



**MONTENEGRO**  
**Ministry of Human and Minority Rights**

**REPORT OF MONTENEGRO ON THE IMPLEMENTATION  
OF THE BEIJING DECLARATION AND PLATFORM FOR ACTION (BPfA)  
AND 2030 AGENDA FOR SUSTAINABLE DEVELOPMENT (2030 AGENDA)**

Podgorica, May 2019

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## SUMMARY

On the occasion of the 25th anniversary of the Fourth World Conference on Women and the Adoption of the Beijing Declaration and Platform for Action (1995), the United Nations Economic and Social Council decided that at its sixty-fourth session, in 2020, the Commission on the Status of Women will undertake a review and appraisal of progress made in implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session of the General Assembly, including an assessment of the current challenges encountered in the implementation of the Platform for Action and the achievement of gender equality and empowerment of women as well as its contribution towards the full realization of the 2030 Agenda for Sustainable Development. The Council called upon all states to undertake comprehensive national-level reviews of the progress made.

In order to examine the comprehensive review at the national level, it has been made the ***REPORT OF MONTENEGRO ON THE IMPLEMENTATION OF THE BEIJING DECLARATION AND PLATFORM FOR ACTION (BPfA) AND 2030 AGENDA FOR SUSTAINABLE DEVELOPMENT (2030 AGENDA)***. The report is methodologically based on the Guidance note for comprehensive national-level reviews prepared by UN- Women in collaboration with Regional Commission of the United Nations to help conduct a comprehensive review.

For the first time, in 2020, the full review of the implementation of the Beijing Declaration and Platform for Action will be done in parallel with the 2030 Agenda for Sustainable Development. Consequently, the Report of Montenegro on the implementation of the Beijing Declaration and Platform for Action (BPfA) AND 2030 Agenda for Sustainable Development (2030 Agenda), considers the progress in the view of laws, policies and strategies; institutional mechanisms for gender equality; transformation of discriminatory norms and gender stereotypes; investment to cover gaps in resources; responsibilities for existing obligations and capacity building, data collection, monitoring and evaluation. Achievements are evaluated on the basis of evidence as well as obstacles and challenges in these areas. The Report of Montenegro synthesizes the progress over the last five years (approximately 2014 - 2019).

The Report of Montenegro on the implementation of the Beijing Declaration and Platform for Action (BPfA) AND 2030 Agenda for Sustainable Development contains:

- Chapter 1 - macro analysis of priorities, achievements, challenges and failures, with a focus on the past five years (i.e. from 2014 to 2019); as well as with a focus on new and emerging priorities for the future.
- Chapter 2 - a more detailed analysis of the measures taken to improve gender equality in 12 critical areas of importance for the BPfA with a focus on the last five years. Answers to questions that encourage thinking about how the BPfA and 2030 Agenda can be implemented, mutually reinforcing ways to accelerate progress for all women and girls. For each of the areas, concrete examples of undertaken measures, challenges and achievements and used documentation data were provided, there where data were available.
- Chapter 3 - national processes and mechanisms for implementation and monitoring of the Beijing Declaration and Platform for Action and the 2030 Agenda for Sustainable Development.
- Chapter 4 - progress in terms of the availability of data categorised by gender and gender statistics, linking the implementation of the Beijing Declaration and Platform for Action to gender responsive implementation of the 2030 Agenda for Sustainable Development.

In the preparation of the Report of Montenegrin, data from relevant national strategies and action plans for specific areas of interest were used. As a basic strategic document for the implementation of gender equality policies, the *Action Plan for the Achievement of Gender Equality in Montenegro - APAGE* which is based on the Beijing Declaration and Platform for Action, and defines critical areas where gender inequality is expressed and contains targets and measures for achieving gender equality in those areas of social life, which are recognized by the Beijing Declaration as well.

Bearing in mind the aforementioned, the Commission for Monitoring the Implementation of the Action Plan for the Achievement of Gender Equality in Montenegro 2017-2021 (APAGE), with the Government's conclusion, is designated to be the National Mechanism for Implementation and Monitoring of the Beijing Declaration and Platform for Action, and is put in charge to as a working group prepare this Report.

The Commission for Monitoring the Implementation of the Action Plan for the Achievement of Gender Equality, composed of representatives of ministries, as well as relevant non-governmental organizations, at its session held on 8 May 2019, reviewed this National Report prepared in the consultative process coordinated by the Ministry of Human and Minority Rights - Gender Equality Department. Contributions to the preparation of this Report have been provided by various state institutions, which in the form of annexes are added to the Report.

The Report of Montenegro will be fed into the global synthesis report that UN-Women will submit at the 64th session of the Commission on the Status of Women to be held in March 2020.

## SECTION I

### PRIORITIES, ACHIEVEMENTS, CHALLENGES AND SETBACKS

#### *1. Most important achievements, challenges and set-backs in progress towards gender equality and the empowerment of women over the past 5 years*

Towards achieving gender equality and empowerment of women in Montenegro there is an evident progress in the past five years. The process of defining the priorities on which mentioned progress is based, has certainly been influenced by international instruments for human rights, the documents of the United Nations, the Council of Europe, the European Union and specialized international organizations in so far as they relate to gender equality. Conclusions of the Fourth World Conference on Women, Beijing Declaration and Platform for Action are some of the basic documents on which Montenegro has based its strategic and legislative framework.

Out of the 12 critical areas where gender inequality is most pronounced in the Beijing Declaration, Montenegro has opted for eight areas on which it intends to work in order to achieve gender equality, as follows: Improving Human Rights of Women and Gender Equality; Gender Sensitive Education; Gender Equality in Economy; Gender Sensitive Health Care; Gender Based Violence; Gender Equality in the Media, Culture and Sport; Equality in the Decision-Making Process in Political and Public Life; Institutional Mechanisms for the Application of Gender Equality and International Cooperation.

One of the most important achievements in accomplishing gender equality and empowerment of women is the **improvement of anti-discrimination legislation**, national action plans and the development of institutional mechanisms for gender equality at the state and local levels.

The Law on Amendments to the Law on Gender Equality adopted by the Parliament of Montenegro in 2015, stipulates that issues of indirect and direct discrimination based on sex (in addition to all forms of discrimination) are addressed by the Protector of Human Rights and Freedoms of Montenegro, within the scope of its competence, and that the complaints in the cases of discrimination based on sex have been transferred from the competence of the Ministry for Human and Minority Rights to the competence of the Protector. It is important to note that this Law has extended the scope of sanctions regarding gender discrimination and breaches of the principle of equal treatment of men and women in certain areas of life, including discrimination against women due to pregnancy.

The Law on Amendments to the Law on Gender Equality is harmonized with the Law on Prohibition of Discrimination, as well as with the EU *Acquis*.

The Law on Prohibition of Discrimination was amended in 2014 and 2017, as well as the Law on the Protector of Human Rights and Freedoms (2014), the Law on Gender Equality (2015), and the new Law on Prohibition of Discrimination against Persons with Disabilities was adopted in 2015, which all together have established stronger obligation to protect against all forms of discrimination, for which violation were introduced penal provisions, and given greater powers to the Institution of the Protector of Human Rights and Freedoms.

In addition to the existing institutional mechanisms for implementing gender equality policies: the Ministry of Human and Minority Rights - Gender Equality Department, the Committee for Gender Equality of the Parliament of Montenegro and the Institution of the Protector of Human Rights and Freedoms of Montenegro, alongside the contact persons from all relevant institutions, which are obliged to perform activities related to the achievement of gender equality, at the national and local levels, on 24 October 2016 was also established the National Council for Gender Equality, which is a new institutional mechanism for achieving gender equality. As a professional advisory body, it was formed to consider the matters of implementation of gender equality policies at national and local levels.

In accordance with the Law on Gender Equality, the ministries and administrative authorities nominated officers to perform the duties of coordinators of activities related to issues of gender equality within their relevant competencies, and take part in the preparation and implementation of action plans.

The Action Plan for Achieving Gender Equality in Montenegro 2017 - 2021 (hereinafter referred to as the APAGE) was adopted, which represents the third development document for implementation of gender equality policy in Montenegro. Like the previous two, it is based on the international and domestic legal framework that addresses the matter of gender equality.

In addition to institutional mechanisms at the national level, also mechanisms at the local level have been established. In Montenegro, in the previous period, gender equality policy significantly improved within the framework of local self-governments, thanks to the activities of both the Ministry of Human and Minority Rights, and its perennial partners, the OSCE Mission to Montenegro, the UNDP Office in Montenegro, as well as partners from local self-governments and the civil sector.

In 2015, in addition to the existing ones, seven additional memorandums of cooperation with the following municipalities were signed: Gusinje, Plav, Andrijevica, Petnjica, Savnik, Zabljak and Pluzine. With this, the process of signing memorandums (a total of 23) with all municipalities, except Tuzi, which is a recent municipality, is finished were signed.

Coordinators for Gender Equality have been nominated in 21 municipalities. The Decision on Gender Equality was adopted in 18 municipalities.

The Councils for Gender Equality were formed in 12 municipalities, and 5 municipalities formed Offices for Gender Equality. Also, the municipalities carried out a training of employees in local self-governments, on issues of gender equality and in general on anti-discriminatory legislation. Coordinators for Gender Equality were nominated in 21 municipalities. The Decision on Gender Equality was adopted in 18 municipalities.



Although institutional mechanisms for gender equality in Montenegro have been improved over the past five years, women continue to face different forms of discrimination in the political, social and economic spheres.

Roma and Egyptian women are still living on the margins of society, therefore the continuation of the work in the fields of education, health care, housing and employment is needed.

Women with disabilities are also exposed to multiple discrimination and physical access to institutions remains one of the most obvious problems.

A solid legal framework for eliminating discrimination against women has a limited impact, and it is evident a small number of complaints on discrimination based on sex and gender.

The position in the organizational structure, the financial and administrative support of the Gender Equality Department as a national mechanism for achieving gender equality is insufficient to strengthen its capacity to formulate, implement, advise, coordinate and monitor the preparation and implementation of legal regulations and policies in the field of gender equality.

Analysing the situation in local self-governments, it was concluded that municipalities lack sufficient resources to establish their own structures for gender equality, the adoption and effective implementation of local plans for gender equality.

Significant achievements in Montenegro have been accomplished in the field of ***economic empowerment of women***.

Even though the percentage of working-active populations of both sexes has been reduced, women in Montenegro still have one-third less chances than men to be employed. The male population is significantly more represented within the working-active population. There are also significant differences in the level and type of economic engagement of women, depending on age, level of education and the place where they live. On the inferior status of women indicates also the fact that women who are significantly more present in the category of inactive population, are more and more present in the grey economy.

The low percentage of women's ownership over business entities (which in 2015 amounted to only 9.6%, according to Tax Administration data) is one of the best indicators of gender inequality when it comes to women's economic power.

In this context, mechanisms have been created and strategic documents adopted in line with EU principles which, among other things, foresee support for economic empowerment of women and women's entrepreneurship. Nevertheless, the development of women's entrepreneurship requires further improvement of the conditions and instruments of the necessary support, which will significantly change the position of women entrepreneurs in Montenegro.

In the previous period, the fragmentation in approach to the strengthening of women's entrepreneurship through various strategic documents have been identified, therefore the APAGE foreseen the preparation of a women's entrepreneurship strategy. By adoption of this strategic document, Montenegro stressed the need for an integrated approach to strengthening women's entrepreneurship, based on the gender sensitivity of all actors of political, economic and social life.

The measures taken over the last five years in the field of economic empowerment of women have certainly had an impact on the development of women's entrepreneurship, as evidenced by the fact that in 2018, according to the Tax Administration data, the percentage of entrepreneurs, as well as the women owners of micro, small and medium enterprises amounted to 24.3 % of the total number of business entities, which is a significant improvement compared to 2015. Statistics are certainly not the only indicator of success, especially if all the circumstances affecting statistical data are taken into account.

***Violence against women and domestic violence*** remain one of the priority issues in the area of gender equality, especially if we take into account the widespread use of gender-based violence in Montenegro.

After adoption of the Law on Protection against Domestic Violence<sup>1</sup>, adoption of the Strategy for the Protection against Domestic Violence of June 2011 for the period 2011-2015, by the Government of Montenegro, as well as the signing of the Protocol on Treatment in November 2011, legal and institutional framework for action in this area in Montenegro is completed. With the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) on 22 April 2013 and its entry into force on 1 August 2014, Montenegro has undertaken a number of new obligations regarding the structural prohibition of discrimination and enforcement the principle of "zero tolerance" towards the violence against women and domestic violence through the effective and coordinated cooperation of all competent authorities, institutions and organizations.

In March 2015, the Ministry of Labour and Social Welfare formed a working group for the development of a new Strategy for the period 2016-2020, which was shortly afterwards adopted, by which in accordance to the challenges were defined five goals. They are defined so to direct the resources of the state for the next five years, as of its adoption, towards strengthening the system of protection both at sectorial and multi-sectorial levels, in accordance with the Istanbul Convention and other international acts regulating this area. Since the adoption of the Law on Protection against Domestic Violence, the number of reported cases of domestic violence and violence against women has increased constantly from year to year, suggesting that the Law applies in practice, with increased awareness of the importance of reporting. Data from the Misdemeanour Council and the Supreme Court for 2014 show a higher degree of prosecuted and resolved cases. These data indicate the visibility of the phenomenon itself and the improvement of the framework that encourages victims to report violators and make steps towards the exit from the situation of violence.

Despite the efforts of the State to improve the legislative framework and its implementation, the impact of overall social and personal gender perceptions across the institutional support system results in a poor multi-sectorial response to violence, especially in cases of domestic violence, although there are clear instructions and procedures on institutional cooperation in relation to domestic violence and violence against women, with a detailed explanation of the role of the police, health, education and social protection system.

The inherited experience of patriarchal power, which gives a man the right to a privileged position in relation to a woman, is still one of the key obstacles to the exercise of the right to protection from domestic violence. Unfortunately, violence against women is still often

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<sup>1</sup> Until the adoption of this Law, this area was regulated by criminal and procedural laws.

treated as a family/private problem, although the legal framework, specifically the Law on Protection from Domestic Violence (Article 9), prescribes the duty of state authorities, other authorities, health, educational and other institutions to report violence to the police, in the case of suspicion that violence, of which they have learned in the performance of the duties in their competence, or work activities, is committed.

The UNDP Survey on Violence Perception gives the information that 92% of citizens rated domestic violence as significantly present, while only 13% stated that they felt comfortable talking or reporting the same. The same research confirmed the high tolerance for domestic violence in the society as a whole, bearing in mind that one out of four citizens said violence was justified. Also, in only 36% of cases, wider family members would be prepared to provide support and protection to victims of violence.<sup>2</sup>

Noteworthy achievements Montenegro has also achieved in the field of ***Equality in the decision-making process in political and public life.***

The Law on Amendments to the Law on the Election of Deputies and Members of Parliament from March 2014 improved the quota system on the candidate lists in the elections whereby the legislator tried to increase the participation of women in the authorities of representative government.

Amendments of electoral legislation from 2014, have affected the 2016 parliamentary elections. In the present convocation of the Parliament of Montenegro (26th convocation) of 81 MPs 19 are women or 23.46%, which represents an increase compared to the 25th convocation when there were 15 women or 18.5%.

Although this represents historically the biggest participation of women in parliament ever, participation is still below the minimum requirement of 30%, as a temporary measure for achieving a complete goal in the future.

According to the conducted assessment of the main obstacles to the further development of women's political participation, some of the major causes identified are:

- a) lack of women's solidarity;
- b) lack of possession of the real power position;
- v) perception of political groups of women as predominantly humanitarian organizations;
- g) a chronic lack of public support;
- d) gender roles in the perception of political leaders;
- e) economic dependence of women and lack of economic influence;
- ž) very few strong models in politics.<sup>3</sup>

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<sup>2</sup> ACTION PLAN FOR THE ACHIEVEMENT OF GENDER EQUALITY IN MONTENEGRO (APAGE) 2017-2021 WITH THE IMPLEMENTATION PLAN FOR THE PERIOD 2017-2018.  
<http://www.minmanj.gov.me/ResourceManager/FileDownload.aspx?rid=270269&rType=2&file=PAPRR%202017%20-%202021.pdf>

<sup>3</sup> ACTION PLAN FOR THE ACHIEVEMENT OF GENDER EQUALITY IN MONTENEGRO (APAGE) 2017-2021 WITH THE IMPLEMENTATION PLAN FOR THE PERIOD 2017-2018.

## ***2. Top five priorities for accelerating progress for women and girls in your country over the past five years through laws, policies and/or programmes***

### *- Equality and non-discrimination under the law and access to justice*

Montenegrin courts are strongly committed to creating a legal space based on respect for human rights, including the rights of all women and girls, without discrimination on any ground.

„The Constitution of Montenegro guarantees the right to have everyone equal before the law, regardless of any particularity or personal characteristic. Also, in terms of access to justice, everyone has the right to equal protection of their rights and freedoms and to remedies against a decision that decides on his or her right or legally-based interest. In addition, everyone is entitled to a fair trial and public hearing within a reasonable time before an independent and impartial tribunal established by the law, which right is guaranteed by the European Convention on Human Rights, without discrimination on any ground.

Significant preconditions for equal access to justice in Montenegro have been met by the adoption of the Law on Free Legal Aid, which is in application as of 1 January 2012. The law regulates a comprehensive system of providing free legal aid and facilitates access to court for persons with lower property status. When it comes to the victims of the criminal offenses of domestic violence and trafficking, they have the status of privileged beneficiaries under this law, and this protection is provided without prior assessment of the property status. The effectiveness of the free legal aid institute is improved and access to justice has been enhanced through the adoption of the *Law on Amendments to the Law on Free Legal Aid in 2015*.

In order to achieve the measures envisaged in the Strategy for the Reform of the Judiciary for 2014 - 2018 and the accompanying action plan, where, as part of the strategic goal of "strengthening access, transparency and public trust in judiciary", as one of the strategic guidelines, it is envisaged to develop and improve the system of free legal aid. Consequently, the following activities were undertaken in the previous period:

- Association of Judges of Montenegro produced a brochure on the right to free legal aid, which was disseminated to the basic courts and published on their websites, and info-flyer on free legal aid which is made with the support of UNDP is delivered to all basic courts, centres for social work and post offices;

- The method of collecting and analysing information on providing free legal aid has been enhanced by providing access to Judicial Information System (PRIS) to the Ministry of Justice. Namely, PRIS can provide real-time access to information on providing free legal aid, in such a way as to for each individual court on a daily basis can be retrieved data on the number of submitted requests for free legal aid, on the manner of making decisions on the requests, on statistics per persons who have been granted free legal aid, on statistics per users, as well as on the form of legal assistance provided and the total amount of paid and returned funds on the bases of the provision of free legal aid.

- In cooperation with the Association of Judges and the Centre for the Democratic Transition with Courts, a free legal aid brochure was developed and placed on the courts' Internet pages.

- With a view to affirming the system of free legal aid among students of law faculties in Montenegro, based on the Memorandum of Cooperation signed by the Supreme Court of Montenegro and the Faculty of Law of the University of Donja Gorica, two assistant lecturers were sent to Podgorica Basic Court.

Between 2014 and 2016, women injured in various types of criminal offenses submitted a total of 88 requests for free legal aid. Out of that number, 83 requests were adopted, 3 requests were rejected, while 2 requests were dismissed. <sup>4</sup>

- *Eliminating violence against women and girls*

After the ratification of the Istanbul Convention and the implementation of the obligations in it defined in national legislation, plans and policies, Montenegro has placed the elimination of violence against women and girls as a key priority for accelerating progress for women and girls.

An assessment of the implementation of the Istanbul Convention in Montenegro was carried out by the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), an independent human rights monitoring body tasked with monitoring the implementation of the Convention.

The first GREVIO Report for Montenegro (2018) highlights the overall progress made by the authorities in Montenegro in building the legislative, political and institutional framework for preventing and combating violence against women. Particularly welcomed is the introduction of important laws, action plans and strategies dealing with some forms of violence against women, especially with domestic violence.

The most prominent example is the Law on Protection from Domestic Violence, a central document in the Montenegrin approach to fighting domestic violence. The Law introduces the criminal offense of domestic violence with the main aim of providing legislative authorities with a more effective response to domestic violence, since the options available under the Criminal Code are considered unsatisfactory. What is important is that for the first time are introduced emergency measures for protection and prohibition of access for emergency cases as well as other important rights for victims of domestic violence such as the right to free legal aid. New amendments to the Criminal Code foresee the criminalization of other forms of violence against women envisaged by the Convention, above all stalking, genital mutilation of women and forced sterilization.

„GREVIO welcomed the steps towards a more complete implementation of the Istanbul Convention, but also noted that most attention in legislation and policy-making was directed to domestic violence. Measures dealing with other forms of violence against women still

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<sup>4</sup> Data from the Report of the Supreme Court of Montenegro, April 2019 - Annex 1

need to reach the same level of comprehensiveness, especially in terms of forced marriage, rape and stalking.

Cases of rape are significantly less reported, due to the cultural stigma attributed to the victims. The experience of rape victims with the criminal legal system point to a deep-rooted social attitudes that prevent effective judicial outcomes, thereby adding unwillingness to report rape. The victims of rape and sexual abuse in Montenegro are too often alone in the judicial system, which does not seem to be overly gender-sensitive.“<sup>5</sup>

The Montenegrin public is acquainted with the findings of the GREVIO Committee through the Committee for Gender Equality of the Parliament of Montenegro which held a session of the Women's Parliament, broadcasted directly, during which the Rapporteur of the GREVIO Committee for Montenegro, Marcelina Naudi, presented the GREVIO Committee Report on the assessment of legislative and other measures to apply the provisions of the CoE Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention) for Montenegro.

In December 2015, the Strategy for Protection against Domestic Violence for the period 2016 - 2020 was adopted.

In 2016, the Government adopted a Report on Implementation of the Law on Protection against Domestic Violence, which presented the results of the implementation of the Law for the period 2010-2015, which contains recommendations for improving the situation in the field of protection against domestic violence.

The mentioned Law was rated as very good and in line with international standards. Problems in its application that came through data analysis do not derive from legal solutions, but from problems of law interpretation, lack of financial, operational and human resources, insufficient level of sensitization of persons applying the law, and so on. The Report identifies good practices that relate to: intensive work on harmonizing the overall legislation with this Law; the work of centres for social work and the introduction of new measures to assist and protect victims of domestic violence; successful activities in raising awareness and training of experts; good cooperation and involvement of NGO sector; provision of free legal aid to victims of domestic violence; increased sensitization in the work of the police and overall good realization of protection measures and reporting of cases of domestic violence; formation of multidisciplinary teams; implementation of the Protocol on Treatment, Prevention and Protection against Domestic Violence; an increased number of convictions for reported misdemeanours and an increased number of ordered protection measures; the opening of the national SOS line, while shortcomings such as insufficient level of coordination in dealing with victims of violence between institutions have been identified; lack of sufficient capacity and resources of centres for social work and health care institutions; lack of separate and specialized services for children victims of domestic violence; lack of a single method of data collection and lack of indicators for evaluation and

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<sup>5</sup> Report of the GREVIO Committee on the Assessment of Legislative and Other Measures Applying the Provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) MONTENEGRO, 25 October 2018.

monitoring of their application; inadequate training of health workers and health associates for specific types of violence (violence against children, women, persons with disability, elderly persons, etc.), with regard to identification of victims and reporting cases of domestic violence.

