

ROUND-UP OF JUDGEMENTS OF THE EUROPEAN COURT OF HUMAN RIGHTS IN RELATION TO MONTENEGRO

Since September 2013 until 1 June 2015, European Court of Human Rights has passed 3 new judgements which makes a total of 20 judgements before this court in relation to Montenegro until this date.

Table of judgements

	NAZIV	IZVOR	SADRŽAJ
1.	Milić i Nikezić v. Montenegro	http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-154149	In the judgment from 28.4.2015, European Court of Human Rights held that there has been a violation of the procedural and substantive aspect of Article 3 of the Convention in respect of the events of 27 October 2009 with regard to both applicants that there is no need to examine the admissibility and merits of the complaint in respect of the events of 27 October 2009 under Article 13 of the Convention. The Court also accepted that the applicants have suffered non-pecuniary damage resulting from a violation of Article 3 which cannot be sufficiently compensated by the finding of a violation alone. This is why the Court awarded the applicants EUR 4,350 each under this head. Also, the court held that the applicants are entitled to the reimbursement of costs and expenses but it dismissed the remainder of the applicants' claim for just satisfaction.
2.	Bujković protiv Crne Gore	http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-152780	In view of the criteria laid down in its jurisprudence and the relevant facts of the present case, the Court was of the opinion that the length of the proceedings complained of had failed to satisfy the reasonable time

			<p>requirement. Therefore the court held that there has been a violation of Article 6 paragraph 1 of the Convention in the judgement from 10.3.2015. In the judgement, the Court recalled that repeated re-examination of a single case following remittal may in itself disclose a serious deficiency in a given State's judicial system (see <i>Pavlyulynets v. Ukraine</i>, application no. 70767/01, from 6 September 2005). In this regard the judgement noted that after the Convention had entered into force in respect of the respondent State, the first instance decision was quashed three times, and it was only after three remittals that the case was finally adjudicated. Also, the Court found that the applicant was entitled to the reimbursement of costs and expenses but it dismissed the remainder of the applicant's claim for just satisfaction.</p>
3.	Bulatović protiv Crne Gore	http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145705	<p>In the judgment from 22.7.2014, European Court of Human Rights held that there has been a violation of Article 3 of the Convention in respect of the conditions of detention. The Court found that there has been no violation of Article 3 of the Convention in respect of medical care in detention. Also, the Court ruled that there has been a violation of Article 5 paragraph 3 of the Convention as it considered that the applicant's detention was extended beyond a reasonable time. Finally, the court dismissed the applicant's claim for just satisfaction.</p>