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### TOPIC 1

#### **ELECTION OF CONSTITUTIONAL COURT JUDGE REMAINS PENDING**

Members of Parliament did not vote on President Jakov Milatović's nominee for Constitutional Court judge, Predrag Krstonijević, either on 10 February—when the President requested the vote—or on 17 February, when it had been scheduled. According to media reports, the Speaker of Parliament, Andrija Mandić, requested “additional time for negotiations”.



Photo: standard.co

It should be recalled that Krstonijević failed to obtain the required two-thirds majority in the first round of voting held on the last day of the previous year. In the second round, he requires the support of three-fifths of MPs, or at least 49 votes.

Due to the delay in electing him as a judge of the Constitutional Court, the office of President Jakov Milatović stated that MPs and their political parties show little concern for the rule of law, respect for the Constitution, and the country's European integration process.

“A functional and fully composed Constitutional Court is directly linked to Chapters 23 and 24, which relate to the rule of law, justice, and the fight against corruption and organized crime. Without a fully operational Constitutional Court, these chapters cannot be closed and there can be no serious progress in European integration,” the statement said.

**Parliament avoided voting on the President's nominee for Constitutional Court judge, Predrag Krstonijević. The office of Jakov Milatović again called on MPs to meet citizens' expectations.**

The Constitutional Court currently has six judges out of the seven prescribed by law. Among them is Judge Desanka Lopičić, who continues to perform her duties despite having long fulfilled the conditions for retirement.

The President's office emphasized that citizens expect institutions to function and political actors to demonstrate responsibility in adopting decisions in the interest of all citizens.

"Montenegro's European path requires daily work, consistency, and respect for the Constitution. The election of Constitutional Court judges must be completed without further delay. This is an obligation towards the legal order, towards citizens, and towards the strategic goal of Montenegro becoming a well-functioning European state based on the rule of law," the statement reads.

President Milatović is also required to nominate one additional candidate to replace Constitutional Court judge Budimir Šćepanović, whose mandate ended in June 2025.

## TOPIC 2

### **FORMER SPECIAL PROSECUTOR ON THE RUN AFTER PRISON SENTENCE**

Former Special State Prosecutor Lidija Mitrović, convicted of the continued criminal offence of abuse of official position in the "Klap" case, failed to report to serve her seven-month prison sentence. In an open letter, she stated that she had fled because she had been convicted in a fabricated proceeding allegedly orchestrated by Chief Special Prosecutor Vladimir Novović.

On 4 February, the Police Directorate informed the public that Mitrović had not voluntarily reported to begin serving the prison sentence imposed by the Podgorica High Court



**Convicted former prosecutor Lidija Mitrović fled to avoid serving her sentence, claiming she was prosecuted in a fabricated case organized by the Chief Special Prosecutor. She accused him of controlling the High Court and the Court of Appeal. The Special State Prosecutor's Office and the Supreme State Prosecutor rejected these allegations.**

in December 2024 and confirmed by the Court of Appeal of Montenegro in May.

“Considering that Mitrović did not voluntarily report to serve her prison sentence and is avoiding enforcement, officers of the Police Directorate informed the competent court of all established facts, on the basis of which a warrant has been issued for her arrest in order to locate her and bring her to serve the sentence,” the police stated.

The police later clarified that they had no obligation to act earlier, i.e., to escort Mitrović to prison, until requested to do so by the Basic Court. The following day, the Basic Court in Podgorica also issued a statement, explaining that on 14 January it had already ordered the police to forcibly bring the former prosecutor to prison.

“Acting upon this order, the Police Directorate informed the court in a letter dated 30 January 2026, received by the court on 2 February 2026, that they had been unable to locate the convicted person at her registered address and that there was reasonable suspicion that she was evading the police. In light of these circumstances, the Basic Court in Podgorica issued an order the same day, 2 February 2026, for the issuance of an arrest warrant for Lidija Mitrović,” the court stated.

The court further noted that the conditions had not been met for the police to notify it earlier that they had been unable to locate her.

“Given that the police acted within a reasonable time frame while undertaking several actions to determine whether the person was deliberately avoiding receipt of the summons, there were no grounds for urgent intervention.”