In this regard, recommendations are given to institutions regarding the strengthening of human and operational capacities of centres for social work in the area of protection against domestic violence; development of an integrated data collection system and indicators for monitoring and evaluation of cases of domestic violence, as well as the implementation of specific training of health workers for the recognition of certain types of violence, and to in primary health care facilities where there are no trained expert teams for implementation of protection measure of compulsory psychosocial treatments, form such expert teams to implement this protection measure.

- *Access to health care, including sexual and reproductive health and reproductive rights*

The general principles of equality and non-discrimination are based on the Law on Health Care, the Law on Health Insurance, the Law on the Rights of Patients, the secondary legislation passed pursuant to the law, as well as other regulations based on these laws and refer to the Health Policy Sector. In order to create and implement appropriate policies, the Strategy for Preservation and Promotion of Reproductive and Sexual Health for the period 2013-2020 was adopted.

The Law on Health Care established that in the exercise of the right to health care citizens are equal regardless of nationality, race, sex, gender identity, sexual orientation, age, disability, language, religion, education, social origin, property status and other personal characteristic in accordance with the law.

The Law on the Rights of Patients stipulates that the equal right to quality and continuous health care is guaranteed to each patient in accordance with his health condition, generally accepted professional standards and ethical principles with the right to alleviate pain and suffer in each stage of disease and condition at all levels of health care.

The Law on Conditions and the Proceedings for Termination of Pregnancy has determined that a doctor of gynaecology and obstetrics is obliged to in each case when termination of pregnancy is requested, introduce pregnant woman or parent, adoptive parent, guardian or guardianship authority to medical methods and means for terminating pregnancy and to point to the danger and the adverse effects on health that may occur due to termination of pregnancy.

In case of admission of patients who have suffered any form of physical, psychological or physical violence, a health worker at the appropriate health institution is obliged to identify the violence if it is recognized and reported to the Ministry of Interior for processing and taking appropriate actions to protect against violence.”<sup>6</sup>

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<sup>6</sup> Information from the Ministry of Health of Montenegro - Annex 2.

- *Political participation and representation*

Amendments to the Election Law in Montenegro (2014) improved political participation of women, increased number of women on electoral lists, and percentage of women's representation in legislative authorities.

The current 26th convocation of the Parliament of Montenegro comprises of 81 members of which 19 are women or 23.46%, which represents an increase compared to the 25th convocation when there were 15 women or 18.5%.<sup>7</sup>

Under the IPA 2014 project "Support to Anti-Discrimination and Gender Equality Policies" implemented by the Ministry of Human and Minority Rights, in cooperation with UNDP Office in Montenegro, with the financial support of the Delegation of the European Union in Montenegro, an intensive process of political strengthening of woman was conducted. Within the framework of the project, in November 2017, a Women's Political Network (WPN) was formed consisting of representatives of 16 ruling and opposition parties in Montenegro. The Women's Political Network of Montenegro since the formation in 2017, has achieved significant results:

- At the initiative of NGOs, women MPs and WPN were adopted amendments to the Criminal Code relating to the compliance of the definition of rape to the Istanbul Convention;
- Amendments to electoral legislation have been prepared with the aim of improving the political participation of women in Montenegro and increasing the 40% quota and submitted to the OSCE/ODIHR Working Group for the Implementation of the Recommendations;
- Support from 14 political parties for proposed amendments to electoral legislation was obtained;
- 14 municipalities (Podgorica, Budva, Bar, Ulcinj, Tivat, Danilovgrad, Kolasin, Mojkovac, Bijelo Polje, Pljevlja, Rozaje, Plav, Berane, Herceg Novi) allocated special funds for women entrepreneurship in 2019 budgets, in the total of EUR 158,000 at the WPN initiative.

The Women's Political Network continually carries out education and training within the political parties in Montenegro in order to promote gender equality in political parties, strengthen women's organizations and create party capacities to run women for decision-making positions both within the parties and on functions in the legislative or executive branch.

- *Women's entrepreneurship and women's enterprises*

The ambition of Montenegro is to become an entrepreneurial society with a high quality and flexible relationship with small and medium-sized enterprises and entrepreneurs.

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<sup>7</sup> Data from the ACTION PLAN FOR ACHIEVING GENDER EQUALITY (APAGE) 2017-2021 WITH THE PROGRAM FOR IMPLEMENTATION FOR THE PERIOD 2017-2018.



The current framework for action to intensify the development of small and medium-sized enterprises is defined by the Strategy on Promotion of Competitiveness at the Micro Level 2011-2015, and in particular the Strategy for Development of Small and Medium-Sized Enterprises 2011-2015, which, as a special task, envisages the activities of encouraging women's entrepreneurship. Nevertheless, the development of women's entrepreneurship requires further improvement of the conditions and instruments of the necessary support, which will significantly change the position of women entrepreneurs in Montenegro.

By adopting the Strategy for Development of Women's Entrepreneurship 2015-2020, Montenegro emphasizes the need for an integrated approach to strengthening women's entrepreneurship, based on the gender sensitivity of all actors of political, economic and social life.

However, the deeply rooted patriarchal attitudes of men and women in Montenegro still represent a significant barrier to the development of women's entrepreneurship. Gender inequality is manifested through a low level of representation of women in leadership and decision-making positions, economic inequality, feminization of certain professions, segregation of educational profiles, difference in earnings (for jobs of the same value) and ownership of property, as well as unequal distribution of family responsibilities. The increased risk of poverty for women is followed by a lower employment rate, the difference in earnings and dominance of men in entrepreneurial activity.

Having this in mind the Montenegrin institutions that are the carriers of the activities defined by the Strategy for Development of Women's Entrepreneurship are constantly creating preconditions for launching four Strategy targets:

1. Creating favourable business environment for the development of women's entrepreneurship;
2. Better access to finances;
3. Providing the necessary knowledge and skills;
4. Promotion, networking and advocating the interests of women entrepreneurs.

Progress has been made in all areas and a large part of the activities defined by the annual action plans by 2018, from the Strategy for Development of Women's Entrepreneurship 2015-2020 has been successfully implemented.<sup>8</sup>

### ***3. Measures to prevent discrimination and promote the rights of women and girls who experience multiple and intersecting forms of discrimination over the past five years***

- *Racial, ethnic or religious minority women*

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<sup>8</sup> Data from THE REPORT ON THE REALIZATION OF THE 2017 ACTION PLAN FOR THE DEVELOPMENT OF THE STRATEGY FOR DEVELOPMENT OF WOMEN'S ENTREPRENEURSHIP IN MONTENEGRO FOR 2015-2020, the Ministry of Economy, 2018.

In March 2016, the Government of Montenegro adopted the Strategy for the Social Inclusion of Roma and Egyptians in Montenegro 2016-2020. The Strategy has seven areas: housing, education, health care, employment, legal status, social status and family protection (within which four sub-areas are defined: fight against domestic violence and violence against women, prevention and suppression of begging; fight against trafficking in human beings and the prevention of child unlawful marriages), culture, identity and information.

The Committee for Gender Equality of the Parliament of Montenegro continuously affirms the anti-discrimination policy as well as activities that stimulate the improvement of the overall position of the Roma community, respect for human rights and freedoms, and in particular the creation of conditions for a better position and protection of children and women in the Roma population.

As far as employment is concerned, unlike 2005, when the "Decade of Roma 2005-2015" project was launched when there were no Roma and Egyptian employees in state authorities, during the period covered by this report, in state and local self-government authorities, ten members of Roma and Egyptian populations is employed, and 18 attended faculties. It is planned to employ two healthcare Roma mediators and about 20 mediators in education during 2017.

So far, mediators have been paid through projects. The Ministry of Human and Minority Rights continuously organizes education of parents, children, RE women activists, state administration officers on protection against domestic violence and juvenile forced marriages among the Roma population in all Montenegrin cities where a significant number of members of this population live. The activity is carried out in cooperation with the Ministry of Interior, the Office for Combating Trafficking in Human Beings, local self-government, the Roma Counsel, Roma NGOs.

Campaigns and visits to Roma settlements regarding the problem of violence against women and forced marriage of RE girls are organized in addition to education. Continuous education also is being organized to empower members of minority nations and other minority national communities, focusing on Roma women, in order to empower them to engage in politics.

According to data from 2015, health care at the Konik Camp, where members of the RE population live, is very well organized, as more than 10,000 persons have selected their doctor, of which 6,456 selected doctors for adults, 1,743 selected doctors for children and 1,886 selected gynaecologist. Educational brochures were also provided to inform residents of this settlement about the availability of health care. In 2016, the Ministry of Human and Minority Rights organized ultrasound and gynaecological examinations for 30 Roma and Egyptian women from Konik Kamp.

- *Women living with disabilities*

The Employment Agency of Montenegro continuously monitors the process of **professional rehabilitation**, which is carried out with the aim of training an individual for social and

labour integration, while including measures and activities that enable persons with disabilities and other difficult-to-employ persons, as a target group, appropriately qualify to work, keep employment, advance or change professional career. The essence of professional rehabilitation involves identifying problems, assessing remaining work ability, routing, and training for employment, with psycho-social support and employment at the end, keeping employment, and advancing in it. The Employment Agency analyses this process and collects data in continuity.

On 31 December 2016, 144 employers were entitled to a subsidy for 222 persons with disability, of whom 94 were women. The data for the reporting period at annual level are given in Annex 3<sup>9</sup>.

- *Women living in remote and rural areas*

The Ministry of Agriculture and Rural Development through the Program for Development of Agriculture and Rural Areas of Montenegro within IPARD II 2014-2020 (IPARD II Program) is continuously implementing the incentive measures<sup>10</sup> for women from rural areas

There is an increasing number of women who are carriers of agricultural holdings. From 2016 till nowadays, 1,349 agricultural holdings where women are carriers of holdings are registered in the *Register of Agricultural Holdings*. The measures supported by the Ministry of Agriculture and Rural Development have enabled the modernization of holdings, strengthening of production competitiveness, increasing the productivity of holdings, reducing costs, increasing product quality, hygiene and food safety.

#### ***4. Impact of humanitarian crises on the implementation of the BPfA in Montenegro***

The increasing number of humanitarian crises triggered by conflict, extreme weather or other events still does not affect the implementation of the BPfA in Montenegro.

#### ***5. Top five priorities for accelerating progress for women and girls in your country for the coming five years through laws, policies and programmes***

Action Plan for Achieving Gender Equality (APAGE), which is adopted for a period of four years (2017-2021) for areas defined in accordance with the Beijing Declaration and the Plan of Action is a major national strategic document. As mentioned above, out of 12 critical areas where gender inequality is most pronounced in the Beijing Declaration, Montenegro has opted for eight areas in which it intends to work in order to achieve gender equality, as follows: Improving Human Rights of Women and Gender Equality; Gender Sensitive Education; Gender Equality in Economy; Gender Sensitive Health Care; Gender Based Violence; Gender Equality in the Media, Culture and Sport; Equality in the Decision-Making

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<sup>9</sup> Information of the Employment Agency of Montenegro - Annex 3

<sup>10</sup> More details on incentive measures in the Information of the Ministries of Agriculture and Rural Development - Annex 4

Process in Political and Public Life; Institutional Mechanisms for the Application of Gender Equality and International Cooperation.

Bearing in mind the areas for which Montenegro has opted in the APAGE and the relevant categories given in the Guidance note for comprehensive national-level reviews, the following five categories can be defined as five priorities to accelerate the progress of women and girls over the next five years:

### I Quality education, training and life-long learning for women and girls

One of the nine areas in which Montenegro has set the strategic goal for achieving gender equality is the introduction of gender sensitive education at all levels of education.

In achieving this goal, the strategy has defined the following achievements with indicators:

- ✚ In primary and secondary schools there is a gender component. Effect Indicator: Percentage of teachers applying the goals from the inter-relative area of gender equality for primary and secondary schools.
- ✚ Level of knowledge of employees in the education system on gender equality increased. Effect Indicator: At least 25% of pre-school, primary and secondary education institutions included in the training program and one representative of each institution increased her/his own level of knowledge in the area of gender equality.
- ✚ The gender balance in the selection of professions in secondary and higher education institutions achieved. Effect indicator: Percentage of boys and girls educated for professions that are not traditionally represented increased.
- ✚ Gender equality in higher education institutions improved. Effect indicator:
  - Level of knowledge of employees in higher education on gender equality increased.
  - Gender component integrated into the implementation of higher education programs.

### II Eliminating violence against women and girls

The next strategic goal set by Montenegro for achieving gender equality is the suppression of all forms of gender-based violence, violence against women and domestic violence, and the improvement of the position and protection of the rights of victims of all forms of gender-based violence.

In pursuit of this goal, the strategy has defined the following achievements with indicators:

- ✚ Legislative framework and technical conditions for effective implementation of safeguard measures and more effective sanctioning of violent persons improved. Effect indicator:
  - The legal framework for protection against gender-based violence is in line with international documents and positive practice.
  - Capacities of competent services to adequately respond to violence and provide adequate protection for victims of violence strengthened.
- ✚ An effective system for monitoring implementation of the measures from the Strategy for Combating Trafficking in Human Beings 2012-2018 has been established. Effect indicator:

- There is at least one report per year on the implementation of measures from the Strategy for Combating Trafficking in Human Beings 2012-2018, with recommendations for improving situation.
  - ✚ Public awareness on the phenomenon, problems and ways of combating gender-based violence raised. Effect indicator:
- Number of detected acts of gender-based violence and domestic violence increased and traditional harmful practices that support violent behaviour reduced.
  - ✚ Social and other support and protection system for all victims of domestic violence enhanced. Effect indicator:
- Number, types and availability of support services for victims of domestic violence increased for 25%. The quality of the provided services and the degree of satisfaction of the beneficiaries.
- Sustainability of social and other services of civil society institutions and organizations in the field of protection against family violence improved.
  - ✚ Awareness among citizens, especially civil servants responsible for implementing the law on all forms of discrimination and gender-based violence and their education developed. Effect indicator:
- Level of awareness regarding the legislative and institutional framework for the protection against discrimination increased.
- Level of information and expertise of civil servants to provide effective protection and support to victims of gender-based violence enhanced.

### III Access to affordable quality health care, including sexual and reproductive health and reproductive rights

The strategic goal of Montenegro over the next five years is gender-sensitive health care, i.e. the promotion of accessible gender-sensitive health care.

In pursuit of this goal, the strategy defines the following achievements with indicators:

- ✚ Prevention and early detection of malignant diseases enhanced. Effect Indicator: National early detection program improved and minimum one year campaign organized.
- ✚ Measures to preserve the reproductive health of all women and girls improved. Effect Indicator: Accessible and comprehensive health care and support for all women, especially vulnerable categories (women from rural areas, women with disabilities, victims of trafficking, etc.) in all municipalities in Montenegro provided.
- ✚ Sensitivity of health workers to gender-sensitive health care increased. Indicator: Awareness and knowledge of health workers on the concept of gender equality and the importance of gender sensitive health care increased.
- ✚ Response of the health system in the area of recognition and response in cases of violence improved. Effect Indicator: Level of information of health workers on the legal obligations and regulations of the Protocol on the Treatment, Prevention and Protection against Domestic Violence signed by the Ministry of Health increased.

#### IV Political participation and representation

Equal participation of women and men at all levels of decision making is another of the basic strategic goals for achieving gender equality in Montenegro.

In achieving this goal, the strategy has defined the following achievements with indicators:

- ✚ Balanced representation of women and men in the legislative branch at all levels achieved. Effect indicator:
  - At least 40% of women MPs in the Parliament of Montenegro by 2020.
  - At least 50% of parliamentary parties adopted affirmative measures for political empowerment of women within the party.
  - At least 50% of parties carry out gender-conscious campaigns, and programs contain measures to achieve gender equality.
  - At least one activity per year realized through a joint action of women from parliamentary parties.
  - At least three women's party organizations have an independent annual budget of up to 10% of total party budget income.

#### V Women's Entrepreneurship and Women's Enterprises

One of the most important goals for achieving gender equality is to increase women's employment and eliminate all forms of discrimination against women in the labour market.

In achieving this goal, the strategy has defined the following achievements with indicators:

- ✚ Employability of women, especially of the difficult-to-employ categories increased. Effect Indicator: Number of employed women, especially the percentage of difficult-to-employ categories increased.
- ✚ Women entrepreneurship and self-employment encouraged. Effect Indicator: Legal framework improved and special support measures for the development of entrepreneurship and self-employment of women at national and local level provided.  
Local institutions and women's capacities so to enable and stimulate entry into entrepreneurship empowered. Effect Indicator: Local support services engaged and cooperation between financial institutions and women as credible clients of financial institutions established.
- ✚ A high degree of harmonisation of work and family responsibilities between women and men achieved. Effect Indicator: Legal framework provided and practice that allows the use of work engagements that enable the harmonisation of work and family responsibilities of women and men promoted.
- ✚ Effective law enforcement ensured and gender-based discrimination in the labour market reduced. Effect indicator: Number of cases of gender-based discrimination on the labour market reduced and number of resolved cases increased.
- ✚ The gap in the earnings of men and women reduced. Effect indicator: The wage gap between men and women in Montenegro decreased for at least 3% by the end of the reporting period (January 2019), with available annual disaggregated data for private and for public sector.

## SECTION II

### PROGRESS ACROSS THE 12 CRITICAL AREAS OF CONCERN

#### I INCLUSIVE DEVELOPMENT, SHARED PROSPERITY AND DECENT WORK

##### *Critical areas of concern*

- *Women and poverty*
- *Women and the economy*
- *Human rights of women*
- *The girl child*

#### **6. Activities Montenegro has undertaken over the last five years advance gender equality in relation to women's role in paid work and employment**

- *Strengthened / enforced laws and workplace policies and practices that prohibit discrimination in the recruitment, retention and promotion of women in the public and private sectors, and equal pay legislation*

**The difference in earnings between men and women in Montenegro according to the latest official data from 2014 is 13.9%**, which means that women earn 86.1% of the average salary earned by men for the same work. Causes for gender pay gap include: patriarchal patterns and stereotypes, as well as the increasing need of women for a balance between work and private life, probably related to taking over the extra responsibility they have as care givers (not only to children but elderly and dependent household members).<sup>11</sup>

The current Law on Labour stipulates that employees have the right to an adequate income, which is determined in accordance with the law, the collective agreement and the employment contract. To an employee, a man or a woman, is guaranteed equal wage for the same work or work of the same value at the employer. Work of the same value implies work requiring the same degree of qualification, i.e. qualification of the level of education or professional qualification, responsibility, skills, working conditions and work outcomes.

In the event of a violation of this right, that is, in case the same earnings are not guaranteed for the same work or work of the same value to an employed man or a woman, such employee is entitled to compensation for the amount of the unpaid earnings.

An employer's decision or an agreement with an employee, which do not comply with the aforementioned are null.

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<sup>11</sup> Action Plan for Gender Equality in Montenegro 2017-2021

Also, the Law on Salaries in the Public Sector does not make the difference in earnings between men and women.

When supervising the implementation of the Law on Labour by the Labour Inspection as well as at carrying out the administrative supervision by the administrative inspection, there were no issues related to the difference in earnings between men and women.

Equality of earnings between men and women is also envisaged in the Proposal of the new Law on Labour, with a difference that in the new Law on Labour a separate Article related to equality of earnings with the same title is worded. Furthermore, the new law stipulates equality of earnings for every employee, without any precise reference to men and women. This is because of more comprehensive regulation of equality of earnings.

- *Improved financial inclusion and access to credit, including for self-employed women*

Financial support to women's entrepreneurship is improved following the adoption of the Strategy for Development of Women's Entrepreneurship. Montenegro's Investment Development Fund has increased the number of credits lines targeted for women and facilitated procedures for obtaining them.

- During 2017, through three credits lines, 34 credits worth EUR 2.4 million were approved. With the Support to Women in Business Programme - UNDP - 14 credits in amount of EUR 128,923.00 were financed;
- With the Support to Women in Business Programme - 15 credits in amount of EUR 2,090,000.00 were financed;
- With the Support to Women in Business Programme - start up - 5 credits in amount of EUR 159,618.00 were financed.

In 2017, the Employment Agency of Montenegro, through the Innovated program for continuous stimulation of employment and entrepreneurship in Montenegro, has approved to women entrepreneurs, 14 credits in the amount of EUR 85,000 for opening 20 new job positions.

The Government of Montenegro has adopted the *Information on the establishment of the Guarantee Fund within the Investment Development Fund of Montenegro (IRFCG)*. In November 2017, the Law on Amendments to the Law on the Investment Development Fund of Montenegro was adopted, thus acquiring the conditions for the establishment of the Guarantee Fund, expected in early 2018. As a prerequisite for the establishment of the Guarantee Fund, the Statute of the Investment Development Fund of Montenegro was amended and the Government of Montenegro adopted the Amendments to the Law on the Investment Development Fund.<sup>12</sup>

During 2017, 2018 and 2019, the Montenegrin Women's Political Network, comprised of representatives of 16 ruling and opposition parties in Montenegro, formed under the IPA II

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<sup>12</sup> Data from THE REPORT ON THE REALIZATION OF THE 2017 ACTION PLAN FOR THE DEVELOPMENT OF THE STRATEGY FOR DEVELOPMENT OF WOMEN'S ENTREPRENEURSHIP IN MONTENEGRO FOR 2015-2020, the Ministry of Economy, 2018.



Project "Supporting Anti-Discrimination and Gender Equality Policies", with an initiative towards the local self-government budgets provided for introducing a new a local mechanism for supporting women's entrepreneurship. Special budget lines in the 2018 and 2019 budgets for female entrepreneurship were introduced in 14 Montenegrin municipalities: Danilovgrad, Podgorica, Ulcinj, Bar, Budva, Tivat, Herceg Novi, Kolasin, Mojkovac, Bijelo Polje, Pljevlja, Berane, Rozaje and Plav, which for this purpose have allocated a total of EUR 110,000 for 2018 and EUR 158,000 for 2019.

- *Active labour market policies introduced/strengthened*

The Employment Agency conducts an active employment policy through plans, programs and measures aimed at increasing employment, i.e. reducing unemployment.

Information measures, counselling, organization of workshops and other activities are carried out within the framework of professional orientation.

In the reporting period, the Employment Agency has implemented a large number of short and long-term programs. The coverage of beneficiaries by specific programs for the reporting period is given in the Information of the Employment Agency of Montenegro - Annex 3.

