



Last update: 15/03/2021

## Montenegro

Membership to the Council of Europe	11 May 2007
Entry into force of the European Convention on Human Rights	6 June 2006
First case under supervision of execution	<b>Garžičić</b> (17931/07) Judgment final on 21 December 2010
Total number of cases transmitted for supervision since the entry into force of the Convention	78
Total number of cases closed by final resolution	72

### MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION\*

#### > Actions of security forces – effective investigations

**Ill-treatment by police** and lack of an effective investigation.

**Siništaj** (1451/10)  
Judgment final on 02/05/2016

**Status of execution**  
Standard supervision

#### > Conditions of detention

**Poor conditions of detention. Violation of the right to liberty:** two months passed after the indictment was issued without new orders extending detention. Lack of sufficient reasons for extending detention.

**Bigović** (48343/16)  
Judgment final on 19/06/2019

**Status of execution**  
Standard supervision

#### > Right to private and family life

Domestic courts' refusal in 2015 to examine the merits of request to exhume remains of the applicant's spouse for transfer to new resting place, which another member of the family refused to allow.

**Dražković** (40597/17)  
Judgment final on 09/09/2020

**Status of execution**  
Standard supervision

#### > Right to property

**Deprivation of land** the applicant owned on the coast in 2014 without any compensation being paid to him, contrary to provisions of the domestic law stipulating that property rights can be limited only in return for compensation.

**Nešić** (12131/18)  
Judgment final on 09/09/2020

**Status of execution**  
Standard supervision

\* Detailed information concerning the Committee of Ministers' supervision of the execution of judgments and decisions of the European Court of Human Rights, notably the distinction between enhanced and standard supervision, are available on [the website of the Department for the Execution of Judgments](#).



## SUPERVISION CLOSED - MAIN REFORMS ADOPTED\*\*

## &gt; Conditions of detention

**Adoption and implementation of a series of measures aimed at improving detention conditions:** renovation of the Remand Prison in Podgorica; introduction of daily out-of cell activities for a minimum of two hours; introduction of alternative sanctions for minor offences in the Code of Criminal Procedure in 2015 (bail bonds, undertaking to report regularly to a state authority, removal of a travel documents etc.).

**Bulatovic** (67320/10)  
Judgment of final on 22/10/2014

Final resolution  
CM/ResDH(2017)35

## &gt; Enforcement of domestic judicial decisions

**Transfer, in 2011, of the competence for enforcement of final judicial decisions to public enforcement officers** with the goal to reduce workload in courts and increase efficiency of enforcement proceedings.

**Boucke** (26945/06)  
Judgment of final on 21/05/2012

Final resolution  
CM/ResDH(2016)165

**Mijanović** (19580/06)  
Judgment final on 17/12/2013

Final resolution  
CM/ResDH(2016)201

## &gt; Length of judicial proceedings

**The efficiency of civil and labour proceedings increased after the introduction of legislative measures (Civil Procedure Law) in 2015,** including the abolition of multiple remittal possibilities, tight procedural deadlines and alternative dispute resolution options; introduction of an acceleratory and a compensatory remedy in case of lengthy proceedings.

**Stakić** (49320/07)  
Judgment of final on 02/01/2013

Final resolution  
CM/ResDH(2017)38

**Measures were taken to speed up administrative proceedings in 2014 and 2016, in particular to prevent multiple remittals.** As part of these measures: fast-track, *ex officio*, procedures for the exchange of data between public bodies; electronic communication between administrative bodies and parties to the procedures; new legislation provided that in case of the administrative authority's failure to take a decision within the timeframe imparted, the request concerned will be considered as upheld.

**Stanka Mirković** (33781/15)  
Judgment of final on 07/06/2017

Final resolution  
CM/ResDH(2018)51

## &gt; Freedom of expression

**Recognition of the obligation to respect the European Court case-law and the Convention standards concerning freedom of expression.**

**Koprivica** (41158/09)  
Judgment final on 22/02/2012

Final Resolution  
CM/ResDH(2016)45

**Decriminalisation of defamation and criminal insult in 2011.**

**Šabanović** (5995/06)  
Judgment final on 31/08/2011

Final Resolution  
CM/ResDH(2016)44

\*\* This section may also include certain major reforms already implemented in the context of cases still pending.

For a thorough overview of reforms adopted since the entry into force of Protocol No. 11 in 1998 see the [Annual Report 2015](#), Part IV "Main achievements". As regards the period 1959-1998, see the overview provided by the European Court in its special publication "Survey : 40 years of activity", section IV "Effects of judgments and decisions" – both documents, together with a number of additional ones, are available also on the website of the Department for the Execution of Judgments of the European Court of Human Rights.



## SUPERVISION CLOSED - MAIN REFORMS ADOPTED \*\*

## &gt; Protection of property rights

**The acquired pension entitlements cannot be repealed or restricted**, in particular in case of resumed professional legal activities, pursuant to the amended 2008 Law on Pension and Disability Insurance.