Three days after the Basic Court's statement, Mitrović addressed the public through an open letter, claiming she had been unjustly and dishonorably accused in a fabricated case and that she would not go to prison because, according to her, she had never committed any unlawful act during her 25-year career.

Mitrović claims that her prosecution was organized by Chief Special Prosecutor Vladimir Novović.

“Attacks against me by the Chief Special Prosecutor began at the end of 2022 in connection with a case concerning former Minister of Defence Olivera Injac. It is important to note that until then my relations with him had been professional and correct. The criminal complaint against Minister Injac was assigned to me as a special prosecutor. I attempted to perform my prosecutorial duties in accordance with the law.

However, Mr. Novović's obligation to protect Olivera Injac from criminal prosecution was such that he began a personal campaign against me, using any means necessary. He did not allow the SDT to take any procedural action against her," the former prosecutor stated, adding that the case had been taken away from her contrary to established rules.

Mitrović further claimed that through her work in the "Klap" case—despite being convicted—more than seven million euros had been returned to the state. Nevertheless, she alleges that High Court judge Nenad Vujanović issued a conviction at the request of Novović.

She accused the judge of doing so because the Chief Special Prosecutor allegedly helped secure the appointment of Vujanović's wife as a judge of the Administrative Court and promised him support in a future appointment to the Constitutional Court.

"Experience from earlier periods shows that the concentration of power in one person within the judiciary can be extremely dangerous for society. The question arises whether this group will also manage to mislead President Milatović, who is responsible for nominating a Constitutional Court judge from his quota," the former prosecutor stated.

Mitrović further accused Novović of controlling both the High Court and the Court of Appeal and claimed that he had brought "his own person" to the position of Supreme State Prosecutor.

The Special State Prosecutor's Office (SDT) rejected these allegations, stating that the institution and its head neither influence nor attempt to influence the work of judges and that they will continue to carry out criminal prosecutions conscientiously, independently, and in accordance with the Constitution and the law.

They emphasized that the allegations in Mitrović's open letter are untrue, particularly those concerning the work of the SDT and the conduct of Chief Special Prosecutor Vladimir Novović. They also denied any influence over judge Nenad Vujanović and rejected claims of personal or professional connections.

The Supreme State Prosecutor's Office stated that an extraordinary supervisory review had established that Novović's conduct in the case concerning Olivera Injac had been proper and lawful. Supreme State Prosecutor Milorad Marković concluded that there had been no irregularities in the removal of the case file, thereby rejecting those allegations as well.

It should also be noted that this is the second escape within a short period. At the end of January, the police were also unable to locate Miloš Medenica, the son of former President of the Supreme Court Vesna Medenica, after he violated a supervisory measure and fled house arrest. It was established that he left his apartment only a few hours before the criminal panel announced in court the decision sentencing him to ten years and two months in prison. An international red notice has been issued for him.

**Vesna Medenica was arrested and placed in detention. After the arrest, she published an open letter accusing the Special State Prosecutor's Office and judge Vesna Kovačević, who denied the allegations.**

### TOPIC 3

#### **VESNA MEDENICA PLACED IN DETENTION AFTER WEEKS OF PROCEDURAL BACK-AND-FORTH BETWEEN THE COURT OF APPEAL AND THE HIGH COURT**

Convicted former President of the Supreme Court Vesna Medenica was arrested in Kolašin and placed in detention after the Court accepted an appeal by the Special State Prosecutor's Office and overturned a previous decision imposing only a supervisory measure prohibiting her from leaving her place of residence.



The Court of Appeal had previously upheld the appeal of the Special State Prosecutor's Office against an earlier decision of the High Court in Podgorica concerning the supervisory measure. The High Court subsequently issued a new ruling ordering Medenica's detention due to the risk of flight.

The decision followed several weeks of procedural "ping-pong" between the Court of Appeal and the High Court, involving multiple returns of the case file.

The Special State Prosecutor's Office appealed the High Court's decision which, following the first-instance judgment sentencing Medenica to ten years in prison, imposed only a

prohibition on leaving her place of residence and confiscated her travel documents instead of ordering detention.

The Court of Appeal repeatedly pointed to procedural shortcomings and returned the case for correction, primarily because one of the defence lawyers, attorney Zdenko Tomanović, had not been properly notified of the decision.