The Employment Agency is continuously implementing the "Innovated program for continuous stimulation of employment and entrepreneurship in Montenegro" (known as "Innovated Self-Employment Program"). This program implies financing the start up of own business for unemployed persons as well as crediting to small and medium-sized enterprises under more favourable market conditions. For the credits from this Program can compete natural persons - from the records of unemployed, entrepreneurs, as well as legal persons with the status of small and medium enterprises. The prerequisite for obtaining a credit is the creation of new working places thanks to a business activity that begins or expands. For each new working place, up to EUR 5,000 can be obtained, with the maximum credit amount of EUR 15,000 (3 newly created working places). Credit repayment period is 3 years for natural and 2 years for legal persons with grace period of 1 year. The interest rate is 3% and 4% on annual basis. The 3% interest rate is for the unemployed women holders of credits and persons from less developed municipalities, and 4% for persons from more developed municipalities and small and medium-sized enterprises. In the period from 1 January 2014 until 31 December 2018, unemployed persons have obtained 173 credits. Out of this number, 43.93% of the credits was allocated to unemployed women (76 credits) in the amount of EUR 420,000, whose realization enabled the opening of 84 new working posts.

***7. The activities that Montenegro has undertaken in the past five years to recognize, reduce and/or redistribute unpaid care and domestic work and promote work-family conciliation***

- *Introduced or strengthened maternity/paternity/parental leave or other types of family leave*

The law stipulates that the employer cannot refuse to conclude an employment contract with a pregnant woman, or cancel her employment contract due to pregnancy or if she uses maternity leave. An employer cannot terminate an employment contract with a parent who

works half of full-time for the care of a child with severe developing disabilities, a single parent who has a child up to seven years of age or a child with a severe disability, or with a person using one of the above mentioned rights . During the absence from work due to child care and the use of parental leave, the employer cannot terminate the employment contract with the employee. To an employed woman whose fixed-term employment contract expires in the period of use of the right to maternity leave, the time period for which the employment contract was concluded on fixed-term shall be extended until the expiry of the right to maternity leave.

The law stipulates that parental leave is the right of one of the parents to use absence from work due to child care, and may be used for up to 365 days from the date of birth of the child. A parent can start working even before the expiration of this absence but not before 45 days have elapsed since the birth of the child. If one of the parents interrupts the use of parental leave, the other parent has the right to use the unused portion of the parental leave. The mother of a child cannot stop using maternity leave before 45 days have elapsed since the birth of the child.

The law stipulates that an employed woman may start a maternity leave of up to 45 days and compulsory 28 days before childbirth. If the employed woman begins to work before the deadline for parental leave expires, she has the right to use 90 minutes of absence from work in addition to daily break, due to breastfeeding, in agreement with the employer.

The law stipulates that during parental leave, a parent has the right to a remuneration in the amount of earnings he/she would have earned working, in accordance with the law and the collective agreement. An employer is obliged to provide a return to the same working place or at the appropriate working place with at least the same earnings after the expiration of maternity leave or parental leave.

- *Expanded childcare services or made existing services more affordable*

In 2015, the Ministry of Education and UNICEF Office in Montenegro conducted a campaign in kindergartens aimed at enrolling as many children as possible aged 3-6. In support of working parents, kindergartens have set up working hours in accordance with the working hours of public institutions, state authorities and organizations.

- *Conducted campaigns or awareness raising activities to encourage the participation of men and boys in unpaid care and domestic work*

In order to raise awareness on responsible paternity, the Ministry of Human and Minority Rights has conducted the "Find the Time to Be Dad" campaign, which has achieved visible results because a large number of fathers participated in the events that were conducted within the campaign.

Flexible work arrangements and work from home are also promoted by the Montenegrin Employers Federation. Some of the activities are: two-year EU Project "Corporate Social Responsibility for All" (2013 - 2014); the project "Promotion of Equality and Prevention of

Discrimination at Work in Montenegro", implemented by the Federation with the support of the International Labour Organization (2014); the publication "A Guide to Corporate Social Responsibility towards working women, women in the labour market and women in community".

The Montenegrin Employers Federation organizes educational seminars for representatives of the public, private and civil sector, as well as for students.

In the aforementioned activities, the Montenegrin Employers Federation (hereinafter referred to as: MEF) promulgated the application of flexible work arrangements among the businessmen, including, but not limited to, the following models: part-time/half-time working hours, flexible working hours, work from home, distant working, etc.

### ***8. Austerity/fiscal consolidation measures, such as cuts in public expenditure or public sector downsizing, over the past five years***

In the reporting period, Montenegro has introduced measures of financial consolidation, reduction of public expenditures and the number of public sector employees through the 2017-2020 Fiscal Strategy of Montenegro and the Public Administration Optimization Plan 2018-2020. The impact of these measures, separately on women and men, has not been evaluated.

## II POVERTY ERADICATION, SOCIAL PROTECTION AND SOCIAL SERVICES

### *Critical areas of concern:*

- *Women and poverty*
- *Education and training of women*
- *Women and health*
- *Human rights of women*
- *The girl child*

### ***9. Activities Montenegro has undertaken over the past five years to reduce/eradicate poverty among women and girls***

- *Promoted poor women's access to decent work through active labour market policies*

The Law on Employment and Exercise of the Right to Unemployment Insurance is based, *inter alia*, on the principle of affirmative action aimed at difficult-to-employ persons. In this regard, active employment policy measures are being tailored for certain target groups, amongst other, for difficult-to-employ persons in the labour market.

So in the period 2014 – 2018, of the total number of unemployed persons involved in the active policy measure related to employment, adult education and training (3,480), women's

participation was 59.9%. In the measure related to public work, of the total number of unemployed persons involved (5,917), the participation of women was 59%.

In 2018, a Pilot Support Program "Strengthen me and I will succeed", was launched to assist difficult-to-employ persons in preparing and activating in the labour market. The program was created on the basis of national and European guidelines and recommendations, with the aim of providing support to difficult-to-employ persons, especially women, in preparing and activating in the labour market. The program included 925 difficult-to-employ persons. In the total number of program participants, women accounted for 95.7%.<sup>13</sup>

- *Supported women's entrepreneurship and business development activities*

In the introduction of the Report, the support to women's entrepreneurship is already defined as one of the key priorities for accelerating progress for women and girls in Montenegro. In this context, mechanisms have been created and consistent strategic documents that provide support for economic empowerment of women and women's entrepreneurship adopted.

After the adoption of the Strategy for Development of Women's Entrepreneurship 2015-2020, financial inclusion and access to credits have been improved, including self-employment of women through the programs of the Investment Development Fund of Montenegro, the Employment Agency of Montenegro and local self-government support measures listed above.

Various forms of education and training are being carried out, helping potential and existing entrepreneurs to acquire the necessary knowledge and skills to improve their business. Mentoring program and specialist training provide support to entrepreneurs in their first years of business and are aimed at improving business operations (business condition diagnosis, action plan for problem solving through consultancy, expert advice, information) and acquisition of special entrepreneurial knowledge.

In addition to training, specialized consulting services, which are not only needed in the start-up phase, but also in the later business period of the company, are very important. These are especially important in enterprises that are faced with the lack of required internal expertise. The engagement of external consultants is often a key step towards further growth and development of an enterprise. This is particularly important for women entrepreneurs, given the not so common practice of women having access to such non-financial forms of support.

In order to strengthen the competitiveness of women-owned enterprises, a number of educational seminars were organized in order to train the management of enterprises for a fuller understanding and application of methods and mechanisms that contemporary business necessitate:

- Over 300 women passed various training programs designed for existing and potential entrepreneurs, organized by the Ministry of Economy, the Ministry of Human and Minority Rights, the MEF, the Montenegrin Chamber of Commerce (hereafter referred to as: MCC), the Women's Business Association and the Women Entrepreneur Association etc.;

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<sup>13</sup> Data from the Employment Agency of Montenegro - Annex 3

- More than 50 business plans were made;
- Mentoring services are organized for more than 20 women entrepreneurs.<sup>14</sup>

Business women - entrepreneurs and managers increasingly recognize the need for mutual networking and cooperation. In order to encourage women to associate businesses in clusters and value chains, a large number of round tables and promotional events on women's entrepreneurship are continually organized by various institutions. Representatives of competent institutions and associations of women entrepreneurs participate in regional conferences on women's entrepreneurship. At these events, Montenegro is presented as an example of good country practice that strengthens institutional infrastructure and promotes credit support to women entrepreneurs.

### ***10. Activities Montenegro has undertaken over the past five years to improve access to social protection for women and girls***

- *Introduced/strengthened social protection of unemployed women*

The Law on Social and Child Protection prescribes the prohibition of discrimination on grounds of race, sex, age, nationality, social origin, sexual orientation, religion, political, trade union or other affiliation, property status, culture, language, disability, the nature of social exclusion, belonging to a particular social group or other personal characteristics.

With the adoption of the new Law on Social and Child Protection, the area of material support has been improved, the possibility of working engagement of working-qualified beneficiaries of financial support is prescribed. The Law establishes the basis for the establishment of the Institute for Social and Child Protection and the organization of social inspections.

In Montenegro, 11 centres for social work perform the activities of social and child protection and family protection in all municipalities.

The Law on Social and Child Protection stipulates that social and child protection rights established by this Law and an international treaty may be acquired by a person with the status of foreign citizens with an approved temporary or permanent residency in the country, in accordance with a special law.

The amount of financial support is adjusted bi-annually (on 1 January and 1 July of the current year), with the cost of living and the average earnings of employees in the territory of Montenegro.

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<sup>14</sup> Data from THE REPORT ON THE REALIZATION OF THE 2017 ACTION PLAN FOR THE DEVELOPMENT OF THE STRATEGY FOR DEVELOPMENT OF WOMEN'S ENTREPRENEURSHIP IN MONTENEGRO FOR 2015-2020, the Ministry of Economy, 2018.  
[http://www.gov.me/ResourceManager/FileDownload.aspx?rid=308319&rType=2&file=43\\_70\\_29\\_03\\_2018.pdf](http://www.gov.me/ResourceManager/FileDownload.aspx?rid=308319&rType=2&file=43_70_29_03_2018.pdf)

- *Improved access for specific populations*

The Ministry of Human and Minority Rights within its competencies, implements the policy of protecting and improving the rights of the RE population and is accessed with full attention and dedication, and this policy is implemented also through the activities of the Department for Gender Equality, as well as the Prevention and Protection Departments rights of the RE population operating within this ministry.

The Government of Montenegro has adopted a Strategy for the Permanent Resolutions of Displaced and Internally Displaced Persons in Montenegro with a special focus on the area of Konik 2017 - 2019 with Annual Action Plans for Implementation, which include activities and measures to regulate the status of these persons.

During the implementation period of the Strategy for 2011-2015, significant progress was made on access to social assistance for the most vulnerable categories of population in the Konik camps. Also, the activities to bring the camp residents closer to other city communities, especially among children and women living in camps are carried out, and will continue further. The Government of Montenegro, UNHCR, the Red Cross of Montenegro, as well as non-governmental organizations Help, Legal Centre, Juventas and other partners will continue to provide assistance to residents of the Koniku camps in access to social assistance and material family support.<sup>15</sup>

### ***11. Activities that Montenegro has undertaken over the past five years to improve the health outcomes of women and girls***

- *Promoted women's access to health services through expansion of universal health coverage or public health services*

The right to health care is prescribed by the Law on Health Care and the Law on Health Insurance.

The health system does not keep records based on the ethnical, national or other affiliation of users of health protection.

In the healthcare system, all women, including women with disabilities, women from the RE population and displaced women, have a free and adequate access to health care services through a selected doctor or a selected gynaecologist at the primary level of health care as the starting point for achieving and obtaining health care services at higher levels of health care.

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<sup>15</sup> Strategy for the Permanent Resolutions of Displaced and Internally Displaced Persons in Montenegro with a special focus on the area of Konik 2017 - 2019. Podgorica, 2017.  
<http://www.gov.me/ResourceManager/FileDownload.aspx?rId=267018&rType=2>

In all primary health care institutions, appropriate counselling centres have been established, i.e. support centres for all healthcare users, including women (HIV/AIDS counselling, reproductive and sexual health and other counselling offices of the centre for prevention and protection of women's health).

Through education campaigns, media and enhanced counselling service by public health institutions in Montenegro, there is a full contribution to the importance of preventive measures in the use of contraception in family planning, and the prevention of sexually transmitted diseases, including HIV/AIDS.

- *Provided refugee women and girls as well as women and girls in humanitarian settings with access to sexual and reproductive health services*

The law on Health Insurance provides for socially vulnerable categories, women during pregnancy and one year after childbirth, those older than 65 and those suffering from contagious diseases, not to participate in medical expenses, meaning that they have free health care. The Regulation on the manner of the implementation of the health care for foreigners provides health care for the members of the RE displaced population at the same bases as for all citizens of Montenegro.

Next to the Konik I and Konik II refugee camps there is an outpatient clinic, nevertheless, members of the RE population can get healthcare at any other location of healthcare facilities.

The Ministry of Human and Minority Rights, in cooperation with the Ministry of Health and the NGO sector, each year conducts preventive health check-up actions for members of the Roma and Egyptian communities, focusing on women and girls.

During 2018, check-ups for 150 persons, of which 100 Roma women were organized in the health centres in Podgorica, Tivat, Bijelo Polje, Niksic and Berane. Check-ups were conducted for prevention and monitoring of and consisted of examination of patients for cardiovascular diseases, abdominal ultrasound, examination for diabetes, gynaecological ultrasound examinations, lung cancer, thyroid gland, breast, lung, mammography and other types of examinations. The types of check-ups that are provided within these campaigns are determined in consultation with the users themselves.

Guided by the motto that prevention is half of the health, the goal of these actions is raising awareness of members of Roma and Egyptian population about the importance of preserving health.

## ***12. Activities that Montenegro has undertaken over the past five years to improve the education outcomes and skills of women and girls***

Equal access to education at all levels, for both women and men, is guaranteed in Montenegro. Over the last few years is noted a higher percentage of women with university education.

- *Taken measures to increase girls' access to, retention in and completion of education, technical and vocational education and training (TVET) and skills development programmes*

The Ministry of Education conducts campaigns to encourage professional education, training and skills development programs. The Campaign "Professional is Essential - Learn, Earn, Build Your Self" has been successfully implemented and has had good effects, as the number of enrolled students into new, modularized vocational education programs has increased. About 20% more children enrolled in programs of three years duration, and about 40% of those at the tertiary level are simultaneously in dual education.<sup>16</sup>

In the current school year, ten modernized education programs have begun, such as: Electro –Technician of Electronics, Electro –Technician of Electronic Communications, Electro –Technician of Computer Systems and Networks, Electro –Technician of Mobile Application Development, Fashion Designer, Nautical Technician, Gastronomist etc. It is expected that 15 such modernized programs more will be introduced for the next school year.

The Ministry of Education continues to finance the deficit of professions for vocational schools.

The Centre for Vocational Education (CVE) organized a manifestation - the XVII Days of Adult Education and Learning, from 20 to 30 November 2017, with activities for the promotion of educational offer for adult education in Montenegro, as well as open doors days of adult education organizers for interested citizens.

Adult education organizer - Urban Protection Training Centre "Montenegro", in cooperation with CVE, organized a round table on "Deficit occupations in the field of security" and presentation of security portal. Within the framework of these programs, the possibility of enrolling women in these education programs has been emphasized.

- *Strengthened educational curricula to increase gender-responsiveness and eliminate bias, at all levels of education*

Through educational curricula on appropriate study programs, students acquire professional knowledge and skills in the field of gender equality, with outcomes and opportunities for practical application. Based on the inter-institutional agreement on credit mobility, concluded under the Erasmus + program of the University of Montenegro, students of Political Science are staying at the University of Iceland in Reykjavik, a program based on the concept of gender equality.<sup>17</sup>

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<sup>16</sup> Ministry of Education, *Reply to Questionnaire on Application of the Beijing Declaration*, Annex 6

<sup>17</sup> Information of the University of Montenegro on Gender Equality Activities, Annex 5



Study programs are equally accessible to all students and the University of Montenegro promotes them equally through the enrolment policy.

Through the legal regulations of the University of Montenegro, it is possible to acquire appropriate knowledge and skills through lifelong learning programs.

- *Increased access to skills and training in new and emerging fields, especially STEM (science, technology, engineering and math) and digital fluency and literacy:*

The Ministry of Education continuously carries out campaigns to encourage women and men to educate for professions where they are not traditionally represented, especially in "green" and innovative sectors (ICT and so on).

The celebration of the International Day of Girls in ICT began in 2011 at the International Telecommunication Union (ITU) initiative as part of the global goal to raise awareness of the importance of empowering and encouraging girls to engage in educational programs focusing on information and communication technologies and build their career in this area. The girl's day in ICT is celebrated on last Thursday in April.

The Ministry of Public Administration, in cooperation with the Ministry of Education, marks the International Day of Children in ICT. Different activities are carried out within that day.<sup>18</sup>

When it comes to education of the RE population, the focus was on early integration, preparatory kindergartens, desegregated education, mentorship programs for secondary school students, affirmative action measures for enrolment in secondary schools and faculties, as well as for external exams.

### III FREEDOM FROM VIOLENCE, STIGMA AND STEREOTYPES

#### *Critical areas of concern*

- *Violence against women*
- *Human rights of women*
- *Women and the media*
- *The girl child*

#### **13. Forms of violence against women and girls which have been prioritized by Montenegro for the past five years**

- *Intimate partner violence/domestic violence, including sexual violence and marital rape*

Montenegro signed the Istanbul Convention on 11 May 2011 and ratified it on 22 April 2013 and was among the first signatories for which it entered into force on 1 August 2014.

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<sup>18</sup> Concrete activities are described in the Information from the Ministry of Public Administration of Montenegro, Annex 7

Ratification of the Istanbul Convention by Montenegro in 2013 occurred three years after the adoption of the Law on Protection from Domestic Violence (ZPDV). This Law represents an important legal regulation that deals specifically with one form of violence covered by the Convention. It introduces domestic violence as an offense with the aim of making legislative agencies more responsive to such violence. It also introduces urgent protective measures and restraining measures for emergency cases, as well as other important rights for victims, such as the right to free legal aid. It is worded in a gender neutral manner and includes domestic violence against a wide range of family members, men or women.

Furthermore, important policy documents such as the Action Plan for Gender Equality (2017-2021) and the Strategy for Protection against Domestic Violence (2016-2020) are aimed at more comprehensive measures to prevent and combat violence against women.

Amendments to the Criminal Code of 2017 attempt to criminalize other important forms of violence against women covered by the Istanbul Convention and to enforce punishment for the criminal act of domestic or family violence, as for the basic form of this criminal act the punishment is increased from one to two years, while for a violation of the protective measure from domestic violence (determined by court or other state authority pursuant to the law), instead of six months, it is envisaged the punishment of imprisonment for up to one year. Also, a new criminal act - stalking - was introduced, thereby aligning the Law with Article 34 of the Istanbul Convention. Amendments to the criminal act of rape were carried out, and the new form of criminal act – conclusion of a null marriage - was introduced.

- *Female genital mutilation*

Amendments to the Criminal Code of 2017 in criminal legislation of Montenegro introduced new criminal acts: female genital mutilation and forced sterilization, which resulted in compliance with Article 38 and 39 of Istanbul Convention.

- *Trafficking in women and girls*

There is no law on trafficking in human beings in Montenegro but this issue is regulated by the Criminal Code, which in its Article 444 defines that criminal act and determines the range of punishments for its perpetration. For the last two years at the competent courts there have been no proceedings related to criminal acts under Article 444 of the CC - trafficking in human beings. The last legally completed case regarding this criminal acts was in 2014 at the Basic Court in Ulcinj.

The National Office for Combating Trafficking in Human Beings, in cooperation and with the support of the OSCE Mission in mid-2018, has produced an analysis of the impact of the implementation of the Strategy for Combating Trafficking in Human Beings for the period 2012-2017 on the basis of which the draft new Strategy for the period 2019-2024 with accompanying action plan for 2019, was made. year.

The National Office for Combating Trafficking in Human Beings has partnered with NGO SOS Niksic in 2018 on launching a project entitled "Improving the Service and Awareness of Fight

Against Trafficking in Human Beings in the Balkans - Albania, Macedonia, Montenegro, Kosovo" aiming at the strengthening of the capacities of the institution's representatives in the implementation of transnational mechanisms for the exchange of information on cases of trafficking in human beings, which were developed and adopted in order to better implement the signed cooperation agreements. During the workshops, it is pointed to particular sensitivity of women and girls in relation to the phenomenon of trafficking in human beings. The workshops were attended by representatives of the Ministry of Labour and Social Welfare/Centres for Social Work, the Police Directorate, as well as the NGO "Montenegrin Women's lobby".<sup>19</sup>

#### ***14. Actions that Montenegro has prioritized in the last five years to address violence against women and girls***

- *Introduced or strengthened violence against women laws, and their enforcement and implementation*

In 2016, the Government adopted a Report on Implementation of the Law on Protection from Domestic Violence, which presented the results of the implementation of the Law for the period 2010-2015, containing recommendations for improving the situation in the area of protection against domestic violence.

The mentioned Law was rated as very good and harmonized with international standards. Problems in its application, that came through data analysis, do not derive from legal solutions, but from problems of law interpretation, lack of financial, operational and human resources, insufficient level of sensitization of persons applying the law, and so on.

*Amendments to the Criminal Code of 2017 in criminal legislation of Montenegro introduced new criminal acts of female genital mutilation, forced sterilization and stalking.*

There has been an intensification of the punishment for a criminal act of domestic or family violence, as for the basic form of this criminal act the punishment has been increased from one to two years, while for a violation of the protection measure for domestic violence (determined by court or other state authority pursuant to the law) instead of six months, it is envisaged the punishment of imprisonment for up to one year. Amendments to the criminal act of rape were carried out, and the new form of criminal act – conclusion of a null marriage - was introduced.

In addition to the law regulating this area, the Rules of procedure on the implementation of protection measures envisages compulsory psychosocial treatment of the perpetrator of violence but there are still no signs to conceptualize the program according to which trained professionals should undertake such treatments.

„Unfortunately, the impact of overall social and personal gender perceptions across the institutional support system results in a poor multisectoral response to violence, especially in cases of domestic violence, although the Protocol on Treatment, Prevention and Protection from Domestic Violence provides clear instructions on procedural and institutional cooperation regarding domestic violence and violence against women, with a

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<sup>19</sup> Data from Information from the Ministry of Interior - Annex 8

detailed explanation of the role of police, health, education system, social protection system.”<sup>20</sup>

- *Introduced, updated or expanded national action plans on ending violence against women and girls*

The Government of Montenegro has taken the initial steps to create a set of rules on all forms of violence against women by adopting the Strategy for Protection from Domestic Violence for the period 2016-2020. Although the title only refers to domestic violence, its definition of gender-based violence is based on the definition in Article 3, paragraph d of the Istanbul Convention. However, its measures still resolve violence against women only to the extent in which it occurs in a family context. It is therefore necessary to work on a policy that encompasses all forms of violence against women as part of the same phenomenon, gender-based violence.

