to get him to say that he had participated in the placement of these bombs.
48. The polygraph examination was not carried out by those who brought him to this place but by two other people who never took off their hoods.
49. The two men who worked on the polygraph seemed to him unprofessional and unaccustomed to it; they spoke to each other and explained to him that it was new to them and that it came from the USA. They told him that they were not accustomed to this device. Mr. Jovan Grujičić estimated that this examination lasted around 1h30mn. He was not handcuffed throughout this examination, as with these on it would not have been possible to do the polygraph test.
50. He claims he was then brought back to cell 117. Mr. Jovan Grujičić does not remember if he was handcuffed on the way back.
51. When he arrived in the room, four masked men were waiting for him and there was a baseball bat on the floor. One of the guards grabbed the bat and put it on his genitals, to threaten him without hitting him. He didn't say anything.
52. Mr. Jovan Grujičić explained that, as he was sitting on the chair, five or six people came in, carrying different things (including boxing gloves). They were masked and uniformed. They started saying, "admit that you did this, that you participated in this ». Mr. Jovan Grujičić tried

to explain that it was impossible because at that time he was hospitalized and didn't know anything about what they told him.

53. "They threatened that I should "hurry up". "they asked me to take off my clothes. I was wearing my training suit", Mr. Jovan Grujičić explains.
54. We asked him: "Did you say you were in a T-shirt?" Mr. Jovan Grujičić answers: "I had a t-shirt and I had taken off my top to be examined, but I had it with me."
55. Mr. Jovan Grujičić says that they behaved like animals, insulting him, saying that he was lying and that the polygraph had proved it, they were also insulting his mother, and threatening him : "you will not go free, this will be your last time, you better speak up, there are two others here who said that you were part of it."
56. Mr. Jovan Grujičić adds that when he heard these assertions he felt bad, because if two others had accused him how could he get out? "They made me take off all my clothes and I preferred to do that myself. It was better than fighting with them, only to end up naked anyway."
57. "So I got naked and they approached me and the one with the boxing gloves hit me, the ones with bare fists also hit me. They had tasers, they had them in their hands, a small device with two needles. The police officers approached me from both sides, the one on the left coming less close to me than the one on the right, who gave me stronger shocks."
58. "The device was in the palm of one of the guards' hands. I couldn't see it well and couldn't concentrate on it because the others were punching me with boxing gloves on."
59. "There were two tasers. When they used them I felt that my brain was suffering; I didn't feel well. I hadn't taken any medication and I felt lost."
60. Mr. Jovan Grujičić drew a taser with a single needle pointing upwards, seemingly because he drew this in profile view. "The pain was very terrible and they hit me with the gloves; my head hit the wall behind me. I don't remember how many times they electrocuted me. When I took a shower the other prisoners asked what was wrong with my right side and I noticed a red mark on it that was the size of a hand."
61. "I fainted twice; they were pouring water on me. They were forcing me to undress, which I did. Once I was naked, they would apply electric shocks on my skin over my abdomen and upper legs. They were pouring water on me while I was naked. Then, they ordered me to get dressed, which I did. While dressed, they would electrocute me over genitals. Once again, I was ordered to undress, and they electrocuted my naked body, as I have already described. They repeated this several times, I don't know how many exactly, maybe 7-8 times I was taking off and putting on my clothes."
62. "They didn't put electric shocks on my genitals when I was naked but only did it through the clothes."
63. "I stayed there suffering and fainting. When I fell down, they threw water on me, then they sat me on the chair and gave me a cigarette."

*This is a medico-legal report of the Independent Forensic Expert Group (IFEG). The IFEG is an independent global group of preeminent forensic experts specialised in the assessment of allegations of torture and ill-treatment in compliance with the standards and principles of the Istanbul Protocol.*

