

Montenegro – National Procedures for Extradition  
Updated 06/11/2017

The information contained in this table should be updated on a yearly basis.

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| The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for extradition:   | Ministry of Justice - Directorate for International Judicial Cooperation and Projects<br>Vuka Karadžića 3<br>81000 Podgorica, Montenegro<br>Phone: +382 20 407 510, +382 20 407 509<br>Fax: +382 20 407 566<br>E-mail: <a href="mailto:snezana.maras@mpa.gov.me">snezana.maras@mpa.gov.me</a><br><a href="mailto:ognjen.mitrovic@mpa.gov.me">ognjen.mitrovic@mpa.gov.me</a><br><a href="mailto:natasa.cukovic@mpa.gov.me">natasa.cukovic@mpa.gov.me</a> |
| If different from the Central Authority the authority to which the request should be sent (name of the institution, address, telephone, fax and e-mail where available): |   |
| Channels of communication for the request for extradition (directly, through diplomatic channels or other):  | Ministry of Justice.<br><br>Diplomatic, if the other Party requests.<br><br>Interpol in urgent cases.   |
| Means of communication (e.g. by post, fax, e-mail <sup>1</sup> ):  | By post. It is possible by fax or mail, followed by original within 15 days at latest.  |
| Language requirements:   | Montenegrin (Serbian, Croatian, Bosnian)<br><br>English<br><br>French   |
| Documentation required:  | Art. 12 of the Convention.  |

<sup>1</sup> Please indicate if encryption or electronic signature is required.

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| Provisional arrest:  |  |   |
|  | Time limit for presentation of formal extradition request if the person is in provisional arrest   | Maximum 40 days from the day of deprivation of liberty.   |
|  | Is there a need for an explicit request for prolongation of the provisional arrest beyond the 18 days mentioned in Article 16, paragraph 4 of the European Convention on Extradition (ETS No.24)?  | In practice, courts expect an explicit request for prolongation of the provisional arrest. Possible via Interpol. |
| Extradition procedures: Please describe shortly the different types of procedure (e.g. normal, simplified, other) indicating the main differences: |  |   |
|  | <p>In accordance with Law on Mutual Legal Assistance in Criminal Matters, in standard procedure, the competent court finds that the conditions for extradition prescribed by the Law/Convention met or not. If the conditions are met, the court submits its decision to the Ministry of Justice. Minister of Justice passes the final decision granting or refusing the extradition.</p> <p>In summary procedure, if the person claimed consented, the decision of the court approving the extradition is the last stage of the procedure. The extradition within a summary procedure shall have the same force and effect as the extradition within an ordinary procedure.</p> |   |
| Detention before and after the receipt of the extradition request, (deadlines, conditional release, etc.):   |  |   |
|  | 6 months from the day of ordering detention. This period can be prolonged only upon reasoned request of the Requesting State, duration of detention may be prolonged for additional two months. Maximum length of detention for extradition in Montenegro is 8 months.   |   |
| Statutes of limitation for the purpose of prosecution and for the execution of sentences (general principles):                                     |  |   |
|  | Art. 10 of the Convention.   |   |

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| Provisions concerning extradition of nationals:   | Montenegro does not extradite its nationals on the basis of the Convention, in accordance with Article 6, paragraph 1 (a) of the Convention. Citizen of Montenegro can be extradited only on the basis of bilateral agreement. |
| Surrender (e.g. deadlines):   | The requesting state shall take over the person the extradition of whom has been granted within 30 days as of the date of delivery of the decision on extradition.   |
| Other particularly relevant information (such as, specific requirements concerning double criminality): |  |
| Links to national legislation, national guides on procedure,  |  |