There are additional strategies and action plans, in particular the Action Plan for Gender Equality (2017-2021) and the Strategy for Social Inclusion of Roma and Egyptians in Montenegro (2016-2020).

There is also the Action Plan for Implementation of United Nations Resolution 1325 "Women, Peace and Security" (2017-2018).

In addition to the Strategy for Protection from Domestic Violence, the Ministry of Health, with the support of the World Health Organization, started to develop the Strategy for Prevention and Protection against Child Abuse and Neglect, which includes, among other things, the area of domestic violence.

"With the adoption of the Law on Social and Child Protection of May 2013 and its amendments of January, July, and August of 2015, Montenegro created a new framework for providing social protection services and a framework for their monitoring through the Social Welfare Information System.

In the accession negotiations between Montenegro and the EU, the complex issues related to violence against women and domestic violence are covered by chapters 23, 24 and 19, so the EU will monitor the quantitative and qualitative indicators of progress in the coming period, namely at least three cornerstones: respect for human rights, the effectiveness of the protection of these rights by the institutions, as well as the access to justice and the legal protection of victims.

Standards set out in the Istanbul Convention fully comply with the standards of the abovementioned chapters and integrate standards established by the UN Convention on the Protection of Women from All Forms of Discrimination (CEDAW) and the UN Convention on the Rights of the Child (CRC)."<sup>21</sup>

- *Introduced or strengthened services for survivors of violence*

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<sup>20</sup> Data from the ACTION PLAN FOR ACHIEVING GENDER EQUALITY (APAGE) 2017-2021 WITH THE IMPLEMENTATION PROGRAM FOR THE 2017-2018

<sup>21</sup> Government of Montenegro, Strategy for Protection from Domestic Violence 2016-2020. <http://www.gov.me/ResourceManager/FileDownload.aspx?rId=223283&rType=2>

The Social Welfare Information System (SWIF) - Social Card is used in the Ministry of Labour and Social Welfare as well as in centres for social work. The objective of this system is, *inter alia*, to establish additional functionality and interoperability (automatic data exchange), particularly in respect of domestic violence related procedures (police, health, prosecution and judiciary), and will improve the exchange of data between centres and municipal secretariat for social welfare and referral to social and child protection.

Within the services provided by the centres, a special module for domestic violence has been developed, through which the centres process all reports on domestic violence, regardless of whether the violence is reported to a centre for social work or the Police Directorate. In this way a unique database on reported cases of violence has been established. The exchange of data on reported violence between centres for social work and police authorities is done in paper form, and then these reports are entered in the SWIF, and as the centres for social work and the police are obliged to share data, in the information system is generated a unique database on reported cases of domestic violence.

The Ministry of Labour and Social Welfare every six months receives information on prosecutions filed by the Prosecution and from the Judicial Council those on the status of cases and delivered judgements. The data are presented in table and refer to a specific time period.

In Montenegro, there are three shelters for women and children victims of domestic violence (NGOs) in Podgorica, Niksic, Pljevlja and one public institution in Bijelo Polje to support families in which women and children who are victims of domestic violence are accommodated. In 2014, the Ministry of Labour and Social Welfare has prepared a Rulebook on Closer Conditions for Provision and Use, Criteria and Minimum Standards for Accommodation Services in a Shelter. It is planned to introduce a licensing process for NGOs providing social and child protection services in the future. Such licenses will be issued by the Ministry of Labour and Social Welfare. It is also important to emphasize that existing shelters are primarily designed for women victims.

In 2018 three apartments were adapted to serve as reception facilities in Podgorica, Herceg Novi and Kotor.

The introduction of the national SOS line is implemented through a partnership between the state institutions, namely the Ministry of Labour and Social Welfare and the EU, UNDP and NGO SOS Niksic. The national SOS line officially started with work in September 2015. From September 2015 to February 2016, were received 1,671 calls to report violence, while in the year preceding the Report, 109 women placed about 750 calls and requested help from the SOS telephone Niksic. The dramatic increase in the number of cases of domestic violence reported through the national SOS line in the first year of operation suggests that a more favourable legal framework has been created, that victims are more decisive in reporting violence to state institutions, and more importantly, that the SOS line is widely known and

recognized in public. The line is anonymous and free for calls from any network in Montenegro and is available 24 hours a day.<sup>22</sup>

To non-governmental organizations operating in Ulcinj, Podgorica, Berane, Bijelo Polje and Plav violence can also be reported over the phone.

### ***15. The strategies that Montenegro used in the past five years to prevent violence against women and girls***

#### *- Public awareness raising and changing of attitudes and behaviours*

The Montenegrin Government conducts awareness-raising activities every year within 16 days of activism against violence against women, an international campaign lasting from 25 November to 10 December each year. During these 16 days throughout the country there are numerous events and activities on prevention and fight against violence against women. Non-governmental organizations and intergovernmental organizations are active partners in this campaign.

In 2016 two workshops were organized for the media representatives. In November 2016, during the "16 Days of Activism" campaign, the Ministry of Human and Minority Rights and the OSCE Mission presented a video spot on gender-based violence, which was broadcast on 12 Montenegrin TV stations and video clips with messages on gender-based violence, made in Montenegrin, Albanian and English. Messages were pronounced by men and related to the elimination of stereotypes as one of the main causes of gender-based violence.

In November 2016, the Ministry of Human and Minority Rights published a Human Rights Bulletin containing information on human rights and the fight against prejudice which was presented in several secondary and primary schools.

In November 2018, the Ministry for Human and Minority Rights, in co-operation with the Bureau for Education Services, organized a one-day seminar titled "Gender equality in education with a special reference to gender-based violence". The target group were the teachers of different professions of primary and secondary schools in Montenegro, in particular the teachers of civic education.

On 5 November 2018, the Ministry of Human and Minority Rights and the City of Podgorica organized a one-day training for journalists titled "Journalist's pen on gender equality".

Other awareness-raising activities are being carried out by non-governmental organizations or intergovernmental organizations and their scope is defined by the available resources as well as the area of specialization of the involved actors. As a result, attention is not given to all forms of violence against women, but on some of them, mostly domestic violence.

#### *- Grassroots and community-level mobilization*

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<sup>22</sup> Data from the Report on the Implementation of the Law on Protection against Domestic Violence, September 2016.

Article 11 of the Law on Protection against Domestic Violence provides for the possibility for a centre for social work to form a team of experts composed of representatives from that institution, local government authorities and services, police, non-governmental organizations and family-related experts, in order to establish a plan for victim assistance and coordination of activities in the victim assistance process, in accordance with its needs and choice.

In accordance with the aforementioned, the Ministry of Labour and Social Welfare initiated the formation of multidisciplinary teams in the centres for social work in Montenegro, and formed them in 11 municipalities.

The teams consist of representatives of mentioned institutions and are tasked with providing a multidisciplinary and comprehensive approach to protecting women and children victims of domestic violence. The formation of multidisciplinary teams is seen as very useful in providing comprehensive protection for women and children victims of domestic violence. In complex cases requiring complex response from various institutions, the work of multidisciplinary teams is used by centres for social work.

The level of usefulness of these teams is undeniable from the standpoint of all involved institutions. Particularly active within the teams were centres for social work, police and NGOs.

According to the data of the Police Directorate, in the course of 2015, 76 meetings of 11 multidisciplinary teams were held. However, teams in their work encounter difficulties such as the number of members to be summoned regarding cases, that is not always possible due to: overload of some members; the lack of efficiency of these teams in certain cases with regard to providing concrete conclusions and solutions; the problem of experts participating in teams regarding certain cases they are not familiar with; lack of interest of some members - representatives of certain institutions; low consistency of application of uniform standards in the work of teams on cases; lack of supervision over the work of teams and lack of standardized work methodology and lack of financial resources related to the work of teams.

In September 2015, training on the use of the Guidelines for the Implementation of the Protocol on the Treatment, Prevention and Protection against Domestic Violence for Multidisciplinary Team Representatives was organized. The impact of these Guidelines on the work of multidisciplinary teams and potential progress in this respect will be assessed only in future reporting periods.<sup>23</sup>

***16. The activities that Montenegro has undertaken in the past five years to prevent and respond to violence against women and girls facilitated by technologies (online sexual harassment, online stalking, non-consensual sharing of intimate images)***

- *Introduced or strengthened legislation and regulatory provisions*

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<sup>23</sup> Data from the Report on the Implementation of the Law on Protection against Domestic Violence, September 2016.

Amendments to the Criminal Code of 2017 regarding the criminal act under Article 211 - child pornography – were made to comply with the obligations of the Lanzarote Convention and the Council of Europe Convention on Computer Crime by introducing the definition of child pornography.

By the new legal solution, child pornography is considered any material that visually displays a child that deals with actual or simulated sexually explicit behaviour and every presentation of the child's sexual organs for primarily sexual purposes.

In this way, the definition of child pornography was introduced in accordance with paragraph 2 of Article 20 of the Convention.<sup>24</sup>

- *Implemented awareness raising initiatives targeting the general public and young women and men in educational settings*

The Ministry of Public Administration daily promotes and educates about the safe and responsible use of the Internet and modern technologies and possible threats on the Internet.

Spreading awareness of the threats in cyber space as well as their impact on the entire society has become vital. By raising awareness, individual and corporate users can learn how to behave and feel safer and more willing to do business in the online world.

Educating citizens through the publication of various security tips, guidelines and warnings is based on current trends in technology and the distribution of relevant knowledge of regional and international experts. An important segment of awareness-raising is the enhancement of the content on the portal with materials which are continually updated according to new technologies related to information security (guidelines, manuals, presentations, bulletins, lectures).

Focus on different target groups is the result of successful and effective awareness-raising campaigns on security challenges.

Continuous campaign monitoring and evaluation is useful in identifying new needs and adapting the campaign process. Sustainable human and financial resources and continuous monitoring can contribute to increasing the flexibility and adaptability of the campaign.

The Ministry of Public Administration, in cooperation with the Ministry of Education, the Telenor Foundation, the Protector of Human Rights and Freedoms, realized the project "Win the Internet - Surf Smartly" for five consecutive years.

The project has emerged as a confirmation of long-term common commitment in the area of increasing security and protection of children on the Internet, i.e. creating a secure digital environment for the youngest users of modern technologies in Montenegro.

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<sup>24</sup> Report of the Ministry of Justice of Montenegro for the purpose of drafting the National Report on the Application of the Beijing Declaration and Platform for Action - Annex 9



Since the beginning of the #SurfSmartly initiative, more than 20,000 pupils from 20 Montenegrin municipalities have been trained, through 490 interactive workshops, to safely use the Internet and social networks and avoid dangerous and unwanted content.

Safe Internet Day - is celebrated worldwide with the slogan "United for Better Internet".

Workshops, debates and presentations were, within this project, held for children, teachers and parents in primary and secondary schools. The work was devoted to creating common digital content on child safety on the Internet, film screenings and a series of other activities dedicated to this topic were held. The aim of this international action is to promote the safe and responsible use of the Internet and contemporary technologies with a special focus on children and young people around the world.<sup>25</sup>

***17. Activities that Montenegro has undertaken in the last five years to address the portrayal of women and girls, discrimination and/or gender bias in the media***

- *Introduced binding regulation for the media, including for advertising*

In Montenegro there are two legal acts relevant to this area: the Law on Media prohibiting any content that incites discrimination, hate and violence due to sexual orientation of a person (Article 23) and the Law on Gender Equality which foresees media to promote gender equality (Article 13). The second law also envisages the obligation of gender equality training for media professionals (Article 13a), as well as sanctions for the use of language that is not gender sensitive (Article 33a). All media (TV, radio, print and online media) are bound by these provisions.

Compliance is supervised by the Agency for Electronic Communications in terms of radio and TV broadcasters. There is no mechanism for alignment for print and online media.

By acting in response to complaints filed by audience or ex officio, this Agency has the power to remove the content that violates the provisions that ensure the program standards prescribed by the Rulebook on Programming Standards in the Electronic Media. One example is removing a security surveillance video footage of the murder of a woman by her partner, broadcast by a television station.

- *Supported the media industry to develop voluntary codes of conduct*

Ethical standards for journalists existing in the form of self-regulatory standards are signed by several professional journalists' associations. This Code prohibits any media content that is inciting or is likely to incite hostility against a person on grounds of sex (Principle 5), but it does not deal with issues on stereotype image of women.

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<sup>25</sup> Information from the Ministry of Public Administration of Montenegro for the purpose of compiling the National Report on the Application of the Beijing Declaration and Platform for Action - Annex 7

It is therefore necessary to involve the media in a greater degree in order to raise awareness and change the sexist attitudes in Montenegrin society.

***18. Actions that Montenegro has undertaken in the past five years, specifically tailored to address violence against specific groups of women facing multiple forms of discrimination***

One of the strategic documents in Montenegro defining important guidelines for combating violence against women is certainly the Strategy for Social Inclusion of Roma and Egyptians 2016-2020. The document was adopted with the aim of improving the socio-economic position of Roma and Egyptians in Montenegro and it is complementary to the previous two strategic documents.

„Statistics on cases of violence against women and domestic violence in Montenegro are not disaggregated based on nationality so there are no data referring exclusively to the Roma and Egyptian population. However, there is a general assessment of public sector employees and especially those dealing with gender equality, that the problem of domestic violence and violence against women in Roma and Egyptian families is very pronounced and that it is necessary to pay special attention to this issue. Another problem that needs to be addressed as a special area in this segment is the issue of concluding forced/unlawful marriages and in this regard, it is unfortunately not possible to establish precise data, nevertheless, on the basis of estimates of both competent authorities and NGOs of Roma and Egyptian activists, can be said that the number of cases of forced marriages deserves special attention.“<sup>26</sup>

Among the priority objectives of the mentioned Strategy is the fight against domestic violence and violence against women. Within this goal, through measures and activities, in continuation are:

- ✚ organized and carried out educational workshops and training on the issue of domestic violence and violence against women, and these activities are primarily aimed at members of the Roma and Egyptian population, education of parents, children, Roma and Egyptian activists as well as representatives of competent state institutions;
- ✚ organized campaigns in Roma and Egyptian settlements on the issue of violence against women and forced marriages of Roma and Egyptian girls;
- ✚ organized and implemented informative campaigns in Roma settlements in order to raise awareness of the problem of domestic violence and violence against women. These campaigns include a large number of Roma and Egyptian settlements throughout Montenegro.

These activities are carried out by the National Office for Combating Trafficking in Human Beings, the Ministry of Human and Minority Rights in cooperation with international partners and civil society organizations.<sup>27</sup>

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<sup>26</sup> Strategy for Social Inclusion of Roma and Egyptians 2016 - 2020, March 2016.

<sup>27</sup> More precise data in the Information of the Ministry of Interior - Annex 8

Most of the previous initiatives are *ad hoc* and are mostly conducted by non-governmental organizations of Roma women. Regular and government-backed awareness-raising activities are important to increase efforts to raise awareness on the harmful traditions and practices that exist and must be overcome. Such efforts should be built into the community work that is empowering and have a tendency to create a change from within. All such awareness-raising measures should be adjusted to reach Roma and Egyptian women who are often illiterate and have limited access to information.

#### IV PARTICIPATION, ACCOUNTABILITY AND GENDER-RESPONSIVE INSTITUTIONS

##### *Critical areas of concern*

- *Women in power and decision making*
- *Institutional mechanisms for the advancement of women*
- *Human rights of women*
- *Women and the media*
- *The girl child*

##### ***19. Actions Montenegro has undertaken in the last five years to promote women's participation in public life and decision-making***

- *Laws and regulations that promote women's participation in politics, especially at decision-making level*

It has already been stated that the promotion of affirmative action was strongly advocated in Montenegro in 2014 with regard to the Law on the Election of Deputies and Members of Parliament. This process was implemented by the Ministry of Human and Minority Rights in cooperation with UNDP with financial support from the EU. The process encompassed leaders, deputies and women's groups of parliamentary political parties through a set of meetings on which the public was informed. Also the media followed these activities with broadcasts on this topic, with the aim of raising awareness and creating a more positive climate in society and support for greater inclusion of women in politics. The campaign resulted in the introduction of a measure by which the quota for greater representation of women in Parliament is somewhat improved and the solution is to list women on, at least, every fourth position in the electoral lists. Also, these legislative amendments introduced an additional guarantee for better representation of women in the authorities of the representation government, because according to the newly-adopted solution "if the mandate of a Deputy, i.e. Member of Parliament from the less represented sex ceases, the first next candidate of the less represented sex on the electoral list shall be elected instead."

Amendments to the Law on Gender Equality of June 2015 have encompassed the suggestions of the European Commission to make promoting of the principle of gender equality a part of legislative and executive activity. A closer link between the Law on Gender Equality with the Law on Political Parties and the Law on Election of Deputies and Members of Parliament has been established as with specific laws that prescribe for political parties to behave so to in

their acts provide for solutions that will provide equal access and greater participation of women in government structures and decision making.

In addition to the measures introduced in the legal system so to ensure the legal equality of women and men, policies of preferential treatment for women are also in place, such as quota systems and other intraparty measures. The statutes of political parties in Montenegro mostly lay down the basic principles advocating for the promotion of gender equality issues. In addition to the general principles, the statutes of most political parties in Montenegro also contain provisions introducing inside party quotas for candidacy and election of party members, thereby ensuring the representation of women in the governing bodies of political parties. However, besides the legal guarantees contained in the highest legal acts of political parties, it is not uncommon for the factual position or factual representation of women in the governing bodies not to be at the foreseen level, i.e. that the presence of women in the highest party bodies does not meet the standards envisaged by legal acts.

All parties have associations/forums of women who act as special organizational units within political parties established. However, the parties do not have special budget lines for women's organizations, and each of their activities and functioning is very much dependent on the party's decision maker, namely men or predominantly men in collective bodies. It is therefore necessary to work on strengthening the forum of women within the parties.

The Committee for Gender Equality of the Parliament of Montenegro for ten years in a row organizes the sessions of Women's Parliament with the aim of promoting women's human rights in Montenegro and the need for greater participation of women in political and public life, in order to through a dialogue between the Parliament, the Government and the civil society reach an overview of gender equality and identify the areas in which additional efforts are needed to achieve significant results.

- *Provided opportunities for mentorship, training in leadership, decision-making, public speaking, self-assertion, political campaigning*

The Committee for Gender Equality of the Parliament of Montenegro, in co-operation with the OSCE Mission to Montenegro, has organized several two-day workshops for Members of Parliament and employees on "Gender Equality and Gender Mainstreaming", with the aim of realizing one of the measures outlined in the Action Plan for Gender-Sensitive Parliament of Montenegro, which foresees building of capacity and procedures for realizing the assessments in all phases of the creation and adoption of laws, policies and other acts.

Also, the Committee for Gender Equality, in co-operation with the OSCE Mission to Montenegro, organized several two-day workshops for Members of Parliament and employees in the Parliament on the topic "Gender Responsible Budgeting" with the aim of realizing one of the measures outlined in the Action Plan for the Gender-Sensitive Parliament of Montenegro.

The Committee for Gender Equality of the Parliament of Montenegro, in accordance with the Action Plan for Strengthening the Legislative and Supervisory Role of the Parliament of Montenegro, adopted the Action Plan for the Gender-Sensitive Parliament of Montenegro for September 2016 - September 2018, which drafting was supported by the OSCE Mission to Montenegro.

Within the IPA project "Support to Anti-Discrimination and Gender Equality Policies" implemented by the Ministry of Human and Minority Rights in cooperation with UNDP Office in Montenegro with financial support from the EU Delegation to Montenegro, in November 2014, 18 certificates were issued to representatives of parliamentary political parties that have passed the training program for trainers with the aim of further strengthening their political activities and being able to further implement and promote the sensitization of women from their parties for greater involvement in decision-making processes or participation in public and political life.

Training continued also in 2016 and certificates were awarded to a new generation of gender equality women trainers in political parties.

This process resulted in the formation of the Women's Political Network of Montenegro, whose backbone consists of trainers of both generations with a tendency of continuous spreading in relation to circumstances and changes on the political scene. The women's political network through lobbying and influence on decision-makers has been working intensively on three priority areas: Women's Political Participation, Support for Women's Entrepreneurship and the Fight against Violence against Women.

The Ministry of Human and Minority Rights is continuously conducting education for young people belonging to minority nations, focusing on members of Roma and Egyptian population and women, in order to empower them to engage in public and political life. During 2018 education was carried out in Niksic, Podgorica and Tivat, where an average of 20 participants participated in one education, of which 40 women<sup>28</sup>.

- *Collected and analysed data on women's political participation, including in appointed and elected positions*

In August 2015, the Government of Montenegro adopted the Information on Participation of Women in Legislative, Executive and Judicial Authorities with recommendations for improving the situation in this area. Some of them are: to improve statistics on women's political participation, to conduct research on the level of women's interest in political activism every five years, to establish media cooperation with the aim of promoting women's political engagement, to encourage political parties to set quotas and provide logistical support etc. The data indicate that women in public administration are employed in a slightly larger number.

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<sup>28</sup> ANNEX 13 - Information of the Department for Promotion and Protection of RAE Population for the purpose of compiling the National Report on the Application of the Beijing Declaration and Platform for Action

**20. The actions Montenegro has undertaken in the past five years to increase women's access to expression and participation in decision-making in the media, including through information and communication technologies (ICT)**

The Law on Amendments to the Law on Gender Equality of 2015, provides for two provisions where sanctions are foreseen, and relate to the use of gender sensitive language and mandatory gender equality training for all employees, including the media.

Throughout the past years, numerous activities have been carried out so to make the media actors in the implementation of gender equality policy. Legislation and strategic documents that oblige the media to respect women's human rights and promote gender equality policy are adopted.

In the part of the media, one of the examples of good practice is the project "Gender Sensitization of Montenegrin Media - A Step Forward" realized under the auspices of the OSCE Mission to Montenegro and the Gender Equality Department in 2013, with the aim of improving media policies and practice on achieving gender equality policy and respect for women's human rights.

The gender sensitization of Montenegrin media has been recognized in the Action Plan for Gender Equality (Chapter 6) where the media are recognized as actors for implementation of gender equality policy and the necessity of taking measures to provide a more proactive role of the media in the implementation of gender-correct media reporting standards.

"Unfortunately, the role of the media is still not strong enough in the area of promoting gender equality, but is subject to corporative goals and sexist marketing programs. Having access to a large number of citizens, the media influences their attitudes and opinions, and it has been scientifically proven that long-term exposure of people to similar messages and patterns contributes to their acceptance as to be true, because by repeating them, the subconscious makes them true. The use, i.e. abuse of female body in the advertising industry is also noticed, followed by the stereotypical representation of a woman in the role of housewife, who, with a smile on her face, serves her husband and children. In this way, the advertising industry helps stereotype women as less ambitious and capable, and often promotes sexism in the media.

