



Représentation Permanente du Monténégro auprès du Conseil de l'Europe

Permanent Representation of Montenegro to the Council of Europe

Stalna misija Crne Gore pri Savjetu Evrope

18, Allée Spach, 67000 Strasbourg, France

Tel. +33 3 88 36 85 65, fax. 03 88 35 07 24, e-mail: coe@mfa.gov.me

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NOTE VERBALE

The Permanent Representation of Montenegro to the Council of Europe presents its compliments to the Directorate General for Democracy and has the honor to forward the additional information regarding the case "*Impunity in the case of the murder of Dusko Jovanovic*".

The Permanent Representation of Montenegro to the Council of Europe avails itself of this opportunity to renew to the Directorate General for Democracy assurances of its highest consideration. *BA*

Strasbourg, 14 March 2019

Mr. Adrian Evtuhovici

Directorate General for Democracy

Council of Europe



Case „Jovanović“

The High Court in Podgorica, on 22 October 2015, in the case K.no. 127/17 rendered and publicly announced the judgment by which the accused Damir Mandić was declared guilty for the criminal offence - attempt of the aggravated homicide, under Article 144 paragraph 8 taken in accordance with the Article 20 of the Criminal Code of Montenegro, and sentenced to 18 years of imprisonment. When taken into account the judgment of the High Court in Podgorica K.no. 152/04 from 27 December 2006, by which the accused Damir Mandić was sentenced to two years of imprisonment for the criminal offence abduction by force (Article 164 paragraph 1 of the Criminal Code of Montenegro), he was sentenced by the cumulative punishment – 19 years of imprisonment.

The judgment of the High Court in Podgorica, K.no. 127/17 was confirmed by the judgment of the Appellate Court, Kž.no. 8/19, dated 2 March 2016.

The complaint of Mandić attorney was rejected as unfounded by the Decision of the Supreme Court of the Montenegro Kž II no. 25/16 dated 7 October 2016 and confirmed the Decision of the Supreme Court of Montenegro Ktz. no. 37/16 dated 22 June 2016, by which the defence request for the protection of legality against the decisions of the Appellate Court of Montenegro Kž.no. 8/16 dated 2 March 2016 and the High Court in Podgorica, K.no. 127/14, dated 22 October 2014, was rejected.

The case is archived.

In 2018, there is continuous work in identifying other perpetrators and accomplices in the murder journalist Duško Jovanović.

Two cases have been established: one in the High State Prosecutor's Office in Podgorica, and the other in the Special State Prosecutor's Office, because in May 2016, a report was submitted by the private detective, which contained information, data and findings regarding the murder of the editor-in-chief of daily "Dan", Duško Jovanović. Considering allegations of the detectives, the Special State Prosecutor's Office asked for international legal assistance. Acting upon their requests, one state provided them with evidence which was evaluated in the National Forensic Center.

However, since the Forensic Center must carry out additional forensic evaluation, for which they need the evidence from the Forensic Science Institute in Wiesbaden, a request for providing the necessary material was submitted to the Institute. As a reminder, the Forensic Science Institute in Wiesbaden had previously done the forensic evaluations concerning the abovementioned case which is way it is in possession of the Institute.