The High Court stated that the defence was obstructing the proceedings by insisting that documents be delivered exclusively by regular mail rather than electronically, while the Court of Appeal stressed that conditions for deciding on the merits could only be met once proper service had been effected on all parties.

As a result, the appeal procedure was delayed for nearly a month.

It should be recalled that in January a panel of the High Court in Podgorica, chaired by judge Vesna Kovačević, sentenced Medenica to ten years in prison.

She was convicted of two criminal offences of unlawful influence through mediation involving the acceptance of a promise of a bribe for the benefit of her son, as well as two additional offences related to mediation through the misuse of official position.

After her arrest, Medenica published an open letter claiming that she had been convicted without evidence, that the judgment had been predetermined, and that politicians had influenced the outcome with the assistance of the media.

In the letter she made serious allegations against Chief Special Prosecutor Vladimir Novović, Special Prosecutor Vukas Radonjić, and High Court judge Vesna Kovačević, claiming that they had acted with bias and under external influence. She also sent a message to her son, who is currently on the run, urging him not to surrender.

Judge Kovačević and the Special State Prosecutor's Office rejected the allegations.

Kovačević denied claims that she had been blackmailed or subjected to any form of pressure, rejected allegations of personal connections involving her husband, and called on Novović to publicly release any compromising material if such evidence exists.

The Special State Prosecutor's Office also rejected what it described as false allegations in Medenica's open letter. The

Special State Prosecutor's Office stated that accusations against Chief Special Prosecutor Vladimir Novović—including alleged criminal acts, personal connections, influence over judges, and the conduct of the proceedings against Medenica—were untrue.

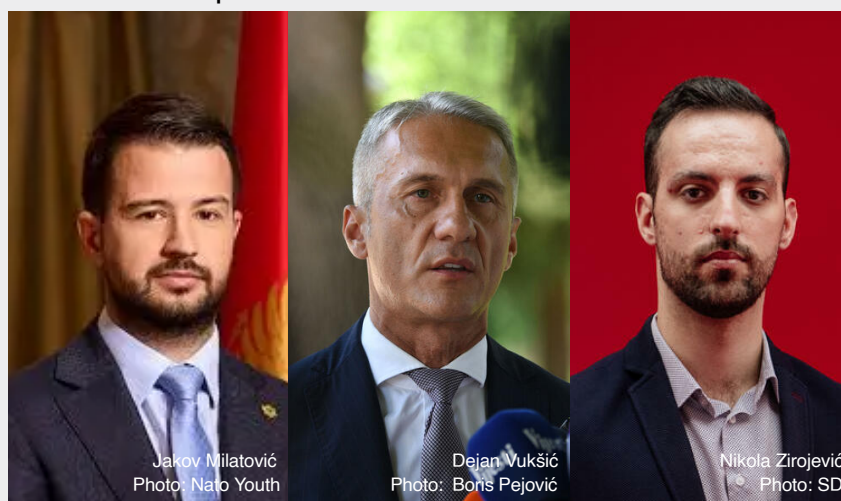
They also denied claims regarding the unlawful formation of the prosecutorial team, alleged pressure on the court, and the leaking of private correspondence to the media. The Special State Prosecutor's Office further rejected allegations that Special Prosecutor Vukas Radonjić had connections with the accused and noted that he had been acquitted in a final misdemeanor proceeding related to earlier allegations of domestic violence.

**The Prosecutorial Council found in three separate cases that public statements by senior state officials constituted improper pressure and external interference with the independence of state prosecutors. The Council concluded that, through media appearances and the public targeting of prosecutors, the officials attempted to influence their lawful and impartial work.**

#### TOPIC 4

### **MILATOVIĆ, ZIROJEVIĆ, AND VUKŠIĆ UNDERMINED THE INDEPENDENCE OF STATE PROSECUTORS**

Over the past fourteen months, the Prosecutorial Council issued three opinions following complaints filed by state prosecutors, concluding that public statements and comments by the President of Montenegro Jakov Milatović, former presidential adviser Dejan Vukšić, and Member of Parliament Nikola Zirojević had undermined prosecutorial independence. During 2023 and 2024, no complaints were submitted by prosecutors or heads of prosecution offices concerning threats to prosecutorial independence. The first three complaints were filed in 2025.