It is noteworthy that in Montenegro, as in other countries of the region, the visibility of women in the media is decreasing as the emphasis and importance of the topic grows."<sup>29</sup>

**21. The proportion of the national budget that is invested in the promotion of gender equality and the empowerment of women (gender-responsive budgeting)**

The Law on Budget and Fiscal Responsibility, which in Montenegro regulates the planning and execution of the budget, fiscal responsibility and other issues of importance for the national budget and the budgets of units of local self-governments, does not recognize the

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<sup>29</sup> ACTION PLAN TO ACHIEVE GENDER EQUALITY (APAGE) 2017-2021 WITH PROGRAM IMPLEMENTATION FOR THE PERIOD 2017-2018.

<http://www.minmanj.gov.me/ResourceManager/FileDownload.aspx?rid=270269&rType=2&file=PAPRR%202017%20-%202021.pdf>

gender perspective in the budget process and does not structure revenues and expenditures in order to promote gender equality.

Segments of practice of gender budgeting at the local level began to appear during 2017 and 2018 when the local self-governments with their decisions introduced special budget line to support women's entrepreneurship in the already-mentioned initiative of the Women's Political Network.

The Ministry of Human and Minority Rights plans to through budgeting programs until 2021, work on introduction of gender indicators, which will indicate how much the budget is aimed at achieving equal opportunities for women and men in Montenegro.

## ***22. The proportion of official development assistance (ODA), that is invested in the promotion of gender equality and the empowerment of women***

In 2018, Montenegro adopted the Law on International Development Cooperation and the Referral of International Humanitarian Aid, and is currently drafting a secondary legislation that will regulate the content, method of data collection and keeping records for the subject area.

## ***23. Valid national strategy or action plan for gender equality***

Montenegro has a national action plan for gender equality. The Action Plan for Achieving Gender Equality in Montenegro (2017 - 2021) (APAGE) is the third development document for gender equality policy implementation. Like the previous two, it is based on international and national legal sources dealing with issues of gender equality.

The political dimension of APAGE is visible in its connection with other adopted development documents, strategies, policies and in many parts represents their realization. Its successful implementation requires the cooperation and coordination of the Ministry of Human and Minority Rights, i.e. the Gender Equality Department, with relevant ministries, state administration authorities, Members of Parliament, public institutions, local administration authorities and the civil sector.

APAGE was adopted for a period of four years, for areas defined in accordance with the Beijing Declaration and Platform for Action. Out of the 12 critical areas where gender inequality is most pronounced in the Beijing Declaration, Montenegro has opted for eight areas on which it intends to work in order to achieve gender equality, as follows: Improving Human Rights of Women and Gender Equality; Gender Sensitive Education; Gender Equality in Economy; Gender Sensitive Health Care; Gender Based Violence; Gender Equality in the Media, Culture and Sport; Equality in the Decision-Making Process in Political and Public Life; Institutional Mechanisms for the Application of Gender Equality and International Cooperation. A strategic goal is outlined in each area and activities, carriers, partners, time frame, indicators, means of verification and the necessary financial resources for the realization of the foreseen activities are defined. APAGE activities are funded from the resources devoted to the regular work of the Ministry of Human and Minority Rights as well as other stakeholders for each concrete planned activity.

National, regional and global experiences in the creation and implementation of similar documents were used at drafting of the APAGE. The drafting of this document was based on the Montenegro's accession to EU policies, the recommendations of the Committee on the Elimination of Discrimination against Women (CEDAW) and national priorities in the gender equality policy. Most of the APAGE measures are incorporated in the Action Plan for the Negotiating Chapter 23 Judiciary and Fundamental Rights and Negotiating Chapter 19 Employment and Social Policy.

Government of Montenegro adopts annual reports on implementation of the strategy - Action Plan for Gender Equality in Montenegro.

***24. Action plan and timeline for implementation of the recommendations of the Committee on the Elimination of Discrimination against Women (if a State party), or of the recommendations of the Universal Periodic Review or other United Nations human rights mechanisms that address gender inequality/discrimination against women***

Montenegro still does not have a single action plan to monitor/implement the recommendations of all UN human rights treaty bodies and the UPR. For the sake of more efficient reporting, Montenegro has been chosen to be a pilot country for the implementation of the OHCHR database for monitoring and implementation of the recommendations of the treaty bodies and the UPR. Use of this database will define the activities as well as the deadline for implementation of individual recommendations.<sup>30</sup>

***25. National institution for human rights***

The Constitution of Montenegro established the Protector of Human Rights and Freedoms to be a national institution for the protection of human rights. The Protector of Human Rights and Freedoms of Montenegro is a independent and impartial body that takes measures to protect human rights and freedoms.

In 2014, amendments to the Law on the Protector of Human Rights and Freedoms of Montenegro were adopted, providing for the Protector of Human Rights and Freedoms to have several deputies. Meanwhile, a Decision to provide the Protector of Human Rights and Freedoms to have four deputies was adopted. Amendments to the Law on Gender Equality, adopted in 2015, have defined that the issues of indirect and direct discrimination based on gender (in addition to all forms of discrimination) within the scope of its competence are addressed by the Protector, and that the procedure of complaints in cases of discrimination based on sex moved from the jurisdiction of the Ministry of Human and Minority Rights to the jurisdiction of this institution.

By the internal act of the Protector of Human Rights and Freedoms of Montenegro, the fourth basic group of responsibilities has been systematized - an Institutional Mechanism for the protection against discrimination, minority rights and gender equality, within which affairs

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<sup>30</sup> Contribution of the Ministry of Foreign Affairs of Montenegro for the purpose of drafting the National report on the implementation of the Beijing Declaration and Platform for Action - Annex 10



of protection of human rights and freedoms are pursued in the following areas: protection against discrimination, rights of minority nations and other minority national communities, rights of the elderly, religious rights, rights of persons with disabilities, gender equality (including protection from domestic violence as of April 2015), gender identity and sexual orientation, and other related fields.

In 2014, the Parliament of Montenegro appointed one Deputy Protector for this area, which entered into office in January 2015.

Funding for work of the Protectors is provided in the Montenegrin budget. On average, 80-85% of the annual budget of the Protector is used for the functioning of the institution. In the overall financing model of the institution, there is no separate structure of revenues and costs for the anti-discrimination sector, that is, a part dealing with gender equality.

During 2014, three complaints regarding discrimination on the basis of sex were filed with the Protector, and only one in 2015. In the opinion of the Protector, such a small number of complaints could (but not necessarily) be the result of the fact that the Law on Prohibition of Discrimination did not contain an explicit provision on discrimination based on sex, but only the provision on discrimination based on gender identity in the wider context. At the initiative of the Protector, this provision has been removed by amendments from the Law on Prohibition of Discrimination. After the amendment of the Law on Gender Equality in 2015, the complaint procedure, under the competence of the Ministry, passed entirely into the competence of the Protector.

According to the periodic reports on the protection of discrimination from the point of view of the institution of the Protector, the number of complaints for discrimination based on sex was not significantly increased in the period after 2015 to this day. A slightly higher number was recorded during 2017, during which seven (7) complaints for gender-based violence and two (2) complaints for domestic violence were filed during the first half of the year. Conclusion in the Report of the Protector in relation to these circumstances is that: "The information on a small number of cases related to domestic violence and violence against women creates the premise that victims of violence achieve effective protection before the authorities charged to act on reported cases related to violent acts, as well as to have certain degree of trust in the authorities and a sense of protection after addressing them."<sup>31</sup>

In the period from 1 January until 31 December 2018. there were 155 cases in the work (in 2017-135), of which five (5) were transferred from 2017 and completed. The proceedings were completed in 146 cases, and nine (9) were transferred in 2019, as they were mostly formed in December 2018. These cases have been initiated, but because of the factual and legal complexity and limitation by short deadlines, the investigation of violations of rights and freedoms continued in 2019.<sup>32</sup>

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<sup>31</sup>REPORT ON PROTECTION FROM DISCRIMINATION FROM THE POINT OF ACTIVITIES OF THE INSTITUTION OF PROTECTOR OF HUMAN RIGHTS AND FREEDOM OF MONTENEGRO FOR PERIOD 1 JANUARY – 31 JULY 2018, October 2018. [https://www.ombudsman.co.me/docs/1541165543\\_izvjestaj--diskriminacija-01.011--31.07.2018.pdf](https://www.ombudsman.co.me/docs/1541165543_izvjestaj--diskriminacija-01.011--31.07.2018.pdf)

<sup>32</sup> REPORT ON THE ROLE OF THE INSTITUTION OF PROTECTOR OF HUMAN RIGHTS AND FREEDOMS FOR MONTENEGRO FOR 2018, Podgorica, March 2019

## V PEACEFUL AND INCLUSIVE SOCIETIES

### *Critical areas of concern*

- *Women and armed conflicts*
- *Human rights of women*
- *The girl child*

### **26. Actions that Montenegro has undertaken in the past five years to build and sustain peace, promote peaceful and inclusive societies for sustainable development and implement the women, peace and security agenda**

- *Adopted and/or implemented a National Action Plan for Women, Peace and Security*

In the adoption of national action plans for the implementation of United Nations Security Council Resolution 1325 (RSBUN 1325), the Ministry of Defence has the role of initiator and has the authority to monitor and report on the implementation of activities prescribed by them.

The first Action Plan for the Implementation of RSBUN 1325 (2017-2018) was adopted by the Government of Montenegro in February 2017. The purpose of this plan was to cover and elaborate three essential areas for the implementation of RSBUN 1325:

- increasing participation of women in decision-making and peace processes,
- protection of women and girls in conflict zones and
- integration of gender perspectives and gender education into peacekeeping operations,

It also provides for the range of mechanisms for implementing RSBUN 1325 and its accompanying resolutions.

Reporting on the implementation of the Action Plan is regular and is carried out on an annual basis. The Ministry of Defence and the Army of Montenegro are the bearers of responsibility for 20 activities, out of which 17 activities are already implemented, one activity is on-going and two activities have not been implemented.

In February 2019, the draft of the new Action Plan with the Implementation Program 2019-2020 has been made and it is in the process of adoption<sup>33</sup>.

The Committee for Gender Equality of the Montenegrin Parliament, at the joint sessions with the Committee for Security and Defence, examines reports on the implementation of the Action Plan for the Implementation of the UN Security Council Resolution on Women, Peace and Security in Montenegro, defining measures and activities to integrate gender equality issues in the processes of defence system reform and at all levels in which decisions are made and policies are created and implemented.

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<sup>33</sup> Report of the Ministry of Defence of Montenegro for the purpose of drafting the National Report on the Application of the Beijing Declaration and Platform for Action - Annex 11

The Committee has, in the previous period, organized an International Conference "Cetinje Parliamentary Forum: Women, Peace and Security" with the aim of implementing and understanding Resolution 1325 and its accompanying resolutions (R1820, R1888 and R1889) as well as exchanging regional and international experiences when it comes to women's participation in the security system and the definition of future activities in this field and the continuation of good regional cooperation between parliaments and governments, as well as with the non-governmental sector.

- *Integrated women, peace and security commitments into key national and inter-ministerial policy, planning and monitoring frameworks*

Gender issues have become an integral part of politics and processes. The strategic and planning documents of the Ministry of Defence and the Army of Montenegro have recognized the importance of integrating the gender perspective and the implementation of RSBUN 1325 in the defence system. Gender perspective is included: in training programs, through the training of the Army of Montenegro, in the international activities of the Ministry and the Army, through participation in international activities involving Montenegro, increasing the number of women in peacekeeping missions and operations and as military diplomatic representatives in international organizations, in campaigns to attract the missing structure for the Army, by appointing a strategic adviser at the Ministry of Defence and the Army, and in the plans for employment and education of women.

In the area of gender equality promotion, in July 2016, the Ministry of Defence brought the *Strategy on human resource management in the Ministry of Defence and the Army of Montenegro*, which defines the gender equality policy and related strategic goals: increased representation of women in the military, command duties and missions and the continuous implementation of national gender equality policies, RSBUN 1325 and other applicable and accepted regulations.

Based on the annual Action Plans for the implementation of the Strategy, individual human resource management plans are introduced, which include, among others, the Action Plan on the Implementation of Gender Equality Policy and the RSBUN 1325 in the Ministry of Defence and the Army of Montenegro, the Plan for Promotion Activities for Recruitment of Personnel for the Needs of the Army of Montenegro, the Personal Support Plan for Employees in the Ministry of Defence and the Army of Montenegro, the Plan for Employment in the Ministry of Defence and the Army of Montenegro, the Plan for Education of Cadets and Scholarships, all of them enabling women to approach and provide service to the Army through the possibility of participating in Ministry projects, education at foreign military academies, scholarships, recruitment, and through positive examples and careers of women in the Army.

The Ministry of Defence also delivered Guidelines for attracting and retaining women in the Army of Montenegro, intended for the command of the Army, unites dealing with human resources, planning and development, education and training, operations, public relations as well as for all structures within of the Ministry and the Army, whose jurisdiction is the recruitment, reception, selection and professional development of persons in the Army.

The rise of gender consciousness also was greatly influenced with the adoption of laws regarding the defence system. Thus, the Law on Military prescribes that the military service shall take into account gender-balanced representation, and the Rulebook on the service in the Army of Montenegro prescribes the manner in which the service is exercised in the Army and other matters of relevance to the exercise of that service, which apply to women and men. Pursuant to the Law on Gender Equality, a women Gender Equality Coordinator has been appointed at the Ministry, which carries out gender equality issues under the Ministry's competence. Also, in the Army of Montenegro, a contact person for Gender Equality issues was appointed. With the Army formation, in the Headquarters is established a workplace for the gender advisor at the strategic level, and the activities on the determination of one of the officers to carry out these tasks and who will be instructed in the training for this duty, are on-going.

When it comes to gender equality control mechanisms, a team of six regional instructors for gender equality has been created in military operations that implement training on this topic in the Army units. Two of these instructors became members of the Regional Security Sector Reform Platform (RSSRP), a unique base of more than 50 experts from Southeast European governments, which was established in 2015.<sup>34</sup>

- *Used communication strategies, including social media, to increase awareness of the women, peace and security agenda*

The Ministry of Defence has recognized the importance of attracting and retaining women in the military and their career advancement, promoting more effective and responsible armed forces, whose participation in peacekeeping missions and operations contributes to making peace processes more effective and efficient across the globe.

Thus, when conducting public admission to service in the Army and cadet education, this ministry uses "positive advertising" by inviting women to apply.

In the implementation of promotional activities, information boards dedicated to issues of gender equality are set, special leaflets and brochures are printed, on the Ministry's website is placed a special link - "Women in the Army" - which promotes the benefits of defence work. Promotional activities also engage young and successful Army Officers, and in order to affirm the military call on women, a series of media reports on women in Army are made.

The Ministry publishes a magazine "Partner", which is continuously promoted and the general public is informed about the activities of women's professional military personnel. Several campaigns were conducted in various forms aimed at raising public awareness of security-relevant occurrences (e.g. prevention of trafficking, prevention of domestic violence, etc.).

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<sup>34</sup> Data from the Report of the Ministry of Defence of Montenegro for the National Report on the Application of the Beijing Declaration and Platform for Action - Annex 11

**27. The activities that Montenegro has undertaken in the last five years to increase the leadership, representation and participation of women in conflict prevention, resolution, peacebuilding, humanitarian action and crisis response, at decision-making levels in situations of armed and other conflicts, and in fragile or crisis settings**

- *Promoted and supported women's meaningful participation in peace processes and the implementation of peace agreements*
- *Promoted equal participation of women in humanitarian and crisis response activities at all levels, particularly at the decision-making level*

Through the implementation of the goals from a whole set of planning documents, gender mainstreaming is pursued consistently, by encouraging women to train and educate in order to develop military career, leadership skills, availability of command duties and participation in peacekeeping missions, protection of women from all forms of discrimination and reporting of all discrimination cases, removing cultural barriers, creating a positive climate for the integration of women into the military, and ensuring that the system includes gender advisors, that is, a team of experts trained on gender issues and issues of cultural awareness that will be able to be delegated as advisors or specialists, be made available for participation in peacekeeping missions and who will be the bearers of awareness-raising activities on gender equality in the units of the Army.

The number of women in the military increased from 8.97% in 2014 to 10.62% in 2019, as well as the number of women who want to join the Army of Montenegro through the admission through public ads for education on foreign military academies and for employment in the Army, as a soldier under contract, officers and civilians. The active promotion of the opportunities for women's education in foreign military academies and their inclusion in the education process has increased the number of women on the duties that once were "male". Thus, we have a woman on the duties of the pilot, as well as on the duties of the commanding of the navigational naval squadron, of the declared NBHO Squad, of the Department for the Mobile System of Liaisons, of the Engineering Squad, of the Support Squad in the Intelligence and Scouting Troop and on duties of the Deputy Commander of the Air Force Operations Centre. Next year, one woman cadet will complete a prestigious US military academy, "West Point".

According to the Ministry's records, on 31 January 2019, in the MD, there was 45.19% of women, of which 106 are civil servants and one non-commissioned officer. Three women are military-diplomatic representatives of the Montenegrin Mission to NATO. Two women were employed in the category of senior management - the Secretary of the Ministry and the Director General of the Directorate for Material Resources, while in the category of expert-management staff there are seven women. In the Army, on 31 January 2019, there were 10,62% of women, including 39 professional soldiers per contract, 27 non-commissioned officers, 16 officers and 107 civilian women. At the moment, on foreign military academies are trained nine women cadets.<sup>35</sup> So far, seven women have participated in peacekeeping

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<sup>35</sup> Data from the Montenegrin Ministry of Defense Report for the National Report on the Application of the Beijing Declaration and Platform for Action - Annex 11

missions in Afghanistan, of which one officer. The general conclusion is that in the previous period, the number of women participating in peacekeeping missions and the number of women in security management positions increased.

Regional and international cooperation, through various forms and projects, was a major support to the intensification of these processes, especially in the area of strengthening internal mechanisms for the implementation of gender equality through numerous educations. **A positive example is that following the successful completion of the training for the gender instructor, the officer of the Army, Major Sanje Pejovic participated in the course for the gender advisor at the strategic level, at the Nordic Centre for Gender in Military Operations, and after successful completion was assigned to duty of the gender advisor of the Commander of NATO Allied Command Operations in Mons - Kingdom of Belgium.**

***28. Activities that Montenegro has undertaken in the last five years to enhance judicial and nonjudicial accountability for violations of international humanitarian law and violations of the human rights of women and girls in situations of armed and other conflicts or humanitarian action and crisis response***

- *Taken measures to combat trafficking in women and children*

Trafficking in human beings, which in the broadest sense is the worst violation of fundamental freedoms and basic human rights, which most often victims are women and children, is prescribed as a criminal act under Article 444 of the Criminal Code of Montenegro:

“Anyone who by use of force or threat, deceiving or keeping in deception, abuse of power, trust, dependence, position of vulnerability of another person, dispossession of personal documents or giving or receiving payments or other undue advantage to achieve the consent of a person having control over another person commits any of the following: recruits, transports, transfers, surrenders, sells, buys, mediates in sale, conceals or keeps another person for the purpose of exploitation of his labour, forced labour, submission to servitude, commission of criminal activity, prostitution or other type of sexual exploitation, beggary, exploitation for pornographic purposes, unlawful extraction of organs for transplantation, or for exploitation in armed conflicts shall be punished by a prison term from one to ten years. “

Under the auspices of the National Office for Combating Trafficking in Human Beings<sup>36</sup> is the coordination of the work of state, international and non-governmental organizations on the implementation of the national policy on combating human trafficking contained in the Strategy for Combating Trafficking in Human Beings for the period 2012-2018. The Strategy for Combating Trafficking consists of six units: prevention and education, effective prosecution, identification of victims of trafficking, assistance, protection and reintegration

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<sup>36</sup> More details about the activities of the Office in Annex 8: Response to the Questionnaire on the Application of the Beijing Declaration by the Ministry of Interior of Montenegro

of victims, coordination and partnership and international cooperation. The Government adopted the Action Plan for the Implementation of the Strategy for Combating Trafficking in Human Beings for 2017 - 2018 with specific activities, deadlines, carriers and partners, success indicators and sources of funding.

As far as the fight against trafficking in women and children is concerned, the Department for Combating Trafficking in Human Beings, Smuggling and Illegal Migration was established in March 2018. This activity is an improvement in terms of capacity building when it comes to criminal prosecution for the specified area.

We also point out that the Operational Team for Fighting Trafficking managed by the Higher State Prosecution in Podgorica was formed, and eight members of the team are the representatives of: the Prosecution, the Ministry of Interior, the Police Directorate, the Ministry of Justice. This team, according to decision on establishment, as the main task, has the prosecution of perpetrators and the identification of victims of trafficking in human beings.

- *Taken measures to combat illicit arms trafficking*

When it comes to combating illegal arms trafficking, the Criminal Code prescribes criminal act - Smuggling (Article 265): „Whoever, by avoiding customs control, transfers across the customs line a large quantity of weapons or ammunition or weapons the possession of which is prohibited to citizens or other goods the production or trade of which is restricted or prohibited shall be punished by a prison term from one to eight years and by a fine.“ Also, Article 403 prohibits the possession of weapons and explosive substances which reads: „Anyone who, without authorization, manufactures, sells, procures, exchanges, carries or possesses firearms, ammunition or explosive substances shall be punished by a prison term from three months to three years.“ Then the qualified form: „Anyone who, without authorization, possesses, carries, manufactures, repairs, processes, sells, procures, exchanges, transports or otherwise puts into circulation firearms, ammunition, explosive substances, fragmentation or gas weapons whose possession is prohibited to the citizens shall be punished by a prison term from six months to five years.“, and the most severe form of this act: „Where the object of the offence under paras 1 and 2 is a larger quantity of weapons or means or where the object is a weapon or other means of large destructive power, the perpetrator shall be punished by a prison term from one to eight years.“

***29. Activities that Montenegro has undertaken in the past five years to eliminate discrimination against and violations of the rights of the girl child***

Respect for and promotion of the rights of the child are at the top of the Government's priorities. In this connection, the legislative and strategic framework for the protection of the rights of the child was promoted. The family law is harmonized with relevant international documents. Amendments to the Criminal Code were further aligned with the Lanzarote Convention on the Protection of Children from Sexual Exploitation and Sexual Abuse, as well as with the optional Protocols to the Convention on the Rights of the Child. The first Strategy for Prevention and Protection of Children from Violence was adopted. The

legislative framework for the complete ban on corporal punishment of children in all environments has been rounded up. The process of developing a new National Action Plan for Children for the period 2018-2022 is underway. Montenegro has joined the Global Partnership for Ending Violence Against Children.

- *Taken measures to combat negative social norms and practices and increased awareness of the needs and potential of girl children*

The realization of the campaign on promoting the rights of the child marks significant results on the plan of inclusive education, development of foster care, deinstitutionalisation, elimination of violence, abuse and neglect. In the realization of activities to improve children's rights, the role of the civil sector is important.