64. "They hit me on the soles of my feet with the bat when I was on the floor. One sat on my lap and two hit me with the bat. I had my shoes on."
65. "They brought a second bat, and used the boxing gloves and the taser on me at the same time." Mr. Jovan Grujičić shows the size of the bat with his hands, explaining that one was made of wood and the other one of metal. "They didn't insult me while they were beating me and I wasn't handcuffed; I was just beaten and beaten again."
66. "They shouted a lot. The one with gloves kept telling me: "Talk to us, tell us what you did." "I could only say that I didn't do anything. I asked for to speak to a lawyer and they said no, this is not possible."
67. "It lasted until 3.30 pm, having started in the morning." We asked: "Did you go to the bathroom?" To which Mr. Jovan Grujičić answered "No, they only gave me water when I was on the floor. They sat me down and poured water directly into my mouth."
68. "By 3:30am I had passed out several times. They left me alone in the office and brought back a paper that they told me to read and that I had until 8:00pm to learn it. I was told to learn it and to be able to repeat it to the prosecutor. I read it but said I wouldn't sign it. They pulled me out of the chair and hit me with a bat until I asked to sign it. Then I did."
69. "They told me to learn it and manage to repeat it to the prosecutor and also say that all the guards acted normally with me, that they hadn't mistreated me. They explained to me that they didn't want to get into trouble."
70. "For a short time I was put in cell number 119 to wait, as they had put someone else in number 117. It was the same type of room, and I was not handcuffed. It was a second team that took me to the prosecutor's office at 8 pm. They were in uniform. I was handcuffed all the way there but not in the prosecutor's office. There were 3 of them. They didn't even have flashing lights on their car."
71. We asked: "Did you see your lawyer?" "My lawyer is my aunt's son. My father was there too but they didn't let them in, I didn't saw him at the police station. The policeman told me that he had to give up on the idea of a lawyer, I was not supposed to ask for one. When I was allowed a phone call, they wanted me to use it to say that I didn't want a lawyer."
72. "Who did you talk to on the phone?", we asked. "I told my mother that they were going to take me to the prosecutor's office", Mr. Jovan Grujičić replied.
73. "Did it hurt when they hit the soles of your feet?" "Yes, but it lasted just for 2 or 3 minutes. It wasn't very painful through the sneakers, I wasn't in pain, but I pretended it hurt. The taser made a noise like "buzzzzz", not too loud. When it electrocuted me as I could still move as they were very short shocks."
74. "What happened in front of the prosecutor? Did you complain?" "No, a policeman was listening at the door and two others were at the window. Two of the people who beat me were in a car outside. I didn't dare to say anything to the prosecutor."

75. "You recited the statement?" "Yes, and the prosecutor ordered me to spend 72 hours in detention. They took me to a section of the same building called "concrete cell". I saw one of the guards later. I knew that one of the individuals that had accused me of the bomb attack was in jail. I was told that I would have to change my statement."
76. We asked, "Did you see someone during those 72 hours?" "No, I was alone for three days. One time, I was taken to another place with a group of prisoners because they needed the cell for someone else."
77. "They took me out several times for questioning."
78. We asked if he signed any other papers. Mr. Jovan Grujičić said: "No". We then asked if when he was in room 119 (having been temporarily relocated there whilst room 117 was occupied) [REDACTED] I went to 119 several times, once a day."
79. "I was not handcuffed when they took me to room 117. They just wanted me to change the name of the person that I had denounced, saying that in fact it was his brother. They warned me that if I refuse I would not be able to walk in the street anymore, but they didn't hit me again."
80. "They brought me back to the prison 3 days later. I did not see the prosecutor again until long after. As my parents wanted me to tell what had happened, when I went to the prosecutor I explained everything, and changed what I had to say. I was no longer being threatened by anybody. They let me out after 7 months."
81. "The worst part was that I couldn't convince them that I was innocent. I had terrible pains in my head. It was the only part of my body that was hurting all the time."
82. "In the concrete cell, I was in pain, I started to have a lot of pain in my back. I couldn't find a position to sit in that didn't make me suffer. I was afraid that they had damaged my kidneys. The soles of my feet didn't hurt."
83. "I could still hear the noises my body made when they were hitting me. I could hear the sound that the taser made when they used it on my right side, and when they put it on my ear." This is obviously a close after-effect of the trauma resulting from the abuse which Mr. Jovan Grujičić claims he experienced.
84. "I felt the pain in my back again 20 days after the blows. When I asked my cellmate if this was possible, he said: "You will suffer this for another 10 days" and he was right. I didn't get any painkillers and I couldn't ask for any." We understood this to mean that Mr. Jovan Grujičić felt that if he had made the request, it would not have been successful anyway.
85. "They told me that everything was prepared to give me back my treatment the day after the beating. The pain lasted about 40 days."

86. When asked if he is still having any pain that he could be connect with the alleged incident, Mr. Jovan Grujičić mentioned nothing except that it takes a long time to urinate standing up; that he has now to sit down to urinate.
87. In order to create an environment in which Mr. Jovan Grujičić 's modesty or reservations would not impact his answers, the interpreter was asked to leave the room. It was thought that this would allow him to eventually speak about the things he could not say in front of a woman.
88. Mr. Jovan Grujičić then explains that they sat him down on a chair, pointed their revolver at his head and said that they were going to kill him. They put the barrel in his mouth and forced him to "kiss" it.