Jakov Milatović  
Photo: Nato Youth

Dejan Vukšić  
Photo: Boris Pejović

Nikola Zirojević  
Photo: SD

The Rules of Procedure of the Prosecutorial Council define the undermining of prosecutorial independence as any action, pressure, threat, influence, instruction, interference or failure to act that directly or indirectly seeks to affect the

independent, lawful and impartial conduct of a prosecutor contrary to their professional duties and the law.

Pursuant to Article 37 of the Law on the State Prosecution Service, the Prosecutorial Council concluded in all three cases that such actions had been undertaken and that they threatened the independence of state prosecutors.

President Milatović reacted after his criminal complaint against Deputy Prime Minister Nik Đeljošaj for the criminal offence of endangering security was dismissed. He stated that “the State Prosecution Service is sending the message that threats, pressure and political violence are acceptable and will go unpunished,” adding that “the public knows all of this, yet the prosecutor chooses to act as a lawyer for politicians,” and that “the dismissal of the complaint threatens to push the state into anarchy.”

The Prosecutorial Council concluded that in this way “the President of the State undertook actions and exerted inappropriate influence and pressure through the media in an attempt to affect the independent, lawful and impartial conduct of the state prosecutor,” as well as the independence of the State Prosecution Service, given that the prosecution was at that time required to decide on the President’s complaint.

Former presidential adviser Dejan Vukšić commented on the same case, stating: “Assess for yourselves whether this is the decision of a state prosecutor or the lawyer of Nik Đeljošaj.”

The Prosecutorial Council assessed this statement as an abuse of legitimate public criticism and concluded that Vukšić’s conduct constituted “external interference with the independence of the state prosecutor, through an attempt made via the media to influence the prosecutor’s independent, lawful and impartial work.”

Member of Parliament Nikola Zirojević made public statements after a complaint had been filed against him by Zdenka Popović for alleged insults contained in his statement. He wrote:

“Prosecutor Dino Lukač issued an order for me to be questioned less than three and a half hours after Zdenka Petrol read my statement. In the meantime, Zdenka had to go and file a complaint, then come to the prosecutor, the prosecutor had to open a case and issue an order to take my statement. Well done, Dino — you earned the variable

bonus I voted for,” and added that “it is clear that there is coordination between Zdenka Petrol and the competent prosecutor.”

In its opinion, the Prosecutorial Council stated that such remarks publicly targeted a state prosecutor and implied political bias, while also representing an attempt by a Member of Parliament to influence the prosecutor’s independent, lawful and impartial conduct.

These cases point to serious challenges faced by the judicial system in Montenegro. Political pressure and verbal attacks on state prosecutors threaten the integrity of the State Prosecution Service and contribute to a decline in public trust in its work. It is nevertheless encouraging that the Prosecutorial Council issued reasoned opinions in all three cases, after which the President, his adviser and the Member of Parliament did not make further public statements.

**The Parliament of Montenegro adopted amendments to the laws governing the Judicial Council and judges, the State Prosecution Service, and the Constitutional Court, providing for a 30 percent increase in the salaries of judges and state prosecutors, despite objections raised by President Jakov Milatović.**

#### TOPIC 5

#### **PARLIAMENT VOTES FOR HIGHER SALARIES FOR JUDGES AND PROSECUTORS; PRESIDENT OPPOSES**

Members of Parliament voted in favour of the amendments on 27 February. The adopted changes enable a salary increase of 30 percent for judges and state prosecutors. President Milatović had previously contested the initiative, arguing that the system does not function properly.



It should be recalled that in January judges and prosecutors received salaries reduced by 30 percent because the legislative amendments had not been adopted in time.

Twenty-five days before the parliamentary vote, President Milatović publicly criticised the planned increase. He argued that such a measure would not be fair under the current circumstances.

“Regarding the planned 30 percent salary increase in the judiciary, it is my duty to point out what citizens already feel. At a time when they see that parts of the judiciary and prosecution are failing to deliver justice, it is not fair to increase salaries for everyone through temporary solutions as if the system functions flawlessly. Individuals responsible for delays in justice cannot be rewarded, while numerous cases such as the Telekom case become time-barred and justice is often absent,” Milatović wrote on the social media platform X.

He proposed that the issue of salaries and incentives in the judiciary should instead be resolved through systemic reforms introducing clear and measurable criteria related to performance, accountability and results.