Although in the Montenegrin health system the selective abortions of female foetuses are not permitted, there are indications that such actions are resorted to in health facilities outside the country's borders. Since private healthcare institutions are not electronically linked to the public sector, it is very difficult to determine the number of selective and other abortions. In the health sector, regular measures of control and supervision of the work of public and private health care institutions are undertaken. This certainly is not only a challenge of the health sector, control and prevention, but a rooted social and problem rooted in obsoleted beliefs about the importance of a male child. In order to prevent it during 2017, a public performance of NGOs was organized under the title "UNWANTED", involving state institutions.

- *Implemented policies and programmes to reduce and eradicate child, early and forced marriage*

The practice of early-forced marriages is predominantly present among the RE population. In order to eradicate this practice, campaigns and education for members of the RE population and civil servants are implemented.

The family law defines the area of marriage prior to the age of majority, and the Criminal Code adequately protects all categories of persons, including minors, in terms of the conclusion of null marriage, enabling the conclusion of an unauthorized marriage, as well as an extramarital community with a minor.

One of the measures for implementation of the Strategy for Protection from Domestic Violence 2016-2020 is the drafting of an act that will specify the procedures of competent institutions in cases of recognition and processing of child marriages and extramarital communities.

In this regard, in early 2017, the Ministry of Interior, with the support of UNICEF, in implementing the obligations from the Strategy for the Protection from Domestic Violence in the Family 2016-2020, related to the processing of cases of early marriages, issued Guidelines for the treatment by the competent institutions in cases of recognition and prosecution of child marriages and extramarital communities, with a view to promoting the



protection of children from violence. This document represents an additional tool in the treatment by all competent institutions and contains a number of steps that each of them can and should undertake when it comes to knowing of a child's marital or extramarital community.

The Ministry of Human and Minority Rights, each year, in cooperation with relevant institutions and NGOs, as well as in 2018, organized education and campaigns aimed at parents, children, Roma and Egyptian activists, civil servants, for protection against domestic violence and juvenile forced/contracted marriages among the Roma population in: Ulcinj, Bar, Berane, Bijelo Polje, Pljevlj, Podgorica, Herceg Novi, Tivat, Kotor, Budva and Cetinje, Niksic.<sup>37</sup>

Officials of the National Office for Combating Trafficking in Human Beings have taken part in the implementation of the above-mentioned training - through the preparation and presentation of content related to the fight against human trafficking - with special emphasis on early forced/contracted marriages as a form of human trafficking. Participants were discussing how to recognize domestic violence and how to deal with violence, as well as the consequences of juvenile contracted marriages and how to report suspicion of having a marriage in the process of contracting or of knowing that marriage has already been concluded. In addition to the mentioned topics, the lecturers also pointed to the remarkable importance of education for the Roma and Egyptian population, which is a prerequisite for inclusion in all streams of social life in Montenegro. In this connection, in 2018, the Ministry financed printing of 900 information fliers in the Montenegrin, Roma and Albanian languages on the aspects of protection against trafficking in human beings and domestic violence, which were shared among citizens during the mentioned campaigns and education.

The Committee for Gender Equality of the Parliament of Montenegro, in cooperation with the Centre for Roma Initiatives, Niksic, and the IPA Department of Montenegro, organized a Regional Conference on the Suppression of Child, Forced, Agreed Marriages in the Roma and Egyptian Community. At the end of the conference, the conclusions and recommendations for all stakeholders (decision-makers, state institutions, civil society representatives, international community representatives and donors) were adopted, as joint work to combat this phenomenon and regional cooperation and exchange are of vital importance. By holding this conference in the building of the Parliament of Montenegro, the International Roma Day was marked.

## VI ENVIRONMENTAL CONSERVATION, PROTECTION AND REHABILITATION

### *Critical areas of concern*

- *Human rights of women*
- *Women and the environment*
- *The girl child*

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<sup>37</sup> Annex 13 - Information of the Department for Promotion and Protection of RAE Population Rights for the National Report on the Application of the Beijing Declaration and Platform for Action

### ***30. Activities that Montenegro has undertaken over the past five years to integrate gender perspectives and concerns into environmental policies***

By participating in the international dialogue on the Sustainable Development Goals and the 2030 Agenda for Sustainable Development, Montenegro's full commitment to the priority issues of sustainable development, such as gender equality, was stated. This dedication was confirmed on 7 July 2016, when the Government of Montenegro adopted the 2030 National Strategy for Sustainable Development (2030 NSSD) as umbrella, long-term development document that completely integrates the United Nations requirements defined in the 2030 Agenda for Sustainable Development, into the national system.

Guided by the recommendations of this Agenda, Montenegro, by developing the 2030 National Strategy for Sustainable Development (NSSD), set up a platform for transposing the goals, tasks and indicators of sustainable development into the national context. In this way, Montenegro has established a comprehensive framework for the national response to the challenges facing the achievement of sustainable development of the Montenegrin society in the field of economy, environment protection and social development within which are the challenges related to solving the issues of discrimination on multiple grounds.

### ***31. Activities that Montenegro has undertaken over the past five years to integrate gender perspectives into policies and programmes for disaster risk reduction, climate resilience and mitigation***

By adopting the 2030 Strategy for Sustainable Development, Montenegro has defined, among other things, key challenges for implementation of disaster risk reduction policy and programs, resistance to climate conditions and mitigation of consequences. The strategy defines precisely the weaknesses, problems and disadvantages in policies to reduce disaster risk and mitigate the consequences, but also the measures to strengthen these policies.

This Strategy supports the prevention of new and the reduction of existing risk hazards as a priority objective of sustainable development of Montenegro by 2030. The goal thus set is in line with the global disaster risk reduction framework for the period 2015-2030.

„The National Strategy for Emergency Situations identified the dominant hazards in Montenegro, at the national and local level. Within the Ministry of Interior, the Directorate for Emergency Situations, whose responsibilities are risk management, protection and rescue in emergency situations, and rehabilitation in emergencies (earthquakes, fires and other natural and technical-technological disasters) was established. Also the Coordination Team for Emergency Situations was established, the Law on Protection and Rescue was delivered, the coordination system and the National Disaster Risk Reduction Platform made.“<sup>38</sup>

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<sup>38</sup> 2030 National Strategy for Sustainable Development (NSSD), July 2016.

<http://www.mrt.gov.me/odrzivi/165045/Obavjestenje-Nacionalna-strategija-odrzivog-razvoja-do-2030-godine.html>

## SECTION III

### NATIONAL INSTITUTIONS AND PROCESSES

#### ***32. National Mechanism for Gender Equality and Empowerment of Women***

By the Law on Gender Equality, the Ministry of Human and Minority Rights has been designated as responsible for matters relating to gender equality. The main national mechanism for gender equality and empowerment of women, which was established by the Government of Montenegro, and which operated within the Government Secretariat - the Office for Gender Equality, was renamed to Gender Equality Department in April 2009 and became an integral part of the Ministry of Human and minority rights.

The responsibilities of the Gender Equality Department are: coordination of activities and preparation of a national plan of activities aimed at strengthening the position of women in society and achieving gender equality; participation in the preparation and adoption of action plans for strengthening the position of women and the establishment of gender equality at all levels; monitoring the application of international documents and conventions, as well as adopted international standards in the field of gender equality, taking measures for their implementation in the legal system of Montenegro; cooperation with local self-government and support in addressing issues of gender inequality at the local level; establishment of cooperation with non-governmental organizations, submitting annual report on the implementation of the Action Plan to the Government.

The Committee on Gender Equality of the Parliament of Montenegro was established on 11 July 2001 and, in accordance with its competences, considers the proposals of the law, other regulations and general acts related to the realization of the principle of gender equality; monitors the implementation of these rights through the implementation of the law and the promotion of the principle of gender equality, particularly in the field of child rights, family relations, employment, entrepreneurship, decision making, education, health, social policy and information; participates in the preparation, drafting and harmonization of laws and other acts with the standards of European legislation and programs of the European Union relating to gender equality; affirms the signing of international documents that address this issue and monitors their application; cooperates with appropriate working bodies of other parliaments and non-governmental organizations in this field. Also, the Committee monitors and assesses the compliance of the Montenegrin legislation with European Union *Acquis* and, on the basis of the Government report, monitors and evaluates the application of the law, in particular the laws resulting from the obligations aligned with the EU *Acquis*.

In 2016, a new institutional mechanism for the implementation of gender equality policy was established - the National Council for Gender Equality as a professional advisory body to address the issue of gender mainstreaming at national and local level. The Minister of Human and Minority Rights chairs the Council, which has 21 members, of which four are members of NGOs. The first session of the Council was held on 24 October 2016. For consideration of

issues in some areas of importance for gender equality within the Council, the advisory bodies - the committees (eight of them), have been formed, which will follow more closely the implementation and improvement of equal opportunities policy within their area.

### ***33. the institutional process for SDG implementation***

The 2030 National Strategy for Sustainable Development of Montenegro also sets out a complex set of indicators<sup>39</sup> which should enable effective monitoring and reporting, taking it into account of UN sustainable development indicators, specific national indicators, indicators of particular international organizations and complex indicators. For indicators related to gender equality, by 2030 NSSD, it is defined that the institution responsible for their implementation is the Ministry of Human and Minority Rights.

### ***34. Formal mechanisms in place for different stakeholders to participate in the implementation and monitoring of the Beijing Declaration and Platform for Action and the 2030 Agenda for Sustainable Development***

The most important strategic document for the implementation of gender equality policies is the Action Plan for Achieving Gender Equality in Montenegro - the APAGE which is based on the Beijing Declaration and Platform for Action adopted at the Beijing Conference in 1995, defining critical areas where gender inequality is expressed. Therefore, this document contains goals and measures for achieving gender equality in those areas of social life, which are recognized by the Beijing Declaration.

**Bearing in mind the aforementioned, as well as the mandate of the Commission for Monitoring to implement the Action Plan for Achieving Gender Equality in Montenegro 2017-2021 (APAGE), it can be considered as a relevant national mechanism for the implementation and monitoring of the Beijing Declaration and Platform for Action.**

**The Commission for Monitoring the Implementation of the Action Plan for the Achievement of Gender Equality, composed of representatives of ministries, as well as relevant non-governmental organizations, at its session held on 8 May 2019, reviewed this National Report prepared in the consultative process coordinated by the Ministry of Human and Minority Rights - Gender Equality Department. Contributions to the preparation of this Report have been provided by various state institutions, which in the form of annexes are added to the Report.**

### ***35. Is gender equality and empowerment of all women and girls put as a key priority in the national plan/strategy for the implementation of the NSSD***

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<sup>39</sup> Set of indicators was given in Annex 12 of the Report of the Ministry of Sustainable Development of Montenegro for the purpose of drafting the National report on the implementation of the Beijing Declaration and Platform for Action

As one of the most important topics of Agenda 2030, gender discrimination, to which is devoted the fifth Sustainable Development Goal (SDG 5): *Achieve gender equality and empower all women and girls*, is dealt with by the 2030 National Strategy for Sustainable Development within social resources, where Chapter Two provides a review of the situation in this area, based on an analysis of the report of implementation of the previous National Strategy for Sustainable Development, the implementation of the Millennium Development Goals (MDGs) in Montenegro, as well as the analysis of sectorial strategic and legislative documents.

Based on this analysis within the 2030 NSSD, priority theme *Supporting values, norms and behavioural patterns important for the sustainability of society* and strategic goal *Stimulate the active relationship of key actors towards sustainability of development* were defined. The identified strategic goal is the answer to the problems of achieving sustainable development in Montenegro in this area, and it also applies to gender equality issues. This strategic goal is directly related to the challenges related to the achievement of the fifth Sustainable Development Goal (SDG 5) through the implementation of the defined measure *Eliminate Gender Discrimination* of the 2030 NSSD Action Plan. The defined measure can be achieved by accomplishing the following sub-measures in the following period:

- ✚ Eliminate all forms of discrimination against women and girls everywhere;
- ✚ Recognise and appreciate unpaid care and work in the household through provision of public services, infrastructure and social protection policies and promotion of joint responsibilities in household and family;
- ✚ Ensure full and effective participation of women and equal leadership opportunities at all levels of decision-making in political, economic and public life;
- ✚ Undertake reforms to ensure women have equal rights to economic resources, as well as access to land ownership and control and other forms of property, financial services, inheritance and natural resources;
- ✚ Enhance the use of auxiliary technology, particularly information-communication technologies, to promote empowerment of women;
- ✚ Adopt and strengthen appropriate policies and applicable laws to promote gender equality and empowerment of all women and girls at all levels.

Measures and sub-measures of 2030 NSSD, in addition to the specific national circumstances and needs, also take into account the necessity of contributing to the achievement of the tasks set out in the UN 2030 Agenda. In order to have measurable results on gender equality in the 2030 NSSD, were defined the following outcomes:

- ✚ Political, economic and any other kind of discrimination on a gender basis eliminated;
- ✚ Minimum 40% of women in the bodies of political decision-making at the national and local level achieved;
- ✚ All forms of violence against all women and girls in public and private spheres, including trafficking in human beings and sexual and other types of violence eliminated;
- ✚ Gender-equal participation in unpaid work;
- ✚ Gender-equal share in unemployment;
- ✚ National gender equality mechanism enhanced;

It is necessary to ensure that women have equal rights and opportunities not only in political but also in the economic life of the country, access to economic resources, property rights, labour rights, equal pay for equal work, with the protection from all forms of discrimination in the labour market.

## SECTION IV

### DATA AND STATISTICS

#### ***36. Top three areas in which Montenegro has made the most progress over the past five years when it comes to gender statistics at the national level***

The legal basis for implementation of gender statistics in Montenegro is the Law on Official Statistics and the System of Official Statistics and annual plans of statistical researches. The analysis of these data enables users to review the structure of population by sex, in the areas of demography, education, workforce, judiciary and others, which are an important source of information for gender mainstreaming.

The source of data is all researches carried out by the Statistical Office of Montenegro (MONSTAT), and contain data on the structure of population by sex. Also, data from records of other bodies and institutions containing information on the structure of population by sex are collected.

- *Established an inter-agency coordination mechanism on gender statistics*

The Ministry of Human and Minority Rights and the Statistical Office of Montenegro concluded in September 2016 a Memorandum of Cooperation on the implementation of the project on the development of “Gender Equality Index in Montenegro” and other joint activities in the field of anti-discrimination, gender equality and minority rights.

As the statistics necessarily follow all development policies in general, it is necessary to establish the Gender Equality Index as a new statistical mechanism. It is expected that the mentioned mechanism will be realized by 2020 with the expert support of EIGE (European Institute for Gender Equality).

Until the establishment of the Gender Equality Index, the priorities in the development of official statistics related to the economic, social and working issues of the population, and following that opened the space for development of gender equality statistics. The Gender Equality Index will measure gender equality by an index of 1 (total inequality) to 100 (full equality) through six areas: knowledge, work, money, health, time and power.

The development of the Gender Equality Index and other discrimination statistics converts to conduct human rights policy more effectively.

- *Used more gender-sensitive data in the formulation of policy and implementation of programmes and projects*

In September 2016, the Ministry of Human and Minority Rights and the Statistical Office of Montenegro in the framework of the project "Gender Equality Index" in Montenegro and other joint activities in the field of anti-discrimination, gender equality and minority rights, published the jubilee publication "Women and Men in Montenegro in 2016"<sup>40</sup>, which is the sixth edition, starting in 2006, and whose goal is to in one place show the largest possible number of characteristics desegregated by sex:

The publication "Women and Men" consists of tables and graphs without additional statistical and sociological analysis.

The data presented in this publication refer to the following areas: 1) Population; 2) Health; 3) Education; 4) Social Protection; 5) Judiciary; 6) Employment and earnings; 7) Politics; 8) Domestic Violence. In addition to the absolute data presented by sex, there is also a desegregation by sex in percentages for the position of women and men. Most of the data presented in this publication are the results of the research conducted by the Statistical Office, and this source is not specifically quoted. A small part of the data was taken from other state institutions whose names are listed below tables or charts.

The new, seventh edition of the "Women and Men"<sup>41</sup> was published in 2018.

### ***37. Top three priorities for strengthening national gender statistics over the next five years***

- *Use more gender-sensitive data in the formulation of policy and implementation of programmes and projects*

The established Gender Equality Index in Montenegro, as a reliable indicator of the state of affairs, is an important instrument for designing future public policies that promote gender equality, as well as to measure the degree of policy sensitivity.

In Montenegro, there are relevant data for most of the areas determined for measuring the gender equality index, while for areas where data is missing, additional research and expert assistance and support will be required.

- *Conduct of new surveys to produce national baseline information on specialized topics*

Statistics on women entrepreneurship are necessary, given that it is constantly pointed to its potential but also the unavailability of some necessary development indicators. To this end, it is planned to analyse and modify legal solutions that prevent gathering statistics on women entrepreneurship, the aggregation of all relevant data in one place, and the ease of access to

<sup>40</sup> Women and Men in Montenegro in 2016, <http://www.mmp.gov.me/rubrike/Publikacije/166949/zene-i-muskarci-u-Crnoj-Gori-2016.html>

<sup>41</sup> Women and Men in Montenegro, 2018. <http://monstat.org/userfiles/file/publikacije/Zene%20i%20muskarci%20u%20Crnoj%20Gori%202019%20preview%20FINAL.pdf>



this data. Also, the establishment of relevant indicators, in line with EUROSTAT, will enable the comparison of women's entrepreneurship in Montenegro with other countries and the EU.

This will certainly contribute to the scope, variety and quality of the research on women entrepreneurship as well as adequate monitoring of implementation and on these grounds proposing corrective or new measures for women's entrepreneurship policy.

In this respect, it is essential that the Statistical Office continuously records, updates and classifies all statistical data relevant to the development of entrepreneurship - by sex; that the Statistical Office for these needs analyses the effects of engaging women in business, with a statistical comparison to the activities and status of male entrepreneurship, as well as analysing the impact that traditional values, institutional, cultural, regulatory and legal barriers have on the still insufficient participation of women in the economy.

In addition, it is very important to conduct various surveys through which additional data on the state of development and the needs of women entrepreneurs will be collected, such as issues of importance for the development of innovativeness, the introduction of new technologies and the use of ICT.

It is also necessary to carry out specialized researches, especially those relating to research on the level of existing knowledge and skills of women entrepreneurs, and to examine the level of alignment of the existing training with their needs; to introduce development partners and training providers with the results of research, in order to create new training programs for women entrepreneurs.

The Strategy for Protection from Domestic Violence 2016 - 2020 is designed to conduct continuous research in order to collect statistical, administrative and judicial data on all forms of violence, classified in relation to the type of violence, judicial proceedings (criminal or misdemeanour), data on whether it is repeated violence (previously conducted procedures and imposed measures), sex, age and relationship between victim and offender, geographical location.

A systematic recording of data pertaining to health statistics will be established on the basis of regular monitoring, processing and publication.

The results of the statistical data processing on the representation of women and men in the legislative and executive authorities at the state and local level, as well as on the decision-making posts appointed by the Government will be published.

### ***38. National set of indicators for monitoring progress in the SDGs***

The 2030 National Strategy for Sustainable Development of Montenegro sets out a complex set of indicators<sup>42</sup> that should enable effective monitoring and reporting, consisting of

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<sup>42</sup> Set inidikatora dat je u ANEKSU 12 Izvještaj Ministarstva održivog razvoja Crne Gore za potrebe sačinjavanja Nacionalnog izvještaja o primjeni Pekinške deklaracije i Platforme za akciju



transposed UN sustainable development indicators, specific national indicators, indicators of particular international organizations and complex indicators.

It is also worth mentioning the complex indicator - Gender Inequality Index (GII), which is also included within the 2030 National Strategy for Sustainable Development. It follows gender (non) equality from the aspect of social development. It is reflected in three dimensions: reproductive health (measured through maternal mortality and adolescent birth rate), the political position in the system (measured by the proportion of women members of parliaments, as well as the proportion of women and men over the age of 25 having at least some degree of secondary/higher/high education) and economic activity (measured by the rate of participation in the labour market of women and men over the age of 15).

Since 2010, the GII is part of the Global Human Resource Development Report. However, this indicator for Montenegro was calculated for the first time only in 2014 and then its value was 0.172. This result places Montenegro at 37th position, compared to the 155 countries included in that report.<sup>43</sup> This further means that there is no drastic inequality among the generations in Montenegro. Analysis of this indicator over time can show whether gender inequality increases or decreases with the development of the state. According to this index, the chances of development decrease when the inequality increases.

In order to achieve gender equality in the upcoming period, it is necessary to make gender sensitive legislation and policies, but also to work on the political and economic empowerment of women. In order for women to achieve their full potential and thus contribute to the sustainable development of the entire community, they must be equal social subjects. Through the elimination of gender inequality, Montenegro will contribute to the achievement of the fifth Sustainable Development Goal.

### ***39. Collection and compilation on SDG 5 indicators and on gender-specific indicators under other SDGs begun***

The Strategy for Sustainable Development foresees that its implementation on the basis of the Action Plan and Indicators will be reported on a two-year basis starting from 2019. The NSSD also defines that one of the priorities in the period to follow is to establish an effective system for monitoring the sustainability of national development, which would include monitoring the implementation of the goals, measures and tasks of sustainable development established by the NSSD Action Plan. In this regard, NSSD has foreseen that it is necessary to establish an information platform for the development of sustainable development indicators and thus to provide conditions for the preparation of the pilot report by 2019. The Ministry of Sustainable Development and Tourism is implementing the preparatory activities for the first report on the implementation of the 2030 National Strategy for Sustainable Development, which will indicate the degree of implementation of the Strategy in relation to measures and activities for a two-year period, as well as specific data on

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<sup>43</sup> Podaci iz Izvještaja Ministarstva održivog razvoja Crne Gore za potrebe sačinjavanja Nacionalnog izvještaja o primjeni Pekinške deklaracije i Platforme za akciju - Aneks 12

sustainable development indicators, including analysis of the introduction of indicators into the system of statistical monitoring, which will also include indicators related to gender equality.

In addition, in the forthcoming period, it is necessary to work on strengthening inter-sectorial coordination between the governmental departments in order to harmonize public policies with the sustainable development policy as defined by 2030 NSSD. This includes identifying disadvantages in horizontal and vertical level administration with regard to taking the goals and indicators of sustainable development into the national framework, in order to achieve alignment of existing relevant strategies, programs and plans with the UN 2030 Agenda for Sustainable Development. Specifically, it is necessary to carry out an analysis of sectorial policies from the aspect of their compliance with the 2030 NSSD and, in this respect, suggest amendments to the existing sectorial policies in relation to the responsibilities of the competent line and administrative authorities in the 2030 NSSD implementation. In this way, it would also be largely contributed to the achievement of Goal 5, bearing in mind that NSOR has taken over all the requirements of the 2030 Agenda.

