Last updated: January 2024

Montenegro

Ratified the European Convention on Human Rights in 2004

National Judge: Ivana Jelić (12 July 2018 -)
Previous judge: Nebojša Vučinić (2008-2018)

List of judges of the Court since 1959

Judges' CVs are available on the ECHR Internet site

The Court dealt with 193 applications concerning Montenegro in 2023, which were declared inadmissible or struck out. It delivered no judgment.

Applications processed in	2021	2022	2023
Applications allocated to a judicial formation	381	295	173
Communicated to the Government	4	18	21
Applications decided:	195	417	193
- Declared inadmissible or struck out (Single Judge)	186	408	184
- Declared inadmissible or struck out (Committee)	2	6	8
- Declared inadmissible or struck out (Chamber)	1	0	1
- Decided by judgment	6	3	0

For information about the Court's judicial formations and procedure, see the ECHR internet site.
Statistics on interim measures can be found here.

Applications pending before the court on 01/01/2024	
Applications pending before a judicial formation:	81
Single Judge	31
Committee (3 Judges)	49
Chamber (7 Judges)	1
Grand Chamber (17 Judges)	0

Montenegro and ...

The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **618** Registry staff members.

Noteworthy cases, judgments delivered

Chamber

Cases regarding the right to life (Article 2)

Ranđelović and Others v. Montenegro

19.09.2017

The case concerned the complaint that the Montenegrin authorities had failed to conduct a prompt and effective investigation into the deaths or disappearance of the applicants' family members. The latter, a group of Roma, had boarded a boat on the Montenegrin coast with the intention of reaching Italy, which sank in August 1999.

Violation of Article 2 in respect of one of the applicants

Case dealing with inhuman or degrading treatment (Article 3)

Milić and Nikezić v. Montenegro

28.04.2015

The case concerned the applicants' allegation that the prison guards had beaten them with rubber batons during a search of their cell. According to the Montenegrin Government, the guards had had to use force against the applicants to overcome their resistance on entering their cell.

Two violations of Article 3 on account of the ill-treatment to which both applicants, Mr Milić and Mr Nikezić, had been subjected during a search of their cell as well as the ineffectiveness of the ensuing investigation into their complaints of ill-treatment

Cases dealing with Article 5 (right to liberty and security)

Šaranović v. Montenegro

05.03.2019

The case concerned Mr Šaranović's complaints about his pre-trial detention for two and half years in Montenegro on suspicion of being behind the 2013 murder of the brother of the leader of a Serbian criminal organisation. He had allegedly arranged the murder out of revenge for his own brother's murder in Belgrade in 2009. Mr Šaranović himself was murdered outside his house in 2017 and his wife continued the proceedings before the Court.

Violation of Article 5 § 1 c)

Cases dealing with Article 6

Right to a fair trial

Velimirović v. Montenegro

02.10.2012

The case concerned the applicant's complaint about the non-enforcement of a final domestic judgment of 1992 concerning flat-allocation by his employer.

Violation of Article 6 § 1

Tomic and others v. Montenegro

17.04.2012

The applicants - 12 Montenegrin nationals - who, at the time of the facts, were employed by Podgorica Aluminium Plant, were all declared unfit for their jobs partly due to a work-related illness and made redundant in November 2005. The case concerned the domestic courts' rejection of their ensuing claims, in which they had sought the difference between their disability pension and the salary they would have received if they had not been made redundant.

No violation of Article 6 § 1

Right to a fair hearing within a reasonable time

Zivaljevic v. Montenegro

08.03.2011

Excessive length of administrative proceedings concerning expropriation of the applicants' house and land.

Violation of Article 6 § 1

Enforcement of a final judgment

Boucke v. Montenegro

21.02.2012

The applicants, mother and daughter, complained that two judgments, which became final in 1998 and 2005 respectively, and which had ordered the father to pay child maintenance, had never been enforced.

Violation of Article 6 § 1

Right to an access to court

Garzicic v. Montenegro

21.09.2010

Complaint about the Supreme Court's rejection of the applicant's appeal on points of law concerning a property-related claim.
Violation of Article 6 § 1

Cases dealing with private and family life (Article 8)

Drašković v. Montenegro

09.06.2020

The case concerned the applicant's wish to have her husband's remains removed from Montenegro to Bosnia and Herzegovina, which another member of the family refused to allow.
Violation de l'article 8

Antović and Mirković v. Montenegro

28.11.2017

The case concerned an invasion of privacy complaint by two professors at the University of Montenegro's School of Mathematics, Nevenka Antović and Jovan Mirković, after video surveillance had been installed in areas where they taught.
Violation de l'article 8

Mijuskovic v. Montenegro

21.09.2010

The case concerned the lengthy non-enforcement of a final judgment awarding the applicant custody of her twins, born in 1998, following her ex-husband's refusal to return the children to her after January 2005.
Violation of Article 8

Freedom of expression cases (Article 10)

Koprivica v. Montenegro

22.11.2011

The case concerned the complaint by a magazine editor that he was found guilty of defamation and ordered to pay excessive compensation for an article his magazine published in 1994 announcing that 16 journalists were going to be tried for war crimes.
Violation of Article 10

Sabanovic v. Montenegro

31.05.2011

The applicant, who made a public statement with regard to the work of the Chief Water Inspector, was convicted for defamation and sentenced to three months in prison, suspended for a period of two years.
Violation of Article 10

Cases dealing with property issues (Article 1 of Protocol No. 1)

Lakićević and others v. Montenegro

13.12.2011

The applicants, retired owners of private law firms, all complained about the suspension of their pensions between 2004 and 2005 because they had re-opened their legal practices on a part-time basis.
Violation of Article 1 of Protocol N°1

Bijelic v. Montenegro and Serbia

28.04.2009

The case concerns the non-enforcement of an eviction order concerning a flat in Montenegro and the applicants' inability to live in it.
Violation of Article 1 of Protocol No. 1
The Court held unanimously that the application was inadmissible in respect of Serbia.

Noteworthy cases, decisions delivered

Vuković v. Montenegro

27.11.2012

The applicant complained in particular under Articles 6 (right to a fair trial) and 13 (right to an effective remedy) about the excessive length of the proceedings before the Restitution Commission upon his request and a lack of an effective domestic remedy in that regard.
Application declared inadmissible for non-exhaustion of the domestic remedies.

Eparhija Budimljansko-Nikšićka and Others v. Montenegro

09.10.2012

The case concerned plots of land in Montenegro formerly owned by the diocese Budimljansko-Nikšićka and its churches and monasteries, which had been expropriated after World War II. The applicants

complained in particular that their property rights had been breached, as they had not been restituted the land.
The Court held in particular that the applicants had no legitimate expectation, under Article 1 of Protocol No. 1 (protection of property) to the Convention, that they would be restituted, since the key provisions of the law on which they relied had been declared unconstitutional before they filed their request.

Ajdarpašić and Kadić v. Montenegro

23.11.2010

Both applicants complained of the non-enforcement of domestic judicial decisions rendered in their favour in respect of their foreign-currency savings.
Application declared inadmissible as manifestly ill-founded.

Kavaja and Miljanić v. Montenegro

23.11.2010

The applicants complained about the continuing refusal of Montenegro to release all their foreign-currency savings deposited with what was known in the past as *Jugobanka* together with the interest initially stipulated.
Complaint under Article 1 of Protocol No. 1. declared manifestly ill-founded.

ECHR Press Unit Contact:
+33 (0)3 90 21 42 08