*Lakićević and Others* (27458/06+)  
Judgment final on 13/03/2012

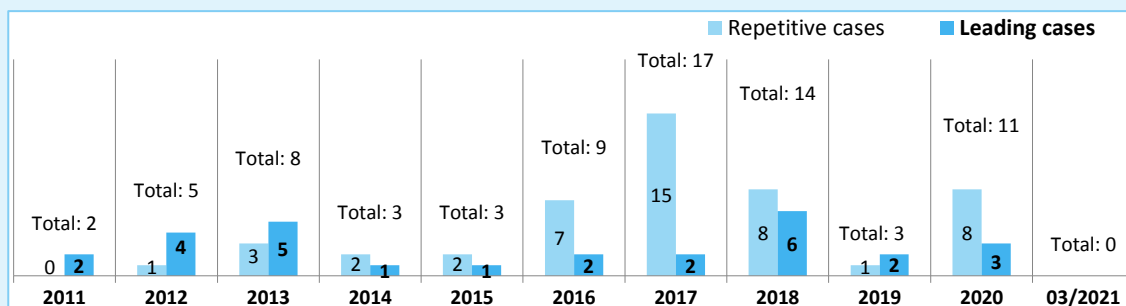
**Final Resolution**  
**CM/ResDH(2013)91**



## STATISTICS\*\*\*

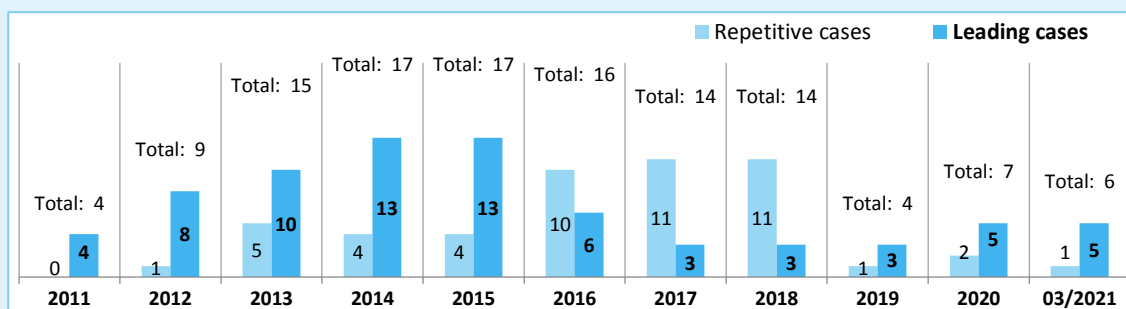
### New cases

(judgments transmitted for supervision of their execution during the year)



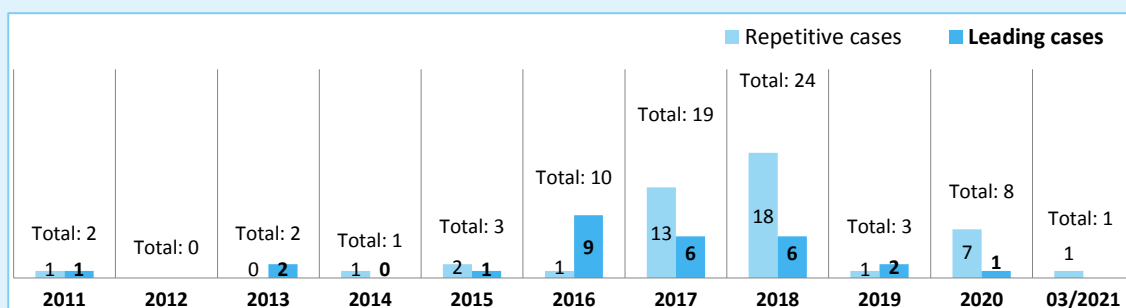
Figures bracketed correspond to the number of cases not yet classified as leading or repetitive, but they are taken into account in the total number of new cases.

### Pending cases

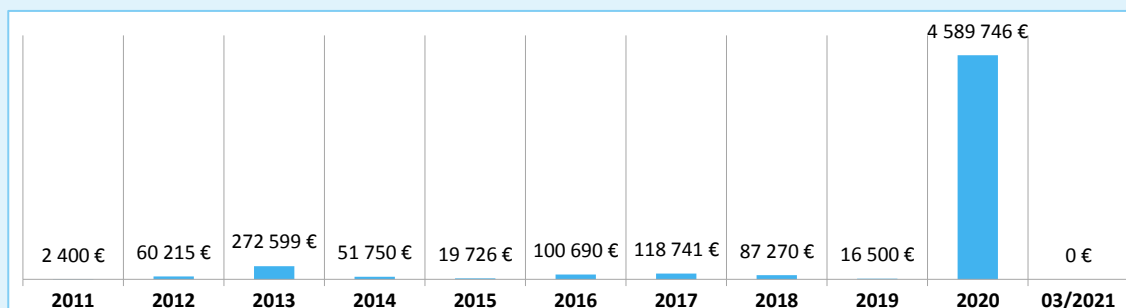


Figures bracketed correspond to the number of cases not yet classified as leading or repetitive, but they are taken into account in the total number of pending cases.

### Cases closed by final resolution



### Just satisfaction awarded by the European Court



\*\*\* Detailed statistics are available in the [annual reports](#) of the Committee of Ministers. Figures are reported as they appear in the annual report for each year.