#### ***40. Desegregations that are routinely provided by major surveys in Montenegro***

There is no systemic segregation of the Roma in Montenegro, although there is a certain geographical segregation because most Roma live in suburbs and are centralized in improvised settlements.

Regarding the Government Programming Documents, the issue of desegregation is mainly dealt with in the documents of the Ministry of Education. All inclusive education projects implemented by the Ministry of Education in recent years emphasize the element of prevention of segregation.

According to information from the Ministry of Education<sup>44</sup>, in 2015, 224 Roma and Egyptian children were included in the regular preschool education program, while additional 80 attended half-day programs. As far as primary school is concerned, although the Law on Primary Education (Article 4) stipulates that primary education as compulsory for all children aged six to fifteen, only 76% of RE children go to primary school. Data show that more than 11% of Roma children is not attending school (boys 9.4% and girls 13.8%) due to unfavourable social conditions, including poverty, social segregation, lack of family support, and early marriages.

Territorial Unit of the Primary School "Božidar Vuković Podgoričanin" near the refugee camp Konik was closed with the school year 2015/16. In 2016/17 school year, all children from the mentioned Territorial Unit were integrated into seven (7) city schools (Primary school "Božidar Vuković Podgoričanin", Primary school "May 21", Primary school "Marko Miljanov", Primary school "Savo Peajanović", Primary school "Vuk Kardžić", Primary school "Vladimir Nazor" and Primary school "Oktoh") and they were provided transportation for which the Ministry of Education is bearing the cost.

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<sup>44</sup> <http://www.mmp.gov.me/biblioteka/izvjestaji>

In the 2015/2016 school year, secondary school was attended by 99 students (50 boys and 49 girls), and 20 students attended the studies at three universities in Montenegro.

In the 2016/17 school year, 103 children were enrolled in pre-school institutions, 1,617 pupils were enrolled in primary schools, 112 in secondary schools, and 20 students of Roma and Egyptian population were enrolled at the faculties in 2016/2017.

In 2017/18, 191 children of Roma and Egyptian community were enrolled in pre-school education. Number of Roma and Egyptian community students in regular primary education in 2018/2019, was 1,793 students (936 M, 857 W), which represents 2.66% of the total number of enrolled children in primary schools in Montenegro. In 2018/19, 137 pupils (75 M, 62 W) from Roma and Egyptian population regularly attended classes, representing 0.48% of the total number of enrolled children in secondary schools in Montenegro. For the II semester of school 2017/18 (January-June 2018) scholarships were paid (60 € per month) for 102 Roma and Egyptian students (43 W, 59 M), and for the I semester of 2018/19 (September-December 2018), scholarships were awarded for 110 Roma and Egyptian students (54 W, 56 M). Based on the information available to the Ministry of Human and Minority Rights, in 2018/19, 14 students members of the Roma and Egyptian community (7 W, 7 M), got scholarships. For the II semester of academic 2017/18 (January-June 2018) scholarships (150 € per month) were awarded for 17 students of Roma and Egyptian population (11 W, 6 M), and for the I semester of academic 2018/19 (September-December 2018), scholarships were awarded for 14 students of Roma and Egyptian populations (7 Ž, 7 W). Two training sessions for associates in the social inclusion of Roma and Egyptians in the field of healthcare (August and October 2018) were carried out and in the reporting period 10 schools published a competition for 18 associates. Textbooks for Roma/Egyptian students from the first to the ninth grade are provided. The Ministry of Human and Minority Rights has funded the development of textbooks for students of grades I, II and III of primary school. The Ministry of Human and Minority Rights has organized a seven-day winter vacations program for 23 students of the Roma and Egyptian population (12 M, 11 W) of the VII, VIII and IX grade of the primary school "Lovćen-Bečići" at the Ivanova Korita and on the summer vacations, in the same institution there were 22 pupils of Roma and Egyptian population.

The Ministry of Education has provided transportation for more than 400 Roma and Egyptian community students attending seven elementary schools in the Podgorica Municipality: Primary School "Božidar Vuković Podgoričanin", Primary School "May 21", Primary School "Marko Miljanov", Primary School "Savo Pejanovic", Primary School "Vuk Karadžić", Primary School, "Vladimir Nazor", Primary School "Oktoih".<sup>45</sup>

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<sup>45</sup> Annex 13 - Information of the Department for Promotion and Protection of RAE Population for the Purpose of the National Report on the Application of the Beijing Declaration and Platform for Action

## ANNEXES

### ANNEX 1 – Report of the Supreme Court of Montenegro for the purpose of compiling the National Report on the Implementation of the Beijing Declaration and Platform for Action

After a long-standing struggle for women's rights activists in 1995, the Beijing Declaration and Platform for Action have been adopted, whose essence is to promote the goals of equality, development and peace for the benefit of all women in the world and in the interests of the whole of humankind.

On occasion of the 20<sup>th</sup> Anniversary of the adoption of the Beijing Declaration, 2020 will be important for giving insights at national levels, for identifying progress, and for accelerating the achievement of gender equality and the empowerment of all women and girls.

In this regard, all states are invited to undertake comprehensive reviews at the national level on the progress made and the challenges they face in implementing the Beijing Declaration and Platform for Action.

The Supreme Court of Montenegro, as the highest court in the country, as a guarantor and promoter of human rights protection, is tasked with overall competence of the Montenegrin courts to review implementation of the Beijing Declaration.

#### **Section 1: Priorities, achievements, challenges and setbacks**

1. What have been the most important achievements, challenges and set-backs in progress towards gender equality and empowerment of women over the past 5 years?

#### **Elimination of violence against women and girls**

Montenegro was among the first countries to sign the Council of Europe Convention on the Prevention and Suppression of Violence against Women and Domestic Violence (hereinafter referred to as the “Istanbul Convention”), which entered into force with respect to Montenegro in August 2014. This was also the obligation to prevent, investigate, punish, and provide reparation with all due care for all acts covered by the Istanbul Convention with due care.

The Convention calls for establishment of a gender equitable society, since violence against women is deeply rooted in the unequal social position of women and men, and is renewed by a culture of tolerance towards violence and negation of the existence of violence. It requires that the rights of victims are placed at the centre of all measures and are applied through the effective cooperation of all competent authorities, institutions and organizations.

In June 2017, the courts contributed to the drafting of the first Country Report, which, among other things, examines and represents the activities undertaken by Montenegrin courts regarding all aspects of the Convention.

In the second half of 2018, the first (basic) evaluation round of the Istanbul Convention was completed, and the GREVIO Committee, as the body responsible for monitoring the application of this Convention by the Member States, adopted the first Report for Montenegro. It is the Report that evaluates the Convention as a whole, assessing the level of alignment of Montenegrin legislation and practice in all areas covered by the Convention.

In assessing the situation in Montenegro, the GREVIO Committee notes that significant achievement is that Montenegro has rounded up its legislative framework when it comes to combating violence against women and domestic violence through the adoption of a series of laws, the most important being the Family Protection Law from 2010, which introduces domestic violence as misdemeanour, and for the first time has introduced special protection measures for victims and measures of access ban as well as other important rights for victims.

We have received the first GREVIO Report for Montenegro with great attention, interested in hearing in which areas there is room for progress, aware of the need to make more efforts to meet the complex requirements of the Istanbul Convention as the most comprehensive international treaty in this area.

### **Equality and non-discrimination according to law and access to justice**

Montenegrin courts are strongly committed to creating a legal space based on respect for human rights and the rights of all women and girls, without discrimination on any ground.

The Constitution of Montenegro guarantees the right to be equal before the law, regardless of any particularity or personal characteristics. Also, in terms of access to justice, everyone has the right to equal protection of their rights and freedoms and to remedies against a decision that decides on their legally-based interest.

In addition, everyone has the right to a fair trial and public hearing within a reasonable time before an independent and impartial tribunal established by law, which is guaranteed by the European Convention on Human Rights, without discrimination on any grounds.

### **Free legal aid**

Montenegro has fulfilled important preconditions for equal access to justice by adopting the Law on Free Legal Aid, which is applicable from January 1, 2012. The law regulates a comprehensive system of providing free legal aid and allows access to court for persons with a poorer status. When it comes to victims of domestic violence and human trafficking, they have the status of privileged beneficiaries under this Act, and this protection is provided to them without a prior assessment of their financial situation.

In order to implement the measures envisaged in the 2014-2018 Strategic Reform Strategy, and the accompanying action plan, where within the strategic goal of "strengthening accessibility, transparency and public trust in the judiciary", as one of the strategic guidelines, it is envisaged to develop and improve the system of free legal aid. Consequently, in the previous period, the following activities were undertaken:

- The Association of Judges of Montenegro has developed a brochure on the right to free legal aid that was submitted to the Basic Courts and published on their websites, and the info leaflet on FLA produced with the support of UNDP was submitted to all basic courts, centers for social work and post offices;
- Television of Montenegro has, on several occasions, organized coverage with the topic free legal aid in the morning program;
- The way of collecting and analysing data on providing free legal aid has been improved by providing access to the Ministry of Justice to the PRIS data. Namely, the PRIS in real time enables review of data on the provision of adverse legal assistance, in such a way that for each individual court at the daily level, data on the number of applications for free legal aid, the method of deciding on requests, statistics for persons granted free legal assistance, statistics by users, as well as by the form of legal assistance provided and the total amount of paid and repaid funds on the basis of providing legal assistance.
- In cooperation with the Association of Judges and the Centre for Democratic Transition and courts, a brochure on free legal aid was developed, which is highlighted on the courts' websites.
- In order to promote the system of free legal aid among students of law faculties in Montenegro, on the basis of the Memorandum of Cooperation signed by the Supreme Court of Montenegro and the Faculty of Law of the University of Donja Gorica, two associates have been sent to the professional practice at the Basic Court in Podgorica.
- In the period 2014-2016, women victims of various types of criminal offenses submitted a total of 88 requests for FLA. Out of that number, 83 requests were accepted, 3 requests were rejected, while 2 were dismissed.

### **Cooperation with the civil sector**

The Istanbul Convention invites members to recognize, encourage and support at all levels the work of non-governmental organizations and civil society organizations in the fight against violence against women and to establish effective cooperation with these organizations.

In this spirit, and in order to give a holistic response to violence against women, we have made partnerships with non-governmental organizations fighting for women's rights.

Therefore, in March 2016 we have signed a Memorandum of Cooperation with NGO Women's Rights Centre, led by objective of exchanging information and cooperating on implementation of projects and activities in the field of protection against violence towards women and domestic violence, combating discrimination against women and promoting equality between women and men.

The established cooperation has yielded results in the publication of an updated edition of Witness Informers/Victims of Domestic Violence and Trafficking in Human Beings, with the hope that witnesses and victims would find all the necessary information that

will help them while in court so they don't feel like "incompetent outsiders", and that this kind of support will enable them to feel comfortable during the trial.

As a result of this cooperation, a two-day training was organized in which persons in charge of support to the victims and witnesses from the Montenegrin courts had the opportunity to expand their knowledge and practice skills necessary for dealing with victims and witnesses of domestic violence.

### **Structure of judges in courts**

According to the Annual Report on the Work of the Judicial Council and the overall situation in the judiciary for 2018, the total number of judges in the Montenegrin courts is 253, of which 152 are female (60.08%), and 101 are male (39.92%). Regarding the highest court in the country, the Supreme Court of Montenegro, out of 19 judges, 14 judges are female and 5 judges are male.

### **Challenges**

Courts have not remained immune to public expectations when it comes to penalty policy of Montenegrin courts. We are aware of the need to act resolutely and strongly in the fight against violence against women through appropriate and dissuasive penal policies.

Faced with this need, the Supreme Court of Montenegro, within the limits of its powers, and respecting the basic principles of the judiciary - independence and autonomy, made recommendations to the judges that it is necessary to make penalty policy more strict. One part of the judicial penal policy is committed to legislative solutions when it comes to misdemeanour of domestic violence. Namely, the Family Protection Law stipulates a fine in the fixed amount of EUR 150.00 as a penalty for misdemeanour liability so that the courts are prevented to make adequate penalties.

There is also a challenge in the area of strengthening the human and technical capacities of the Witness Support Services for Victims of Domestic Violence and Human Trafficking established at all Montenegrin courts dealing with these cases. To this end, all services are given guidelines for future development and improvement of their work, which relate to the technical equipment of the courts, the existence of special waiting rooms for victims separated from the courtroom as well as the training of employees in the Services.

## **Section 2**

### **13. In the last five years, which forms of violence against women and girls, and in which specific contexts or settings, have you prioritized your action?**

As noted in the aforementioned GREVIO Report, domestic violence is the most prominent form of violence against women, which in the legal system of Montenegro exists both as a misdemeanour and a criminal offense.

### Family violence misdemeanour - Statistics for 2018

As far as misdemeanours are concerned, from the Annual Report of the Misdemeanour Courts for 2018 it can be seen that the courts for misdemeanours during 2018 had a total of 1,972 cases in the area of the Law on Protection against Domestic Violence, out of which - 1,101 Court for misdemeanours in Podgorica, 496 in Budva and 375 cases in Bijelo Polje.

A total of 1,563 cases or 79.26% were completed, out of which at the Misdemeanour Court in Podgorica 836, Misdemeanour Court in Budva 417, and 310 for the Misdemeanour Court in Bijelo Polje.

These cases were completed in the as follows:

- fines 521
- prison sentence 165
- suspended sentence 256
- warning 102
- educational measure 27,
- 13 cases were rejected,
- 47 cases have been suspended,
- 368 cases of acquittal of acquittal,
- while 53 cases were resolved in another way.

Also, a total of 408 protective measures were issued, namely:

- resistant from the apartment or other living space 65
- prohibition of approaching 116
- prohibition of harassment and stocking 154
- obligatory psychiatric treatment and treatment of substance abuse 64
- obligatory psychosocial treatment 8, and
- stronger supervision by parents 1.

By comparative analysis of the mentioned data with the data from the Annual Report on the Work of Misdemeanour Courts in the Fields of the Domestic Violence Protection Act for 2017, it is determined that the number of on-going cases in 2018 has been increased compared to 2017 from 1,790 to 1,972, or 10.16%. Also, despite the increase in the number of on-going cases, the percentage of completed cases increased from 76.31% (1.366 cases) to 79.26% (1.563 cases).

Regarding the manner of resolving the completed cases by comparative analysis of data for 2018 and 2017, it is determined that the percentage of imposed fines has increased in 2018 from 32.33% to 33.34%, the percentage of imprisonment sentences increased from 7.52% to 10.56%, while the percentage of suspended sentences increased from 13.07% to 16.38%. The percentage of suspensions fell slightly from 6.93% to 6.52%, whereby the percentage of imposed educational measures increased slightly (from 0.58% to 1.73%), as well as the percentage of rejected requests for initiating a



misdemeanour procedure (0, 36% to 0.83%). The percentage of acquittal declined significantly, from 31.24% to 23.54%.

Regarding the imposed protective measures, it is observed that in 2018 a total of 408 measures were imposed, while in 2017 this number was 302, an increase of 35% compared to 2017.

### **Criminal acts of domestic violence or family community – statistics**

Regarding the crimes of domestic violence, in 2018, the courts had a total of 232 cases. Out of that number, 147 cases were resolved in a timely manner, 136 cases – with conviction, 6 by acquittal, 2 cases were resolved by a judgment dismissing the charge, while in 2 cases a decision on dismissal was made.

Regarding other forms of violence against women, it is important to note that in July 2017, Montenegro amended the legislation in accordance with the Istanbul Convention, by introducing new forms of incrimination: forced sterilization, genital mutilation and persecution.

Also, the criminal policy for the criminal offense of domestic violence or the family community is strengthened. Specifically, for a basic type of this offense, the sentence increased from one to two years in prison.

Regarding the recommendation of the GREVIO Committee that there is an urgent need to raise awareness among the holders of the judicial function of all forms of violence covered by the Istanbul Convention, we emphasize that the Montenegrin courts seem to find it very useful and positive to organize additional training on various aspects of the Istanbul Convention.

### **Compensation for victims of crimes of violence**

In 2009, Montenegro confirmed the European Convention on the Compensation of Victims of the Criminal Offense of Violence, which also took on the obligation to pass a special law establishing the national mechanism for compensation of damages. The Law on Compensation for Victims of Crimes of Violence was enacted in 2015, according to which the right to compensation for damage to a person damaged by the criminal offense - the victim, which was performed with intent with the use of force and which has a direct consequence of death, severe physical injury or serious violation of physical or mental health. The application of this law will begin on the day of Montenegro's accession to the European Union.

The CPA prescribes the possibility of filing a property claim arising out of the commission of a criminal offense if it does not substantially prolong the proceedings. Claim on property claims may be related to compensation for damages, the return of goods or the annulment of a particular legal transaction.

Also, the injured parties have the right to claim damages through regular civil proceedings.

The Montenegrin judiciary accepts the recommendation of the international committees (CEDAW Committee, GREVIO Committee, GRETA) that in order to overcome the problems in practice, which relate to the length of the duration of proceedings for the

payment of compensation for the victims of violence, it is desirable to go towards the introduction of compensation by the state. The Law on the Compensation of Victims of Crimes of Violence, passed by Montenegro in 2016, provides for the possibility of compensation for damage from the state, and the opinion that its application should not depend on the entry of Montenegro into the European Union.

#### **Section 4:**

##### **Data and statistics**

Courts extract their statistics from PRIS. The judicial information system is used by all courts for monitoring of cases, for some aspects of case management, and communication with clients. PRIS also collects comprehensive statistics that are included in annual court reports.

The ICT Strategy of the Judiciary is dedicated to the development and improvement of the judicial information system as a unique system of courts, the State Prosecutor's Office, the Institute for execution of criminal sanctions, the Ministry of Justice. An effective and standardized system for statistics reporting will be provided, in which the data will be based on various criteria and methodologies.

Particular attention will be paid to data monitoring when it comes to crimes of domestic violence and violence against women, where it will be ensured that all data is classified according to: the age and gender of the victim, the relation of the victim and offender, the place of violence, the type of violence, data on children as victims/witnesses of violence, etc.

#### **ANNEX 2 – Information from the Ministry of Health of Montenegro for the purpose of compiling the National Report on the implementation of the Beijing Declaration and Platform for Action**

Montenegro ratified the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence in 2013, and with its entry into force in 2014, our country has undertaken a number of commitments involving the structural prohibition of discrimination and adhering to the "zero tolerance" policy regarding violence against women and domestic violence through an effective and coordinated cooperation among all competent authorities, institutions, and organizations.

The general principles of the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence for exercising the right to health care is defined, inter alia, in the Law on Health Care, Law on Health Insurance, Law on Patients' Rights, enabling regulations passed in accordance with the law, as well as other regulations based on the aforesaid laws which relate to the health policy sector. With a view to creating and implementing appropriate policies, the 2013–2020 Strategy for the Preservation and Enhancement of Reproductive and Sexual Health in Montenegro was adopted.

The Law on Health Care stipulates that citizens shall be equal in exercising their rights to health care, regardless of their nationality, race, gender, gender identity, sexual orientation, age, disability, language, religion, education, social status, personal property, and any other personal status in accordance with the law. The Law on Patients` Rights specifies that the equal right to quality and continuous health care is guaranteed to each patient in accordance with their state of health, generally accepted professional standards and ethical principles, with the right to alleviate suffering and pain in each stage of disease and condition at all levels of health care.

Law on conditions and procedure for termination of pregnancy stipulates that a doctor specialists in gynaecology and obstetrics shall in all cases of applying for termination of pregnancy introduce a pregnant woman and/or her parent, adoptive parent, guardian or guardianship authority with the medical methods and means for executing abortion and point to the danger and harmful health consequences that could occur due to the termination of pregnancy.

The aforesaid normative framework indicates that the obligation of health institutions to implement health policies in the part referring to patients' rights is to ensure the provision of health services without any form of violence, whether mental, psychological or other forms of violence against female patients, which is in accordance with law and punishable. In case of admitting of female patients who have suffered any form of violence (mental, psychological or physical violence) a health professional in the relevant health institution is obliged to identify violence, if it has been recognized, and report it to the Ministry of Interior in order for this authority to prosecute and take appropriate actions to ensure protection against violence. In this regard, the implementation of the legislative framework and adherence to the principles and obligations arising from international commitments, the PROTOCOL ON ACTIONS, PREVENTION, AND PROTECTION FROM FAMILY VIOLENCE and the PROTOCOL ON THE PROTECTION OF CHILDREN FROM VIOLENCE have been passed. These protocols refer to the health care sector and are available in all health institutions, and health professionals are obliged to act in accordance with them.

### [ANNEX 3 – Report of the Employment Agency of Montenegro for the purpose of compiling the National Report on the implementation of the Beijing Declaration and Platform for Action](#)

#### **2014**

**Programs of education and training of adults** include activities that provide unemployed persons with the opportunity to improve their knowledge within the same occupation and level of education, gain professional qualifications or knowledge and skills needed to perform tasks within the relevant profession in order to increase employability. The program target group are people with inadequate knowledge and skills, surplus occupations, long-term unemployed persons, members of RE population, users of unemployment benefits and other social benefits, as well as other persons prepared to be covered under this active employment policy measure. Some 1,551

persons from the Agency`s records were trained within this program in 2014. **Of this number, females accounted for 61.57% (955 participants).**

**Public work** is work organised for the purpose of fixed-term employment of hardly employable people in order to preserve and improve their working skills, as well as to achieve certain public interest. The target groups of these programs are unemployed persons from the Agency's records, preferably those who are identified as long-term unemployed persons, persons with disabilities, persons without disabilities who have impaired work capacity, RE population, users of financial compensation and social benefits, and other unemployed persons which are provided with working and social inclusion and alleviation of consequences of long-term unemployment. In 2014, the Agency organized public works for 879 participants. **Of this number, females accounted for 55.66% (498 participants).**

At end-2013, the Agency started with a **pilot program of stimulating the employment of persons with acquired secondary education, III and IV degree of education, without years of service or with years of service with the lower education level**, who are allowed to acquire knowledge and skills required for relevant profession. The program covered 336 participants. **Of this number, females accounted for 28.6% (96 participants).**

**The program of professional training of persons with acquired higher education** is an incentive for high school students to find employment easier through job-based proofing. The beneficiaries of the program are professionally trained for a period of nine months during which they receive remuneration. Some 3,858 persons attended the repeated professional training program in 2013/2014. **Of this number, females accounted for 61.75% (2,135 participants).**

**Professional rehabilitation** is a process that is implemented with the aim of training an individual for social and work integration, including measures and activities that enable people with disabilities and other hardly employable people (as the target group), to receive appropriate training for work, retaining employment, advancing in their careers or changing their professional career. The essence of professional rehabilitation involves identifying problems, assessing the remainder working capacity, guidance and training for employment, with provided psychosocial support and, ultimately employment, maintaining employment, and professional advancement. In 2014, a total of 81 persons **(50.62% of this number were women)** were included in the professional rehabilitation process.

## **2015**

Programs of **education and training of adults** were provided to 892 unemployed persons, of which female participants accounted for **56% (550 women)**.

