

REPORT ON THE IMPLEMENTATION OF GREVIO RECOMMENDATIONS

Supreme State Prosecutor's Office of Montenegro

This presents the response regarding the proposals and suggestions of GREVIO expressed in the First Thematic Evaluation Report of the Group of Experts on Action against Violence against Women and Domestic Violence (2024), dated 22 November 2024, which relate or may relate to the competences of the State Prosecution:

III – A – 3. Training of professionals (Article 15):

The State Prosecution actively participates in trainings organized by the Judicial and Prosecutorial Training Centre, as well as other institutions and organizations, on the topic of domestic violence and gender-based violence. According to the Instructions for the Procedure of State Prosecutor's Offices in Cases of Domestic Violence or Violence in the Family Environment (Official Gazette no. 473/24 of 11 October 2024), heads of state prosecutor's offices are obliged to ensure conditions for continuous training of contact persons on standards in handling cases of domestic and family violence. Contact persons are required to attend at least two trainings in this field per year, which they may also propose themselves.

In 2025, trainings were conducted for several state prosecutors, and all prosecutors serving as contact persons in all offices attended at least two trainings in this field. A Training Needs Assessment (TNA) report was prepared for 2026, specifying the names of prosecutors/contact persons, training levels, duration, and topics to be covered. This plan will guide the trainings in 2026, with implementation monitored by the coordinator responsible for applying the Instructions.

III – B – 1 – 1. General obligations (Article 18):

Under the Instructions for handling domestic violence cases, heads of offices are required to ensure full implementation of the Protocol on Handling Cases of Violence against Women and Domestic Violence. Prosecutors are obliged to organize case handling in coordination with other institutions and organizations within the Multidisciplinary Team (MDT), in accordance with the Protocol.

The Instructions set out various obligations and measures aimed at ensuring a gender-sensitive understanding of violence against women, focusing on human rights and victim safety, and taking into account the victim's perspective. If necessary, a more detailed report with measurable results on the implementation of the Instructions can be provided, as compliance is monitored regularly and quarterly reports are prepared.

III – D – 1 a. Reporting, immediate response, and investigation by law enforcement authorities (Article 50):

Heads of offices are required, under the Instructions, to issue binding written instructions and take other lawful measures in cases where preliminary investigations or inquiries are unreasonably delayed, or where prosecutors fail to take necessary actions within statutory deadlines. In cases where the statute of limitations has occurred, prosecutors must provide a detailed explanation for the delay and inform the Supreme State Prosecutor.

Monitoring of the Instructions' implementation has shown no cases of expiration of criminal prosecution. Victims must be interviewed urgently, and monitoring of the Instructions in the first three quarters of 2025 shows that, on average, 90% of all interviewed victims were heard within 48 hours. Delays for the remaining

few were due to objective and justified reasons. This measure is particularly important, as prompt victim interviews ensure accurate recollection of events and reduce the risk of external pressure on the victim in family violence cases.

III – D – 1 b. Effective investigation and prosecution:

Recognizing GREVIO's earlier suggestions regarding insufficient practices where prosecutors only indirectly accessed evidence via the police—without directly interviewing victims, engaging with cases, or forming case files—the Instructions completely changed these practices. Prosecutors are now required to form case files for all incidents and reports received during duty, and if a matter is deemed a minor offense, they must request initiation of misdemeanor proceedings.

This allows the State Prosecution to fully take over misdemeanor prosecutions from the police, ensuring prosecutors have direct insight into case circumstances, improved representation in court, better assessment of proposals for protective measures, and the ability to appeal court decisions on misdemeanors, which the police previously did not do. Monitoring shows that in the first three quarters of 2025, 70% of cases were qualified as criminal offenses and 30% as misdemeanors.

To avoid re-interviewing victims, prosecutors are required to interview victims immediately, preferably without prior police questioning, and to gather their statements on civil claims during the investigation to resolve them within the criminal process, preventing civil proceedings and secondary victimization.

III – D – 2. Risk assessment and risk management (Article 51):

Prosecutors must obtain data on risk assessments for the victim, prior reports of violence (including unreported incidents), all previously imposed protective measures, and the criminal and misdemeanor records of the perpetrator. They must also determine whether the suspect possesses a weapon (through legal documents or suspicion of illegal possession). In such cases, they must request searches of homes, other premises, movable property, and persons, and if a weapon document exists, instruct the police to initiate administrative procedures for confiscation. Quarterly monitoring collects data on searches and weapon confiscation initiatives. In all cases, risk assessments are recorded on a standardized form, included in the case file, and accessible to all relevant authorities.

III – D – 5. Protective measures (Article 56):

Prosecutors inform victims about the right to free legal assistance and a confidential person. They also inform the victim or their legal representative in an appropriate manner about measures taken in response to the report, including detention, the setting, duration, and lifting of custody or supervision, suspect escape, and other protective measures, as well as any final decision ending the criminal proceedings. The police are also informed to update the risk assessment for the victim.