

UDRUŽENJE PRIREĐIVAČA IGARA NA SREĆU CRNE GORE - NVO
ASSOCIATION OF GAMBLING PROVIDERS MONTENEGRO - NGO**EUROPEAN UNION**Broj 175 **DELEGATION OF THE EUROPEAN UNION TO MONTENEGRO**Podgorica 24. 11. 2014 god. **Attn: Alberto Cammarata, Head of Political Section**
Ul. Vuka Karadžića br.12, Podgorica**Predmet: Obavještenje i apel za podršku**

Kao što smo vas više puta informisali, obraćali smo se instituciji Zaštitnika ljudskih prava i sloboda Crne Gore (u daljem tekstu: Zaštitnik). Takođe, sami ste nas upućivali da se obratimo Zaštitniku. Na žalost, umjesto postupanja, suočeni smo sa novim činom diskriminacije od strane Zaštitnika, koji se ogleda u projektovanju i simuliranju navodnog **(ne)postupanja**, svjesno izbjegavajući da upotrijebi Zakonom dodijeljena ovlašćenja i okonča predmetni postupak. Takođe, u više navrata predstavkom smo se obraćali i Odboru za ljudska prava i slobode zbog flagrantno počinjenog nečuvenog akta diskriminacije i povrede prava ličnosti u Skupštini Crne Gore i van nje - prema pozvanim, ovlašćenim predstavnicima / aktivistima UPIS-a, a što je potkrijepljeno relevantnom dokumentacijom koju smo vam učinili dostupnom. Umjesto zabrinutosti i diskusije u skladu sa nadležnostima, Odbor je suprotno sopsptvenoj praksi i Poslovniku o radu, suprotno Ustavu i zakonima Crne Gore, počinio novi akt diskriminacije i to naočigled predstavnika EU koji su takođe prisustvovali sjednici Odbora za ljudska prava i slobode održanoj 4. novembra 2014. U prilogu se nalazi naša nova predstavka upućena tim povodom Odboru i audio-video zapis 37 sjednice Odbora za ljudska prava i slobode.

U međuvremenu, Osnovni sud u Podgorici, 28. oktobra 2014., donio je presudu (P4407/13) kojom se **UTVRĐUJE** da je Skupština Crne Gore dana 29. i 30. jula 2013. diskriminatorski postupala prema tužiocima Savi Grboviću, NVO UPIS i Sandri Milić i **ZABRANJUJE** tuženoj ponavljanje radnje diskriminacije prema istim tužiocima. (Presuda u prilogu). Molimo za Vašu pažnju i podršku, da založite Vaš autoritet i pomognete da obezbijedimo poštovanje načela jednakog tretmana u postupcima pred nadležnim institucijama i okončamo predmetne postupke. To nalažu osnovna Ustavna načela i obaveze prema nadležnim organima, ali isto predstavlja najviši međunarodni standard i osnov na kojima počiva pravo EU.

Skupština Crne Gore, odnosno Starješina i njeni zvaničnici, počinjenim aktom diskriminacije - u trajanju - grubo su narušili reputaciju NVO UPIS, ljudska prava i dostojanstvo pozvanih predstavnika UPIS-a, što zahtijeva obavezu postupanja i odlučnu reakciju nadležnih organa da nas zaštite u uživanju (Ustavom) garantovanih prava i zaštitu od svih oblika diskriminacije. (Zlo)upotreba poslaničkih funkcija i imuniteta od strane počinioaca diskriminatornog čina - u trajanju - ne oslobađa ih odgovornosti u konkretnom slučaju, niti može predstavljati bilo kakvu prepreku za ostvarivanje naših (Ustavom) garantovanih prava.

S poštovanjem,

NVO UPIS

Marko Piletić, predsjednik

Prilog:

- Akt naš br.174 od 21.11.2014./ Poziv za postupanje u skladu sa Ustavom, Zakonom i Poslovnikom
- Audio-video zapis sjednice Odbora za ljudska prava i slobode od 4.novembra 2014.
- Audio- video zapis sjednice Odbora za ekonomiju, finansije i budžet od 30.jula 2013.
- Akt naš br.172 od 4.11.2014. Odboru za ljudska prava i slobode/Obavještenje
- Akt naš br.171 od 3.11.2014. Odgovor Zaštitnika ljudskih prava i sloboda
- Akt naš br.170 od 3.11.2014. Odboru za ljudska prava i slobode/ Obavještenje
- Presuda (P 4407/13 od 28.oktobra 2014.)