89. [REDACTED]

90. [REDACTED]

91. [REDACTED]

92. At this point the interview ended.

## VI. PHYSICAL SYMPTOMS AND DISABILITIES

### a. Pre-detention history and family history:

93. Mr. Jovan Grujičić experienced no physical problems prior to his detention.

### b. Acute symptoms and disabilities:

94. Pain all over body, especially headaches and pain on the backside. Contraction of muscles during taser application meant he was not able to sit or lay down after torture sessions. Big ecchymoses on the right side of the chest, skin burns on the body. Pain on the feet after beating by bats.

### c. Chronic symptoms and disabilities:

95. Mr. Jovan Grujičić suffers from chronic dysuria, as he now has to sit down to urinate.

96. Aside from this, no other chronic physical symptoms were recorded.

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## XII. CONCLUSIONS AND RECOMMENDATIONS

235. Taking into consideration the statement of Mr. Jovan Grujičić, the aforementioned medical and forensic reports, the photographs taken after the incident and our own physical and psychological examination, we conclude that the physical and psychological symptoms observed during the interview with Mr. Jovan Grujičić are highly consistent with his allegations of torture and ill-treatment. The principal bases for these findings are summarized as follows:

- a. The injuries described by prison doctor on May 29, 2020 at 13:00 hrs. – “yellow-green” hematomas of 3-4 cm in diameter on both upper arms, and “yellow-green” hematoma, of 2-3 cm in diameter in the left lumbar region – plus those shown in the photographs signed by Dr. Dragana Čukić are consistent with the punches, kicks, and beatings using a baseball bat alleged by Mr. Jovan Grujičić. The finding of Dr. Nemanja Radojević, dated June 25, 2020, that these hematoma are older than 3 days (72 hours) is inconsistent with accepted medical knowledge and scientifically invalid. The dating of bruises by appearance (namely, their size and color) is inexact and forensically unreliable. Moreover, it is commonly accepted that development of yellow pigmentation in a bruise can begin to occur at 18 hours.
- b. The pattern of punctiform lesions on the right side of the abdomen of Mr. Jovan Grujičić, as documented by photographs taken soon after the incident and based on his statement, his alleged symptoms, and our medical examination are highly consistent with electrocution with a taser device. The finding of Dr. Dragana Čukić in her medical report dated November 21, 2020 that “if there are no similar burns on the other parts of the body where the Taser was allegedly applied, then we cannot be sure if this is an electric burn” is scientifically invalid. As the medical literature and our experience suggest, we would not expect observable lesions for every time the taser was applied especially if the skin is wet or if the device is applied over the clothes.
- c. Based on Mr. Jovan Grujičić’s statement, the alleged symptoms, the medical examination findings and photographs taken soon after the incident and our physical findings on the

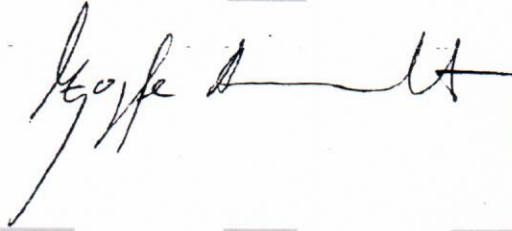
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pattern of punctiform lesions on right side of the abdomen, we conclude that these punctiform lesions are highly consistent with electrocution with the taser device allegation.

- d. From a psychological point of view, Mr. Jovan Grujičić is enduring a large bundle of symptoms that are part of a major complex post-traumatic stress disorder : re-experiencing the traumatic event, avoiding reminders of the trauma, increased anxiety and emotional arousal, intrusive, upsetting memories of the event (when he hears footsteps on the stairs or elevator noises), flashbacks (acting or feeling like the event is happening again), feelings of intense distress when reminded of the trauma, test of avoiding activities, places, thoughts, or feelings that remind him of the trauma (fear of going out, drastic limitation of interpersonal relationships, being outside has now become dangerous for him), sense of a limited future, depression, loss of interest.
- e. The course of recovery will require specific sessions of therapy to treat his PTSD.

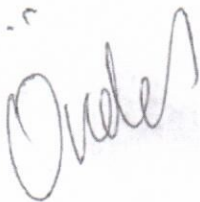
### XIII. CLINICIANS' SIGNATURES



Dr. Djordje Alempijevic, MD, PhD



Dr. Pierre Duterte, MD



Dr. Önder Özkalıpçı, MD