However, such statements by the President may also be interpreted as inappropriate pressure, given the constitutional principle of the separation of powers and the independence of the judiciary. The President does not have constitutional authority to publicly comment in this manner on issues concerning the material status and functioning of the judiciary. Statements of this kind may therefore create a perception of political influence and further burden the independence of judges and state prosecutors in the exercise of their functions.

**A judge in the Basic Court and a candidate for prosecutor were elected even though their relatives were linked to criminal activities. Non-governmental organizations Institute Alternative and Human Rights Action proposed additional checks for judges and state prosecutors during the selection process for their functions.**

## TOPIC 6

### **JUDGE'S ELECTION QUESTIONED DUE TO HER HUSBAND; PROSECUTOR CANDIDATE CHALLENGED OVER HIS PARENTS**

The Basic Court in Berane received reinforcement in February, but Democratic Montenegro is questioning the election of one of the two judges because her husband was convicted of the most serious crimes. On the other hand, the Judicial Council responds that they have no legal basis to check the families of candidates for judges.

Due to the case of the judge, the President of the Parliamentary Club of Democratic Montenegro, Boris Bogdanović, spoke out and stated that her election is an alarm for the judicial system.

“The knowledge that only a few days ago, a judge was elected to a judicial function whose spouse was legally convicted of the most serious crimes, including attempted aggravated murder and criminal acts of illegal possession



of weapons and explosive materials, and that according to media reports, he is a leader of one of the criminal groups, represents an alarm for the entire judicial system and opens questions to which the authorities must provide an urgent, clear, and unambiguous answer,” Bogdanović announced.

He raised the question of passing security clearances, and whether potential reputational and institutional risks were analyzed during her selection.

“Precisely because of such cases, we demand an urgent, comprehensive, and uncompromising thorough screening in the judiciary. We cannot build a state on closed eyes and silenced facts. Someone must start performing serious, in-depth checks of judges and prosecutors,” said Bogdanović.

The Judicial Council responded that they conduct the election of judges in accordance with the Law on the Judicial Council and Judges and the Rules of Procedure of the Council.

“The Judicial Council emphasizes that neither in this election nor any other does it check eventual security and reputational risks regarding family members. The law regulating the election of judges and candidates for judges does not recognize the procurement of such data and assessments.”

They also claim that they were not aware that a security risk existed during the election of the judge.

“The members of the Council were not aware that any security risk or obstacle existed in this specific case. Whether such a normative framework is good will be decided by the legislator, and the Judicial Council will, as before, implement the law consistently and transparently. Eventual security or reputational risks do not represent any of the general or special conditions or criteria for election, and therefore they are not checked in accordance with the Law.”

The Judicial Council additionally clarifies that they do not possess operational data from security authorities regarding family and other relationships of any candidate for judges.

Criticism of employees in the judiciary did not stop with the case of the judge from Berane. The legal team of the fugitive Aleksandar Mrkić, whom the Special State Prosecutor's Office identified as the organizer of a criminal group that operated on the territory of Montenegro, sent a letter to the Prosecutorial Council asking how it is possible that an associate in the Special State Prosecutor's Office and a candidate for prosecutor in the Basic State Prosecutor's Office, Miloš Pipović, passed security clearances, considering that his father, Milivoje Pipović, has multiple godfather relationships with Mrkić. In addition, they point out that his mother was convicted in the first instance for illegal possession of automatic weapons.

"Prosecutors should be persons of impeccable biography, security-unquestionable, and that is certainly not the situation with candidate Miloš Pipović," states the letter sent to the Prosecutorial Council.

The Prosecutorial Council has not yet spoken out regarding these allegations.

As a reminder, according to the indictment of the Special State Prosecutor's Office, Aleksandar Mrkić created a criminal organization in 2018, of which the then director of the Police Administration and, later, advisor to the President of Montenegro for defense and security, Veselin Veljović, became a member, among others.

And while the integrity of individuals in the judiciary is being questioned in public, the non-governmental organization Institute Alternative proposed, during the work on amendments to the Law on the State Prosecutor's Office, the introduction of additional integrity and property checks during the election and promotion of state prosecutors, but those solutions were not included in the text of the draft law that is currently under public discussion. Following the example of the proposal of Institute Alternative, Human Rights Action, as a member of the working group for amendments to the Law on the Judicial Council and Judges, also proposed the introduction of additional property checks for judges during election, which will be discussed at the next meetings of that working group.

