



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

No: 239/2018

NOTE VERBALE

The Permanent Representation of Montenegro to the Council of Europe presents its compliments to the Directorate General of Human Rights and Rule of Law and has the honor to forward the new information and update of those earlier provided by the Government of Montenegro to the cases on the Platform to Promote the Protection of Journalism and Safety of Journalists.

The Permanent Representation of Montenegro to the Council of Europe avails itself of this opportunity to renew to the Directorate General of Human Rights and Rule of Law assurances of its highest consideration.



Strasbourg, 16 August 2018

Directorate General of Human Rights and Rule of Law
Council of Europe 67075 Strasbourg
CEDEX, FRANCE



❖ **Journalist Vladimir Otašević faced insults and death threats**

In relation to a press article stating that on 12 September 2017 Velizar Marković threatened journalist Vladimir Otašević, the Prosecutor's Office self-initiated the case.

Velizar Marković was interrogated as a suspect, while Vladimir Otašević gave a statement as the aggrieved party.

During the proceedings, additional evidence was obtained in order to determine the existence of important elements to the criminal act prosecuted ex officio. Having obtained the evidence, the prosecutor issued a decision on 25 January 2018 on rejecting the charges against Velizar Marković for the criminal act of violating the safety referred to in the Article 168, paragraph 1 of the Criminal Code of Montenegro. As a matter of fact, the prosecutor assessed that **there was no reasonable doubt that the suspect had threatened the aggrieved party**, instead, he had only complained because of the time and reasons of the phone call. Therefore, the evidence collected indicate that the intent of the suspect was not directed at violating the safety of the aggrieved party but at civic protest aimed at ceasing any communication with the aggrieved party being the journalist, in relation to topics unrelated to him.

The aggrieved party was notified of the decision and informed about the right to file a complaint for the review of the decision, as well as about the right to take over the prosecution in accordance with the Criminal Code of Montenegro

Having in mind the above actions, closure of the case at the Council of Europe Platform to promote the protection of journalism and safety of journalists is proposed.

AM