

Podgorica, 17.02.2010.

PRESS RELEASE

ON A MEETING WITH MANAGEMENT OF INSTITUTION FOR ENFORCEMENT OF CRIMINAL SANCTIONS (ZIKS), REPRESENTATIVES OF NGOs HUMAN RIGHTS ACTION, CENTRE FOR CIVIC EDUCATION, SHELTER AND RENASCENCE

On Tuesday, 16 February, at the initiative of the Head of Institution for Enforcement of Criminal Sanctions (ZIKS), Mr Milan Radović an hours long meeting was held between representatives of non-governmental organizations and management of ZIKS. Meeting was motivated by unanswered letters from NGOs, their public comments of cases of torture as well as the interest for common welfare of incarcerated and convicted persons at ZIKS. **NGOs jointly note that this is their first group meeting initiated by this state authority, a fact which is worthy of praise, as well as an indication of new and more transparent approach in work of management of ZIKS.**

At the meeting were present Head of ZIKS Mr Milan Radović, his deputy Mr Zoran Magdalinić, ZIKS representatives Ms Anka Cerović and Ms Jadranka Vojičić, as well as the representatives of NGO Human Rights Action (Ms Tea Gorjanc Prelević and Ms Nikoleta Strugar), Centre for Civic Education (Ms Dragana Otašević), Shelter (Ms Ljiljana Raičević and Mr Ivan Milović) and Renascence (Mr Jovan Bulajić), who are issuing this press release. Representatives of NGO Juventas (Ms Tijana Pavičević), Centre for Democratic Transition (Mr Dragan Koprivica and Ms Milica Kovačević) and 4Life (Mr Saša Mijović) were present during a part of this meeting.

During the meeting, Head of ZIKS informed all stakeholders on his intention to cooperate with NGOs because, as he stated, he learned during his tenure at the Montenegrin Parliament that NGOs are not enemies who intent to harm, but that they can be constructive partners in development of our society. He also presented agreements with NGOs Juventas, Centre for Democratic Transition and 4Life, mentioned the active cooperation with Aleksandar Saša Zeković, independent researcher of violation of human rights, and stated his regrets for the decision of NGO Youth initiative for human rights which chose not to take part in this meeting.

On the question posed by Human Rights Action representative Ms Tea Gorjanc Prelević if the ZIKS management is ready to allow regular and unannounced “monitoring” visits to their premises by NGO representatives, it was answered that the management proposed amendments to the existing Law on Enforcement of Criminal Sanctions which would allow this practise to become explicitly stipulated by the Law, and that in the meantime there is readiness for cooperation, witnessed by relationship with NGO Juventas who make direct contact with detainees for 6 years within the project “Openly with prisoners”.

Head of ZIKS informed that the accommodation capacities of ZIKS are enhanced and reorganized, that they have planned to build a separate facility of penitentiary hospital, as well as formation of penitentiary unit for brief penalties in the southern region. However, it was said that ZIKS is still overcrowded, that is planned for 1087 persons and that there are currently 1500 detained. Mr Radovic also informed that he fired 24 employees of ZIKS since beginning of his tenure due to their diverse misconduct in works, especially for enabling drug abuse. Also, it was said that the fatal case of Mr Alen Harović was the reason for tightening of control and reorganization within ZIKS. In addition to this, there is an ongoing criminal trial against directly responsible official for misconducts that lead to that case, as well as to against one convicted person and two persons that delivered drugs during the visit.

To the direct question whether it is true that in the investigative prison on one side there are cells – apartments for the privileged, and on the other an overcrowded and unconditional department, so called “Cambodia”, Mr Radovic stated that investigative prison is unfortunately overcrowded, that it is not true that there are apartments for privileged, but that it is possible that some persons for the sake of their own security are being isolated in separate cells, which are in the same rank as the others. He underlined that the quality of food and water is constantly monitored by competent inspections, and that the grocery store which operated for years within the prison area without paying rent, also serving for entry of illegal objects, will be closed by 25 February. From now on, food brought by the family members could be delivered through a specifically stipulated process which would enable effective control.

Concerning the allegation in the media on strikes of prisoners caused by torture, Mr Radovic stated that this was absolutely not true. We were notified that employees at ZIKS are educated on absolute ban on torture, inhumane and humiliating conduct towards detainees and prisoners, but that it is somewhat expected that handling of aggressive prisoners who deny obeying disciplinary measures may result in excessive use of physical force. Head of ZIKS also insisted that all detainees and prisoners are aware of their rights for an appeal through the Internal Regulations on home rules displayed within common facilities, that there is a special letter box for communication with Ombudsman and their families, that they know that investigations are handled by the competent investigative judge as well as a President of the Court, and that they can always contact them in the case of improprieties, which also goes for their attorneys and family. Video surveillance is conducted in halls, but not in cells, videos are kept for a week, which is more than enough for them to be saved in the case of a complaint. Mr Radovic said that such a video was used in a case of alleged torture of detainees Milić i Nikezić and sent to the prosecutor office.

Regarding the case of alleged torture of Ms Vladana Kljajić from September 2008, which was a matter of special interest of Shelter and Human Rights Action, we were notified that there were no disciplinary sanctions against ZIKS employees and that the proceeding is in the competence of prosecutor office. We were also told that medical finding from the file done by domestic doctors identified no injuries on the body of Ms Kljajic, although Ms Ljiljana Raičević from Shelter noticed injuries, as well as a doctor in the team of European committee for prevention of torture (CPT), as noted in a part of the CPT report which was read at the meeting.

This meeting was concluded by remarks of the Head of ZIKS and his associates that they are ready for cooperation with NGOs on their projects and that they are awaiting their proposals within the framework of establishment of project partnerships and cooperation.

Human Rights Action

Centre for Civic Education

Shelter

Renascence