The proposals of Institute Alternative primarily related to the introduction of security checks for candidates before election to the function of state prosecutor. According to the proposed model, the Prosecutorial Council would officially request a security check from the body competent for national security affairs (National Security Agency), while a candidate who does not undergo the check or refuses to provide the requested data would be considered to have withdrawn

from the application. The final decision on eventual security obstacles would be made by the Prosecutorial Council.

At the same time, it was pointed out that such a solution is currently not possible to fully implement, because the valid Law on Data Secrecy stipulates that the National Security Agency submits only an opinion, without the content of the report, which limits the possibility of the Prosecutorial Council to independently assess the existence of security obstacles. For its implementation, amendments to existing regulations or the adoption of a special law on security checks would be required, such as the one that exists in Germany and the Republic of Croatia, for example.

Institute Alternative also proposed a mandatory check of income and property of candidates already in the phase of applying for a public advertisement, as well as in-depth control in promotion procedures, through cooperation with the Agency for the Prevention of Corruption, for the purpose of early determination of eventual risks of corruption or conflict of interest.

In addition, it was proposed to introduce an obligation for state prosecutors to report events and circumstances that may endanger their independence, impartiality, or integrity, including attempts at pressure, contacts with persons against whom proceedings are being conducted, offering gifts, or establishing financial and business relationships that may call into question public confidence in the work of the prosecution.

Although these solutions were not included in the current draft law, they are expected to be the subject of further consideration during the process of amendments and additions to the Law on the State Prosecutor's Office.

**Compared with the previous four years, last year recorded the highest number of complaints alleging abuse, torture, and coercion of confessions by state officials, according to a report by Human Rights Action. The fight against torture remains crucial for closing Chapter 23 in Montenegro's EU accession process.**

## TOPIC 7

### HOW DID JUDGES AND STATE PROSECUTORS HANDLE TORTURE CASES?

Human Rights Action (HRA) published the report "Effectiveness of Investigations into Ill-Treatment in Montenegro 2022–2025," analysing criminal proceedings initiated in response to allegations of torture, ill-treatment, and coercion of confessions by state officials between 2022 and 2025.

During this period, 268 cases were opened against at least 424 police and prison officers. Indictments were filed in every fifth case, nearly half of the complaints were dismissed,



while almost one third of the cases remained unresolved. An increase in the number of complaints was also recorded—75 complaints were received in 2025 alone, four times more than in 2022.

However, the report indicates that the conduct of state prosecutors and judges remains inconsistent and that the quality of prosecution varies significantly from case to case.

Regarding state prosecutors and the State Prosecutor's Office, the report notes certain improvements. A binding instruction issued in May 2024 by the Supreme State Prosecutor contributed to greater efficiency in newly opened cases, increasing the indictment rate from 9.2% in 2023 to between 27% and 32% in 2024 and 2025. In some cases, prosecutors demonstrated greater proactivity in collecting evidence and obtaining medical documentation.

At the same time, the report records instances of prosecutorial passivity, particularly during main hearings, where advisers were sometimes sent to attend witness hearings but did not actively participate in the proceedings. Cases were also noted in which prosecutors sent substitutes who were unfamiliar with the case files, as well as instances of absence from trials.

The report also highlights the dismissal of criminal complaints on grounds of alleged statutory limitation, even in situations where, according to available information, the statute of limitations had not expired.

It further points to prolonged preliminary inquiries without a clear procedural direction, insufficient use of binding instructions issued by prosecutorial superiors, the rare use of audio-visual recording of interrogations, and only occasional implementation of identification procedures. In some cases, due to insufficient evidence collected at the early stages of the proceedings, trials effectively turned into extensions of the investigation, making it more difficult to prove the charges.

With regard to courts and judges, the monitoring recorded examples of efficient case management. Some judges actively led proceedings, sought to prevent delays, and issued decisions within reasonable timeframes.

Nevertheless, frequent adjournments of hearings were recorded, along with difficulties in securing the presence of witnesses due to inadequate cooperation with the Police Directorate of Montenegro. Additionally, lengthy decision-making on procedural issues before second-instance courts slowed down proceedings. In one case, a decision on a request to exclude evidence before the High Court in Podgorica took several months, effectively blocking the work of the first-instance court.