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ASSOCIATION OF GAMBLING PROVIDERS MONTENEGRO - NGO

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EUROPEAN UNION

DELEGATION OF THE EUROPEAN UNION TO MONTENEGRO

Broj 178 Attn: **Alberto Cammarata, Head of Political Section**
Ul. Vuka Karadžića br.12, Podgorica

Podgorica 24. 11. 2014. god.

Subject: **NOTISE AND APPEAL FOR SUPPORT**

As we have informed you on several occasions, we addressed the institution of the Protector of Human Rights and Freedoms of Montenegro (hereinafter referred to as: the Protector). Additionally, you guided us to address to the Protector. Unfortunately, instead of acting, the Protector committed a new act of discrimination, which was reflected in the projection and simulation of alleged **(in)action**, and his deliberate avoiding to use his authority prescribed by the law and to close the proceeding. Also, on several occasions, we also addressed to the Committee on Human Rights and Freedoms, by the application, because of the flagrantly committed act of discrimination and violation of personal rights in the Parliament of Montenegro and outside of it – against the invited, authorized representatives / activists of NGO UPIŠ what was substantiated by the relevant documentation which we made available to you.

Instead of concerns and discussion in accordance with the competencies, the Committee, contrary to its own practice and the Rules of Procedures, and contrary to the Constitution and laws of Montenegro, committed a new act of discrimination in front of the EU representatives who also attended the meeting of the Committee on Human Rights and Freedoms held on 4 November 2014.

Our new application is enclosed which was submitted on this occasion to the Committee together with the audio and video record of the 37th Meeting of the Committee on Human Rights and Freedoms.

In the meantime, on 28 October 2014, the Basic Court in Podgorica reached a decision (P4407/13) by which it was **DETERMINED** that the Parliament of Montenegro, on 29 and 30 July 2013, committed a discriminatory act against the complainant Sava Grbović, NGO UPIŠ and Sandra Milić, and by which the defendant was **PROHIBITED** from repetition of the act of discrimination against the same complainants. (The decision is attached). We ask for your attention and support, to pledge your authority and help us to ensure the respecting of the principle of equal treatment in the proceedings before the relevant institutions and to close the respective proceedings. It is provided by the basic constitutional principles and obligations toward the competent authorities, and at the same time it is the highest international standard and the base on which the EU law was established.

The Parliament of Montenegro, respectively its President and officials, with committed act of discrimination – which lasted, harshly ruined the reputation of NGO UPIŠ, human rights and dignity of invited representatives of UPIŠ, what requires compulsory acting and decisive reaction of competent authorities in order to protect us and allow us to exercise our (constitutionally) guaranteed rights and protection against all forms of discrimination. The (mis)use of parliamentary immunity and functions by the perpetrators of the discriminatory act – which lasted – does not absolve them from the responsibilities in this specific case, nor can it represent any obstacle for exercising our (constitutionally) guaranteed rights.

Respectfully,
NGO UPIŠ

Marko Piletić, Chairman

Annexes:

- Act our No.174 dated 21 November 2014 / Invitation to act in accordance with the Constitution, the Law and the Rules of Procedures
- Audio and video record of the Meeting of the Committee on Human Rights and Freedoms dated 4 November 2014.
- Audio and video record of the Meeting of the Committee on Economy, Finance and Budget dated 30 July 2013.
- Act our No. 172 dated 4. November 2014. / To the Committee on Human Rights and Freedoms
- Act our No. 171 dated 3. November 2014. / Protector of Human Rights and Freedoms of Montenegro
- Act our No. 170 dated 3. November 2014./ To the Committee on Human Rights and Freedoms
- Decision (P 4407/13 dated 28 October 2014).