



FOUNDATION OPEN SOCIETY INSTITUTE  
- MONTENEGRO



In cooperation with the European Commission for Democracy through Law („Venice Commission“)  
of the Council of Europe

## International Human Rights Standards and Constitutional Guarantees in Montenegro

- A round table discussion -

Podgorica, 28 February 2008  
Hotel Podgorica

11:00 - 11:15 h

### Introduction:

Professor Srdjan DARMANOVIĆ, *Venice Commission Member from Montenegro*

Tea GORJANC PRELEVIĆ, *program editor of Human Rights Action and coordinator of the working group*<sup>1</sup>

Sanja ELEZOVIĆ, *director Fondation Open Society Institute – Representative Office Montenegro*

---

<sup>1</sup> HRA gathered a group of experts to comment on the provisions of the Montenegrin constitution involving guarantees of Human Rights and independence of judiciary: Emilija Durutovic, LL.M., retired judge of the Supreme Court of Montenegro and Court of Serbia and Montenegro; Radomir Prelevic, Ph.D., attorney at law, Nebojsa Vucinic, professor of Public International Law and Human Rights at the Faculty of Law of the University of Montenegro and Tea Gorjanc Prelevic, LL.M., program editor of HRA.

11:15 – 12:30 h	<p><u>Constitutional guarantees of human rights and international standards (Part I):</u></p> <p>Key observations of the Venice Commission regarding the Constitution of Montenegro, Professor Anthony BRADLEY, <i>substitute member of the Venice Commission from the United Kingdom and member of the team of experts drafting the Final Opinion of the Commission on the Montenegrin Constitution</i> (15 min)</p> <p>Relation between the constitutional guarantees and international Human Rights standards – provisions on the legal order (art. 9 of the Constitution of Montenegro) and the continuity of application of the international human rights treaties (art. 5 of the Constitution Implementation Act) – Nebojsa VUCINIC, Ph.D., <i>professor of Public International Law and Human Rights, Faculty of Law of the University of Montenegro</i> (15 min)</p> <p>Conditions for implementation of the European Convention of Human Rights standards in the Montenegrin judiciary system – Petar STOJANOVIĆ, <i>judge of the Supreme Court of Montenegro, president of the Coordinating Board of the Centre for Education of bearers of judicial function in Montenegro</i> (10 min)</p> <p>Discussion</p>
12:30 – 13:00 h	Break
13:00 – 14:30 h	<p><u>Constitutional guarantees of human rights and international standards (Part II):</u></p> <p>Protection (art. 19, Constitution of Montenegro), Legal remedy (art. 20) and Compensation of damage for illegal action (art. 38), i.e. violation of human rights, Emilija DURUTOVIC, LL.M., <i>retired judge of the Supreme Court of Montenegro and the Court of Serbia and Montenegro</i> (10 min)</p> <p>Dignity and inviolability of person (art. 28), Deprivation of liberty (art. 29), Detention (art. 30) and Right to defence (art. 37), Radomir PRELEVIC, Ph.D., <i>attorney at law</i> (10 min)</p> <p>Right to Life, Freedom of Expression (art. 47), Property (art. 58) and Temporary limitation of rights and freedoms (art. 25), Tea GORJANC PRELEVIC, LL.M., <i>program editor of the Human Rights Action</i> (10 min)</p> <p>Discussion</p>
14:30 – 14:45 h	Break
14:45 – 15:30 h	Continuation of discussion, conclusions and recommendations
around 15:30 h	Closing of the round table