The report also highlights inadequate courtroom conditions in some instances, where injured parties and accused police officers sat in close proximity without proper separation of the procedural parties, which is inappropriate given the sensitivity of cases involving allegations of torture. Failures in informing participants of their rights were also recorded, including the right to engage legal counsel.

In conclusion, the report shows that certain improvements in the prosecution of torture are visible, particularly through the increase in indictment rates and normative interventions by the Supreme State Prosecutor's Office. However, the system remains burdened by inconsistent practice, passivity at certain stages of proceedings, lengthy decision-making, and insufficiently consistent protection of victims' procedural rights. An effective, timely, and consistent judicial response to allegations of torture has not yet been fully standardised, and still largely depends on the specific practice applied in individual cases.

## TOPIC 8

### **INCONSISTENT JUDICIAL PRACTICE IN GENDER-BASED VIOLENCE CASES**

In 41 cases of domestic and family violence in which the victims/injured parties were women, conducted before Montenegrin courts between 2022 and 2025 and analysed by the NGO Women's Rights Center, inconsistent judicial practice was identified, according to the Report on Monitoring Court Proceedings in Domestic Violence Cases.

"It can be concluded that, on average, nearly six months elapsed from the filing of the criminal complaint to the completion of first-instance proceedings. Such a timeframe,

**The postponement of hearings and an inconsistent approach by judges to cases of gender-based violence are among the key characteristics identified in 41 criminal proceedings analysed by the Women's Rights Center.**

as well as significant differences in the pace of proceedings at various stages, indicates an inconsistent application of the principle of urgency. Although longer proceedings in some cases may be justified by the complexity of the facts and evidentiary procedure, the observed variations may negatively affect the legal certainty and safety of victims, particularly in domestic violence cases where the risk of reoffending is high,” the report states.



Photo: Radio Bihac

The monitoring also found that hearings were postponed in almost two-thirds of the cases, while most victims did not have legal representation during the proceedings.

“This indicates that access to legal support remains limited and that victims’ procedural rights are often exercised without professional assistance. When a legal representative was present, they were most often engaged on the initiative of the injured party herself, while the use of the system of free legal aid was recorded in a smaller number of cases, suggesting insufficient visibility or availability of this mechanism in practice,” the report states.

It was also noted that audio-visual equipment for recording interviews is not used in prosecution offices, even though such equipment would significantly improve the position of victims of gender-based violence.

Following the presentation of the analysis, State Prosecutor at the Higher State Prosecutor’s Office in Podgorica, Ana Radović, confirmed that only four prosecution offices in Montenegro currently have audio-visual equipment.

“If we had more victims interviewed using audio-visual technology, I am certain that courts would accept proposals not to summon victims to the main hearing and to avoid re-examining them. However, only four prosecution offices in Montenegro have functional audio-visual equipment, out of the 15 that are competent to handle this criminal offence,” Radović said.

Danka Ivanović Đerić, State Prosecutor at the Higher State Prosecutor's Office in Podgorica, also assessed that the lack of such equipment represents a problem in the work of prosecutors and announced planned investments by the Supreme State Prosecutor's Office.

"The Supreme State Prosecutor's Office will equip several prosecution offices with technical equipment in the coming period, and we will strengthen and emphasise the importance of this type of interview, especially for victims," Ivanović-Đerić said.

The Executive Director of the Women's Rights Center, Maja Raičević, stressed that combating violence is a long-term process in which it is crucial that all actors act in the same direction.

"The fight against violence is not only a matter of individual protection, but also a matter of justice, security and genuine commitment to the rule of law," Raičević said.

The Supreme State Prosecutor Milorad Marković emphasised that joint action by institutions is necessary to address cases of gender-based violence.

"Only through coordinated action by the prosecution, courts, police and organisations that provide support to victims can we further improve the progress already achieved and ensure that it is long-term and sustainable," the head of the Montenegrin prosecution service said.

## TOPIC 9

### **BASIC COURT IN PLJEVLJA: GOOD RESULTS IN INADEQUATE CONDITIONS**

Reports by the European Commission, the Venice Commission, and the UN Special Rapporteur of the United Nations on the independence of judges and lawyers have consistently highlighted the lack of adequate staffing and infrastructure capacities. The Basic Court in Pljevlja represents an illustrative example of this situation in practice.

