



Centar za građansko obrazovanje
Centre for civic education

Podgorica, 11 June, 2009.

THE SUPREME STATE PROSECUTOR SHOULD NOT IGNORE THE LAW

Centre for Civic Education (CCE) for months can't get any information from the Supreme State Prosecutor Ranka Čarapić, about certain aspects of the activities of the activities of the Prosecutor's Office. With regret we must conclude that this institution does not respect the existing legal framework by which the information should be made public.

As a reminder, the CGO has requested information about the number of people in the Prosecutor's office who are assigned on monitoring printed and electronic media and which exactly printed and electronic media are being monitored and what funds are allocated from the Budget of the Prosecutor's office for this job. CGO also requested the information about number of citizens who, on the basis of media reports, were called to give statements in the Prosecutor's office in 2006, 2007, 2008 and 2009. We question whether Mrs. Čarapić has read the book "Rules of silence" by Momir Bulatovic and whether she or any of her predecessors have called Momir Bulatovic to give a statement in the Prosecutor's Office. In addition, we questioned has she read the book by Miša Glenny "McMafija" and if she has the intention of inviting Mr Glenny to the Prosecutor's office to give a statement about the allegations in the book. One of the information requested was, has she made contacts with the colleagues from the Italian judiciary system concerning the case in which the Prime Minister is one of the suspects. Further, we requested information on what action has the Prosecutor's Office taken in the case of illegal monitoring, tapping and threats that were directed against the human rights researcher Aleksandar Saša Zekovic, and has anyone from the Prosecutor's Office questioned Mr Veselin Veljović and his bodyguard who where, in public, identified as the ones who ordered and even perpetrated the threats. From the Prosecutor's Office, we also requested information about the actions that it has taken so far in the case of Avala and Zavala, as well as whether the Prosecutor's Office has dealt with the problem of corruption and abuse of official position in the education and certain educational inspection services. A particular question was concerning the case of the one-year-old A.B. from Nikšić, and the actions taken by the Prosecutor's Office, due to reasonable doubt of severe crimes committed in this case, including murder, involuntary manslaughter, exposure to danger which lead to death of a abandoned person or leaving a powerless person in a state that caused death. CCE questioned the Prosecutor's Office why was it not possible to obtain any information about this case, even after dedicated urging. In the end, CCE requested information from the Prosecutor's Office about the actions taken to verify the public assertions about the existence of political pressures inflicted upon on the employees in the Montenegrin educational institutions?



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Namely, the request for aforementioned information was sent several times by fax and properly submitted to the Registry of the Supreme Prosecutor 10 March 2009, after which followed a call from the Prosecutor's Office and the explanation that they are very busy because of the increased volume of work and that they will respond to our request but need more time to collect the required information. Also, CCE has sent to the Prosecutor's Office a request for action based on the submitted and repeated request from 25 March, 2009, which has not been answered for three full months and that certainly exceeds all legal frameworks and the appreciation of the time needed to collect the required information.

It is unacceptable that the Prosecutor's Office, which should be one of the main promoters of the rule of law, violates the law, since that derogates the very institution of Prosecutor's Office. Furthermore, bearing in mind that some actions taken have planted a reasonable doubt in the public opinion concerning the existence of political influence over the Prosecutor's work (the example is the case of professor Milan Popovic, whose lecture was interrupted in an emergency procedure so he could receive an invitation to give a statement about the allegations from his column), Supreme State Prosecutor has an additional responsibility to show that it is serving the citizens and that each application and request for information that may be of public interest, is clearly given, in accordance with its competencies and in compliance with the law.

Disrespect shown for the Law on free access to information does not contribute to the credibility of the institution led by Mrs. Čarapić and makes room for an opinion that this institution is being neither transparent nor working in line with the legal framework.

CCE is forced to use all remedies at hand that will fulfill our legal rights and obtain the required answers. CCE expresses sincere regret that the complete picture about the undoing of the Supreme State Prosecutor must be exposed in this way.

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