

SUPREME STATE PROSECUTOR OF MONTENEGRO
Mrs. Ranka Carapic

CC: PRESIDENT OF THE SUPREME COURT OF MONTENEGRO
Mrs. Vesna Medenica

MINISTER OF INTERIOR IN THE GOVERNMENT OF MONTENEGRO
Mr. Ivan Brajović

Podgorica, 7 December 2009

RE: Implementation of the protection measures from the Witness Protection Program in the case of Mr. Slobodan Pejovic (witness for the prosecution, filed as the first one in point 5 of the Supreme State Prosecution's Department for suppression of organized crime, corruption and war crimes indictment, KTS 17/08 of 19 January 2009 – case of War crime against civilian population, so-called „deportation“ of Bosnian refugees from Montenegro to the armed forces of the Republic of Srpska on the territory of Bosnia and Herzegovina in 1992)

Respected Mrs. Carapic,

I am addressing you again to the end of implementation of adequate protection measures for the benefit of the witness of the Supreme State Prosecution, Mr. Slobodan Pejovic (indictment of the Supreme State Prosecution's Department for suppression of organized crime, corruption and war crimes, KTS 17/08 of 19 January 2009), bearing in mind your competence to propose such measures to the Commission for implementation of the Witness Protection Program according to the Witness Protection Act. I am sending this letter also to the President of the Supreme Court and Minister of the Interior Affairs bearing in mind their competence for appointing members of the Commission for implementation of the Witness Protection Program, as I do not know who are the members of that Commission.

The public has been informed that the Commission for the Witness Protection decided to propose to Mr. Pejovic protection in terms of a complete isolation on a secret address in Podgorica, that he did not accept. Bearing in mind that before proposing such a measure you have provided for a meeting between Mr. Pejovic and the competent state prosecutor Mrs. Lidija Vukcevic, on, inter alias, protection measures he would accept, the decision to propose measures that he previously did not agree to had been, to say the least, suprising.

You are surely aware of the fact that the state prosecution waited for many years to undertake investigation on the war crime on which Mr. Pejovic testifies. Now that the indictment for the crime has finally been instituted, to improve the trust of the domestic and international interested public in the capacity of the state

prosecution it would be necessary that it demonstrates its willingness to adequately protect the witness from whom it expects to testify in support of the indictment. However, as the facts currently stand, one may come to a conclusion that the state prosecution is not sincerely interested to protect Mr. Pejovic, as he had been offered a drastic isolation measure one knew or might have known he would not accept, while a new moderate measure had not been provided to date, a full month after Mrs. Vukcevic discussed with him the adequacy of measures he would agree to.

Bearing in mind the situation requiring urgent protection, as well as immense interest of domestic and international human rights organisations for this case, I appeal to you to provide that the Commission on Witness Protection urgently decides on a less extreme protection measure that Mr. Pejovic would agree to, and that would, according to all circumstances, cost the state much less than witness protection measures implemented so far. In such a way, you would undertake an effort to improve the trust of the public to independent and impartial performance of the institution you preside over, directed to determine criminal responsibility for war crimes and protect of those ready to risk personal safety to assist in that goal.

Also in connection to the protection of Mr. Pejovic, we expect from you an effective investigation of his statements published in daily *Vijesti* on 21 November 2009 on a plan of state officers for his assassination. A direct action of the Prosecutors' office in this case appears necessary bearing in mind defensive reactions of the director of the Police Authority and director of the Agency for National Security that are not assuring as to their capacity to impartially investigate this case.

Respectfully,

Tea Gorjanc Prelević,
Program director of the Human Rights Action