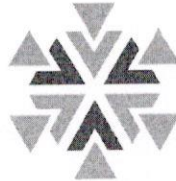




Montenegro

A DECADE
OF INDEPENDENCE
A MILLENNIUM
OF STATEHOOD
MONTENEGRO
2016



May Montenegro live forever

**PERMANENT REPRESENTATION OF MONTENEGRO TO THE
COUNCIL OF EUROPE**

384/2016

Strasbourg, 1 December 2016

Dear Mr Gruden,

Please find enclosed information prepared by the Ministry of Justice of Montenegro as the answer to the claim against Montenegro made on 13 April 2016 via the Council of Europe Platform to promote the protection of journalism and safety of journalists.

Sincerely,


Božidarka Krnić

Ambassador

Mr Matjaž Gruden
Director
Directorate for Policy Planning
Council of Europe

The answer made by the Ministry of Justice of Montenegro on the occasion of the alarm posed at the Council of Europe platform to promote the protection of journalism and safety of journalists

Jovo Martinović was arrested during the international action called MAK on 22 October 2015, on reasonable suspicion that he committed criminal offence – creation of criminal organization (article 401 paragraph 2 in conjunction with paragraph 1 of the Criminal Code) and unauthorized production, possession and distribution of narcotics (Article 300, paragraph 1 of the Criminal Code). Investigative judge decided on pre-trial detention as a way to secure the presence of the accused which was later prolonged due to legal reasons. Special Prosecutor's Office conducted investigation in the period of 24 October 2015 and 8 April 2016 and raised an indictment against Jovo Martinović and another 13 people which was then confirmed by the relevant court and the scheduling of the main hearing is expected. From abovementioned arises that Special Prosecutor's Office acted within reasonable time and within deadlines defined by the law for conducting investigation, and since the indictment was raised and confirmed, it stems that it was based on evidence acquired through legal procedure of conducted international action. The court proceeding is expected in which the merits of the indictment will be determined and during which the accused will have his right to defense according to the standards of the fair trial.

Please note that the criminal offence for which Jovo Martinović has been indicted has nothing to do with journalist's profession.