The court operates in a spatially and technically inadequate building. There are no dedicated rooms for interviewing minors, nor premises for prosecutors, lawyers, or parties to the proceedings. A corridor on the upper floor of the building is used as a waiting area, which further complicates the court's work and affects the dignity of participants in proceedings.

The building is not accessible to persons with disabilities. Persons using wheelchairs can reach only the reception

**Despite staffing shortages and inadequate premises, the Basic Court in Pljevlja achieved solid results during 2025.**



desk but not the courtrooms or registries, and due to the layout and size of the premises, adaptation is currently not possible. An additional problem is frequent interruptions in electricity supply, which is why the installation of a power generator has been planned.

Despite these conditions, and the fact that the court lacks two judges, good results were achieved. During 2025, the court handled 2,916 cases, of which 1,725 were resolved, representing 60.27% of the total caseload. In relation to the inflow of cases, 93.09% were resolved.

Judges were on average assigned 972 cases, while 575 cases per judge were completed on average. Court President Marina Jelovac achieved 135.13% of the annual performance norm, while judge Sanja Aničić achieved 141.54%, and judge Ljiljana Popović achieved 123.9% of the annual norm.

Judge Sanja Aničić has since resigned, while Ana Gačević has been elected as a new judge. The court still lacks two judges, which represents a serious long-term challenge for the efficient handling of cases.

## | SHORT NEWS

### APPEALS COURT CONFIRMS ACQUITTAL IN THE “COUP D’ÉTAT” CASE

The Court of Appeal of Montenegro rejected the appeal filed by the Special State Prosecutor’s Office and upheld the July 2024 judgment of the High Court in Podgorica in the so-called “Coup d’État” case. By that decision, the current President of the Parliament of Montenegro Andrija Mandić and the leader of the opposition Milan Knežević, along with the other defendants, were acquitted of charges of forming a criminal organization and attempting terrorism.



“The Court of Appeal, contrary to the allegations raised in the appeal of the Special State Prosecutor’s Office, found that the first-instance court, in lawfully conducted proceedings, presented all evidence relevant to clarifying the criminal matter. Based on the assessment of each piece of evidence individually, as well as in their mutual connection and in relation to the arguments of the defence, and on the basis of a correctly and fully established factual situation, the court reached the correct conclusion that the proceedings did not prove that the accused committed the criminal offences charged,” the Court of Appeal stated.

It should also be recalled that on 19 January the Judicial Council of Montenegro noted that the presiding judge in the case and judge of the Court of Appeal, Vesna Moštrokol, had submitted her resignation.

## JUDICIAL COUNCIL ELECTS NEW JUDGES AND NOTES RETIREMENT OF HIGH COURT JUDGE

At its session on 10 February, the Judicial Council of Montenegro elected Aleksandra Tajić and Ana Mićović as judges of the Basic Court in Berane, and Emil Cikotić as a judge of the Basic Court in Bijelo Polje. At its subsequent session on 24 February, Zdravko Rajović, previously a judge of the Basic Court in Plav, was elected as a judge of the High Court in Bijelo Polje.



The Council also noted the termination of the judicial office of Rafija Kadić, a judge of the High Court in Bijelo Polje, due to her retirement upon fulfilling the conditions for pension.

In addition, the Council adopted the Report on the Implementation of the Judicial Council's Budget for 2025, the Action Plan of the Communication Strategy for 2026, opinions on the Rulebooks on the Organisation and Systematisation of the courts in Ulcinj, Berane and Plav, and established a panel for the evaluation of judges of the Supreme Court.

## NEW COMMUNICATION STRATEGY FOR THE PROSECUTION SERVICE

The Supreme State Prosecutor's Office of Montenegro has adopted a new Communication Strategy of the State Prosecutor's Office and the Prosecutorial Council, which will remain in force until 2028. The strategy envisages improved cooperation with the media and a more proactive approach to informing the public on matters of public interest, while consistently respecting legal restrictions, the right to privacy, and the independence of the prosecution service.

"The goal is a more transparent, proactive and citizen-accessible State Prosecutor's Office and Prosecutorial Council," the Supreme State Prosecutor's Office stated.

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