

Ref ► DGI/COV/CB/BNI

Ms Valentina PAVLIČIĆ
State Agent of Republic of Montenegro
before the European Court of Human Rights
Serdara Jola Piletića br. 8/6
81000 Podgorica
Montenegro

Sent by e-mail: s.agent@gsv.gov.me

Strasbourg, 8 January 2024

Subject: Execution of judgments of the European Court of Human Rights against Montenegro

Dear Ms Pavličić,

Further to your letter of 4 January in which you requested that I provide you with the view of the Department for the Execution of Judgments on the European Court on your performance and work within the context of the execution of the European Court's judgments, I have the pleasure to note the following.

Out of 94 judgments or decisions rendered by the European Court against Montenegro, only six cases remain under the Committee of Ministers' supervision, including three leading cases (*Siništaj and Others*, concerning ineffective investigations into ill-treatment by police officers; *Bigović*, concerning insufficient reasoning of judicial decisions extending pre-trial detention; and *Siništaj*, concerning excessive length of proceedings before the Constitutional Court). The number of pending cases in respect of Montenegro has significantly decreased throughout the years (for instance, in 2015, there were 17 cases under supervision, 13 of which were leading cases). It might be interesting to also note that all cases rendered by the European Court in the last eight years were classified by the Committee under the standard supervision.

There are currently no pending cases against Montenegro in which the deadline for the payment of just satisfaction awarded by the European Court has expired and no payment has been made. Indeed, I note with satisfaction that no delays in the payment of just satisfaction in Montenegrin cases have been reported for many years now. Similarly, we appreciate your continuous efforts to always submit action plans on the execution of the European Court's judgments no later than six months after a judgment becomes final and to regularly update them until the submission of action reports.

Your successful coordination of execution of the European Court's judgments is clearly evidenced not only through the excellent quality of your action plans/reports but also the high number of cases (81) closed by the Committee since 2015. These closed cases concern a range of important issues including unlawful extension of detention on remand beyond the statutory time-limits (*Mugoša*), excessive length of judicial and/or administrative proceedings

and lack of effective remedies (groups *Stakić* and *Živaljević*), freedom of expression (*Koprivica*), or violations of the property rights in the coastal zone (*Nešić*).

Lastly, I note with interest your meaningful engagement with civil society in the execution process. In this regard, last year the Department published a [news item](#) on the training programme on preventing police ill-treatment and effective investigations for police officers, judges and prosecutors, organised jointly with civil society.

In light of the above, on behalf of the Department for the Execution of Judgments of the European Court I would like to thank you for the excellent cooperation that we have had throughout the years. Your commitment and dedication have proved to improve the execution of judgments against Montenegro.

I am of course at your disposal should you require any additional information.

Yours sincerely,

Clare Ovey