**Public works carried out** in 2015 enabled the employment of 1,383 long-term unemployed people, and **women accounted for 56.9%**.

**Stimulating employment of persons with acquired secondary education** – taking into consideration market trends over the past few years that indicated a high share of individuals with acquired secondary education, the Agency carried out a program to encourage employments of these people. The program covered 309 persons, with **137 of them being women (44.34%)**.

**“Young people are our potential, let`s give them a chance”** - This program covered 50 persons in the age group of up to 30 years old, with higher education, working experience at the level of education, advanced computer skills, and fluent in English. During the reporting period, the program participants: contributed to raising awareness of unemployed persons about the importance of entrepreneurship through peer education, participated in the creation of business plans for unemployed persons as potential borrowers, in cooperation with municipalities, business centres, centres for social work, schools, tourist organizations, non-governmental organizations, sports clubs and other organizations, participated in the preparation of project applications for the allocation of funds from national and international funds, and initiated the establishment of three clusters. **Some 58% of program participants were females.** The **training for self-employment** was also implemented in order to encourage the employment of 123 persons without experience at their level of education. The program provided the first employment for 109 unemployed persons for a period of six months and for 14 persons for a period of nine months, which enabled them to qualify for the state licence exam. **Females accounted for 47.2% of the program participants.** Some 3,458 persons with acquired higher education attended the third cycle of the **vocational training program** in 2014/2015. Female participants accounted for **61.75% (2,135 persons).**

## **2016**

During this year, the Agency carried out the **education and training programs** for 454 unemployed people. **Females accounted for 59%** of the program participants.

As for **public works**, 1,096 people from the Agency`s records were employed, **69% of whom were women.**

**“Young people are our potential, let`s give them a chance” – in order to** encourage the employment of young people in their places of residence, the program covered 49 people with higher education, **60% of them being women.**

**Training for self-employment** was carried out for 71 unemployed people having no working experience, with (III- and IV-degree) secondary school diploma received no more than two years prior to the program implementation. The program provided the training and work in the period of six months. **42% of this number were women.**

**„Stop grey economy”** was a project implemented with a view to providing training and employment of young population involving the suppression of informal economy. In the actual working environment, the participants provided technical support and assistance to the officials of the Administration for Inspection Affairs, Police Directorate, and Tax Administration in the combat against informal economy. With continuous mentoring, the program participants were employed for a limited period of time of 3 months, working on the jobs of registration of taxpayers and obligors of mandatory contributions and insurance, regularity checks of registration applications and registration decisions, application of tax regulations, receipt and processing of tax returns, processing and arranging of tax records, call centre, implementation of the project “Be responsible”, and on other tasks of inspection services in all segments

defined by the operational work plan. This program covered 100 unemployed persons with higher education, up to 29 years of age, with a work experience of at least nine months; **56% were female participants.**

The fourth cycle of the **program of professional training of people with higher education** carried out in 2015/2016 covered 3,319 persons without any working experience at their education level. Females accounted for 61% of the program participants.

**Professional rehabilitation** covered 210 persons, **118 being women (56.19%).**

### **2017**

Programs of **education and training of adults** were provided to 553 unemployed persons, of which female participants accounted for **51.45% (283 women).**

**Public works** provided employment for 1,214 persons from the Agency`s records. **Females accounted for 57% of this number.**

„**Stop grey economy**” program covered 145 unemployed persons with higher education, **48% of them being females.**

The **program of professional training of people with higher education** carried out in 2016/2017 covered 3,360 persons. **Females accounted for 1,826 or 54.34%** of the program participants.

**Professional rehabilitation** measures and activities covered **XXX** persons, **94 or 51.36% of this number were women.**

### **2018**

Programs of **education and training of adults** were provided to 1,295 unemployed people. **Women participation** in these programs was **52.8%.**

Public works provided employment for 1,345 people from the Agency`s records, and **58.94% were women.**

The Agency also carried out the program of active employment policy “**Stop grey economy**” which covered 180 unemployed persons with higher education, up to 30 years of age and the minimum of nine months of working experience, and **56.7% of this number were women.**

The **program of professional training of people with higher education** carried out in 2017/2018 covered 3,055 persons. **Females accounted for 1,826 or 58%** of the program participants.

In cooperation with employment agencies, the Employment Agency implemented “**Empower me and I will succeed**”, a pilot program of support to hardly employable persons to help them prepare and activate in the labour market. The program was created on the basis of national and European guidelines and recommendations, with the aim of providing support to the elderly, especially to women who are former beneficiaries of benefits received due to the birth of three or more children and beneficiaries of material provision of the family, in their preparation and activation on the labour market. The program covered 925 hardly employable persons. Of the total number of program participants, **females accounted for 95.7%.**

**Professional rehabilitation** measures and activities covered 303 persons, **200 or 63.89% of this number were women.**

**The Employment Agency has been continuously implementing the "Innovated Program for Continuous Stimulation of Employment and Entrepreneurship in Montenegro"** (better known as "Innovated Self-Employment Program"). This program involves the funding of start-ups by unemployed persons, as well as lending to small and medium-sized enterprises under more favourable conditions. Natural persons - persons from the unemployment records, entrepreneurs, as well as legal persons with the status of small and medium-sized enterprises may apply for a loan from this Program. The prerequisite for obtaining credit is the creation of new jobs with the business activity that is to start or expand. One can receive up to EUR 5,000 for each new job, with the maximum loan amount of EUR 15,000 (3 new jobs). The loan repayment period is 3 years for a natural person and 2 years for a legal person, with a grace period of 1 year. The interest rate is 3% and 4% per annum. The 3% interest rate is for unemployed female borrowers and people from less developed municipalities, and the 4% interest is for persons from developed municipalities and for small and medium-sized enterprises.

In the period from 01 January 2014 until 31 December 2018, 173 loans were granted to unemployed persons. Of this number, 43.93% were loans granted to unemployed women (76 loans) in the amount of EUR 420,000, which enabled the opening of 84 new jobs.

#### ANNEX 4 – Report of the Ministry of Agriculture and Rural Development of Montenegro for the purpose of compiling the National Report on the Implementation of the Beijing Declaration and Platform for Action

The program of development of agriculture and rural areas of Montenegro within IPARD II 2014-2020 (IPARD II program), within the scope of measure 1 - Investments in the physical capital of agricultural holdings, when ranking projects for investments in farms where women are holders of the holding they receive 15 points, while within the scope of measure 3 - Diversification of households and business development, if a woman is holder of the holding she receives 20 points.

Implementation of the IPARD II program started in 2018 within the scope of measure 1 - Investments in the physical capital of agricultural holdings. Out of the 389 projects received, for 31 projects the owner of the holding are women, i.e. 7.97% in relation to the total number of applications. Administrative control of the request is in progress. For this measure, EUR 10,720,000 has been allocated, of which 75% is EU funded, and 25% from the national budget.

For the promotion of measure 1 - Investments in the physical capital of agricultural holdings, 22 workshops were held in all municipalities in Montenegro attended by 877 potential applicants. 1,000 copies of user guides, flyers for procurement procedures, standardized flyers and roll ups are printed. Announcements and press releases were prepared for each of the events, including workshops that were conducted in connection with IPARD public calls. Both announcements and press releases are sent to all media

in Montenegro. Also, information on publishing a public call was sent to all municipalities and Agro business centres via e-mail with all supporting documents for a public call. For all these activities, EUR 7,500 was spent on financing by the Ministry of Agriculture and Rural Development.

There is an increasing number of women who are the holders of agricultural holdings. Since 2016, there have been registered 1,349 farms in the Register of Agricultural Holdings, to which the holders of the holding are women. Support measures of the Ministry of Agriculture and Rural Development enabled modernization of farms, strengthening of productive competitiveness, increase of productivity of farms, reduction of costs, increase of product quality, hygiene and food safety.

#### ANNEX 5 – Information of the University of Montenegro for the purpose of compiling the National Report on the implementation of the Beijing Declaration and Platform for Action

Within the Chapter “B” of the Beijing Declaration – Education and training of women, the University of Montenegro continuously affirms the principle of gender equality in all areas of its work.

Over the past period, an MoU on cooperation signed with the Ministry of Human and Minority Rights, which defines further activities of the University of Montenegro in this segment of activities.

Through educational curricula in the relevant study programs, both male and female students acquire professional knowledge and skills in the field of gender equality, with outcomes and opportunities for practical application. Based on the inter-institutional agreement on credit mobility concluded within the Erasmus + program of the University of Montenegro, one female student of Political Science resides at the University of Iceland in Reykjavik and attends a gender equality based program.

Study programs are equally accessible to both female and male students and the University of Montenegro promotes them evenly through its enrolment policy.

The regulations of the University of Montenegro provide the opportunity to acquire adequate knowledge and skills through lifelong learning programs.

As the biggest educational institution, of all priorities outlined in the Beijing Declaration and the Platform for Action, we believe that the education of girls and women and their acquisition of modern knowledge and skills is the basic requirement for proper employment and thus for their economic empowerment with a view to achieving a gender balance in all social segments.

Bearing in mind the provisions of the 2030 Agenda for Sustainable Development, the University of Montenegro fully supports Objective 4 which relates to the quality of education, and affirms in particular, through daily educational process, the values from point 4.7 of this objective, so that all students: “acquire the knowledge and skills necessary to promote sustainable development through, inter alia, education for



sustainable development and sustainable lifestyles, human rights, gender equality, as well as promoting the culture of peace and nonviolence, belonging to the global community and respect for cultural diversity and the contribution of culture to sustainable development”.

#### ANNEX 6 – Information of the Ministry of Education for the purpose of compiling the National Report on the implementation of the Beijing Declaration and Platform for Action

##### **Gender sensitive education and upbringing**

In 2018, the Ministry of Education started organizing and implementing tasks and activities in the area of gender equality in education and upbringing

##### **Campaign – “Professional is crucial - learn, earn, build yourself”**

This campaign was successfully implemented and achieved good results as the number of enrolled pupils and students in new, modularized vocational education programs has increased. Approximately 20% of children enrolled three-year programs and about 40% attend simultaneously the third level of dual education. Dual education has come to life after almost a decade and we currently have about 280 children with about 100 employers, and even more employers and children are interested in participation in the next school year.

In the current school year, ten modernized educational programs have been introduced such as: Electrical engineer for electronics, Electrical engineer for electronic communications, Electrical technician for computers and networks, Electrical engineer for development of mobile and web applications, Fashion designer, Nautical technician, Gastronome, and so on. It is expected that another 15 similar modernized programs will be introduced in the next school year.

The Ministry of Education continues to finance deficient professions in vocational schools.

In 2018, events promoting dual education were organized in Podgorica (5 May), Berane (16 May), and Budva (29 May). All these events took place under the auspices of the Ministry of Education, in cooperation with the Centre for Vocational Education (CVE) and employers, in the presence of primary school pupils, secondary school students, a large number of parents, teachers from primary and secondary schools.

The CZS organized the **event – The 17<sup>th</sup> Days of Adult Education and Learning** in the period 20 - 30 November, during which educational offer for adult education in Montenegro was promoted, as well as days of open doors of the organizers of adult education for interested citizens.

The organizer of adult education - Urban Protection Training Centre Montenegro, in cooperation with the CVE, organized **a round table on the topic “Deficient professions in the area of security” and the presentation of the security portal**. The possibility of enrolling women in these education programs was particularly emphasized.

**12. What actions has your country taken in the last five years to improve education outcomes and skills for women and girls?**

- Increased access to skills and training in new and emerging areas, especially in the fields of science, technology, engineering, mathematics, and digital literacy. Access to safe water services and sanitation and facilitated management of menstrual hygiene is ensured, especially in schools and other settings of education/training.

**30. What actions has your country taken in the last five years to integrate gender perspectives and concerns into environmental policies?**

- Promoting education of women and girls in science, engineering, technology, and other disciplines related to the natural environment

We can provide the same answer to questions 12 and 30: The celebration of the International Day of Girls in ICT began in 2011 on the initiative of the International Telecommunication Union (ITU) as part of a global goal to raise awareness of the importance of empowering and encouraging girls to get involved in educational programs focusing on information and communication technologies and build their careers in this field. The girls' day in ICT is celebrated on the last Thursday in April.

The Ministry of Public Administration, in cooperation with the Ministry of Education, celebrated the International Day of Girls in ICT.

Within the day, various activities were held:

- workshops entitled "Challenges and opportunities in ICT".

The workshop presented the advantages and potential threats on the Internet, the ways in which such problems can be solved and assistance to those who suffer from violence, as well as examples of hate speech and violence on the Internet, as well as the abuser, the possibilities of reporting cyber incidents and violence on the Internet:

- Lectures for secondary school students from Podgorica about graphic design, a combination of visual communications, art and information and communication technologies.

- Competition of girls for the best graphic solution and for the best literary work on the theme "I in the world of technology". The winners were awarded with tablets. The advantages of studying and career in the field of visual arts and graphic design are emphasized.
- An organized competition for the best literary work on the theme "Me in the world of technology". Prizes were awarded to the best participants of the competition: lap top computers, tablet computers, smartphones. All awarded participants were provided with free ECDL training and ECDL certification, while first-graders from high school are entitled to volunteer internship in ICT companies who has sponsored the competition.
- Lectures on the advantages and importance of information and communication technologies and computer skills testing according to the ECDL standard. Students checked their IT skills through a combined ECDL standard test and these tests are an insight into their IT skills.

**16. What actions has your country taken in the last five years to prevent and respond to violence against women and girls facilitated by technology (online sexual harassment, online stalking, non-consensual sharing of intimate images)**

The Ministry of Public Administration daily promotes and educates on the safe and responsible use of the Internet and modern technologies and possible threats on the Internet.

Awareness raising of threats in cyberspace, as well as their impact on the entire society, has become vital. Through awareness raising, individual and corporate users can learn how to behave and feel more secure and ready to do business online.

The education of citizens through publication of various safety tips, instructions and warnings is based on current trends in technology and the distribution of relevant knowledge of regional and international experts. An important segment in awareness raising is the promotion of content on the portal with materials, which is continually updated in accordance with new technologies related to information security (guidelines, manuals, presentations, webinars, lectures).

The focus on the different target groups is the result of successful and effective campaigns to raise awareness of security challenges.

Continuous monitoring and evaluation of the campaign is useful in terms of identifying new emerging needs and adapting the campaign process. Sustainable human and financial resources and continuous monitoring can contribute to increasing the flexibility and flexibility of the campaign.

In cooperation with the Ministry of Education, the Telenor Foundation, the Protector of Human Rights and Freedoms, the Ministry of Public Administration, for five years in a row a project "Winning the Internet – Smart surfing" was implemented.

The project originated as a confirmation of the long-term shared commitment in the area of increasing security and protecting children on the Internet, or creating a secure digital environment for the youngest users of modern technologies in Montenegro.

Since the beginning of the #SurfSmart, more than 20,000 pupils from 20 Montenegrin municipalities have been educated, who have been trained through 490 interactive workshops to safely use the Internet and social networks and avoid dangerous and undesirable content.

On the topic of cyber security, the following activities were held:

- Safe Internet Day - celebrated worldwide under the slogan "United for Better Internet"

Workshops, debates and presentations for children, teachers and parents in primary and secondary schools were held in the framework of this project. It was aimed at creating a common digital content on children's safety on the Internet, film projections and a number of other activities dedicated to this topic were held. The aim of this international campaign is to promote the safe and responsible use of the Internet and modern technologies, with a special focus on children and young people around the world.

- Conference "State-sponsored attacks in cyberspace" in cooperation with the Embassy of the United Kingdom of Great Britain and Northern Ireland and their expert partner DCAF (The Geneva Centre for the Democratic Control of Armed Forces) for representatives of state institutions, the private sector and representatives of universities in Montenegro.

- INFOFEST 2016 - Panel "Cyber Security is a Joint Responsibility"

- INFOFEST 2017 - panel "Current threats and challenges in cyberspace"

- INFOFEST 2018 - Panel "Technologies, Privacy and Privacy Policy"

- Cyber exercise in cooperation with the Embassy of the United Kingdom and Northern Ireland and DCAF

- Training in cooperation with the Human Resources Management Authority "Cyber Security - Challenge of the 21<sup>st</sup> Century" for state and local officials and employees, held several times during 2017. Within the interactive sessions, the following are discussed and demonstrated ways of protecting social networks, protecting personal and business data, protecting e-mail, protecting against ransomware, etc.

- Workshop: "Security in the use of information and communication technologies"

- Media presentation on the safe use of the Internet

## ANNEX 8 – Information from the Ministry of Interior for the purpose of compiling the National Report on the Implementation of the Beijing Declaration and Platform for Action

1. What have been the most important achievements, challenges and set-backs in progress towards gender equality and empowerment of women over the past 5 years?

Work on the elimination of stereotypes and prejudices in the subject area, which are mainly causes of gender discrimination. Improving status of women in the security sector, promoting jobs in the security sector within younger population, with a special focus on girls and women, and the professional empowerment of women in the security sector.

2. Which of the following have been the **top five priorities** to accelerating progress for women and girls in your country **over the past five years** through laws, policies and/or programmes? (please check relevant categories)

As a special measure, they are defined by the strategic documents of employee training on the subject topics. A special training program has been developed, where employees are trained for three years. The right to parental leave is promoted.

A team was formed consisting of representatives of state authorities and non-governmental sector, which deal with the prevention of domestic violence and violence against women, which jointly implements measures aimed at improving the situation in the subject area.

3. **Over the past five years**, have you taken specific measures to prevent discrimination and promote the rights of women and girls who experience multiple and intersecting forms of discrimination? (please check relevant categories)

The Ministry of the Interior, in cooperation with the United Nations High Commissioner for Refugees (UNHCR) - Podgorica Office, organized a one-day training on the topic "Guidelines of the United Nations High Commissioner for Refugees on Policing in the context of Article 1A (2) of the Convention on Status of Refugees from 1951 and its 1967 Protocol ", gender-based violence and the granting of residence to migrant women, victims of gender-based violence (Istanbul Convention), on June 14, 2018 in Podgorica, for officials of the Directorate for Asylum, acceptance and accommodation of foreigners seeking international protection, Foreigners, Migration and Reassignment Directorates and Regional Units for Citizenship and Personal Documents - Podgorica.

The Ministry of the Interior, in cooperation with the United Nations High Commissioner for Refugees (UNHCR) - Podgorica Office, organized a one-day training on the topic "Guidelines of the United Nations High Commissioner for Refugees on Policing in the context of Article 1A (2) of the Convention on Status of Refugees from 1951 and its 1967 Protocol", gender-based violence and the granting of residence to migrant women, victims of gender-based violence (the Istanbul Convention).

**6. What actions has your country taken in the last five years to advance gender equality in relation to women's role in paid work and employment?**

The training promotes the legislative and institutional framework in the subject area and empowers the participants to seek protection of their rights guaranteed by positive regulations. They are determined by the decision of the chief of the organs-mediator in cases of ill-treatment at work, "confidential persons" are identified in the centres and departments of security and the person coordinating activities for achieving gender equality. Also, the Ethics Committee was formed.

**13. In the last five years, which forms of violence against women and girls, and in which specific contexts or settings, have you prioritized your action?**

Amendments to the Law on Foreigners have been initiated. One of the reasons is the harmonization of the Law with the Council of Europe Convention on the Prevention and Suppression of Violence against Women and Domestic Violence – the Istanbul Convention.

Proposed changes relate to the fact that a temporary residence permit for the purpose of family reunification can be extended to a foreigner who is a victim of the criminal offense of domestic violence or family community, regardless of the length of the marriage. The law stipulates that a permanent resident may be issued a permanent residence permit if it is established that as a victim of trafficking in human beings (unauthorized marriage) they have stayed permanently outside Montenegro for more than one year.

The National Anti-Trafficking Office, in cooperation and with the support of the OSCE Mission in mid-2018, hired an expert who made an analysis of the impact of the implementation of the Strategy for the period 2012-2017, on the basis of which a draft proposal for the new Strategy for the period 2019-2024 was drafted with the accompanying action plan for 2019. This evaluation was presented to the general public at the round table which was part of the Public Debate on the Draft Strategy for

Combating Trafficking in Human Beings for the period 2019-2024, with the accompanying Action Plan for 2019, organized on November 26, 2018.

On the results of the implementation of the strategy for combating trafficking in human beings and the accompanying action plan and phases in the development of a new strategic document, the public was informed through television roles of the representatives of the National Office for Combating Trafficking in Human Beings, organized at the Public Service on the occasion of marking the world and European day of fighting human trafficking. All of the above reports are available on the MoI/National Anti-Trafficking Office website ([www.antitrafficking.gov.me](http://www.antitrafficking.gov.me)) and are presented to the public through appropriate press releases and media roaming.

The National Office for Combating Trafficking in Human Beings in partnership with the Red Cross of Montenegro in mid-2018 started the implementation of the project with the support of UNICEF, which refers to mapping the main causes of potential violence, abuse, neglect and/or any other form of exploitation of Roma and Egyptians at Camp Konik in Podgorica.

In 2018, the National Office for Combating Trafficking in Human Beings started a project entitled "Improving the Provision of Services and Awareness of the Fight against Trafficking in Human Beings in the Balkans, Albania, Macedonia, Montenegro, Kosovo" in partnership with NGO SOS hotline Nikšić, which aims to strengthen the capacities of institutions representatives in the application of transnational SOPs for the exchange of information on trafficking cases, which have been drafted and adopted as an operational mechanism for better implementation of the signed bilateral Cooperation Agreements. During the workshops, which were organized, a special attention was given to women's and girls' sensitiveness in relation to the phenomenon of trafficking in human beings, and representatives of the Ministry of Labour and Social Welfare/Centre for Social Work, Police Directorate and NGO Montenegrin Women's Lobby took part in their work.

In May 2018, the National Office for Combating Trafficking in Human Beings carried out four training sessions for representatives of the tourist industry for the northern, central and southern regions, where participants of the training - more than 50 - were introduced with the very issues of trafficking in human beings, key trends which address this issue, indicators for identifying victims, as well as referral mechanisms.

Representatives of the National Office for Combating Trafficking in Human Beings and the Ministry for Human and Minority Rights in cooperation with civil society organizations participated in the implementation of the education and campaign that began in September 2018 on the topic "Combating Domestic Violence, Forced Child Agreed Marriages and trafficking for the Roma and Egyptian population ". The campaign was realized by visiting Roma settlements in 10 cities (Berane Bijelo Polje, Pljevlja, Herceg Novi, Tivat, Kotor, Ulcinj, Bar, Podgorica and Niksic), and talking to parents and children about these negative social phenomena, pointing to the importance of education, informing about services and institutions for support and assistance.

Activities realized with the aim of marking October 18 - European Day against Trafficking in Human Beings were aimed at strengthening the resistance of vulnerable categories in relation to the phenomenon of human trafficking. With regard to the initiative of the National Office for Combating Trafficking in Human Beings on October 18<sup>th</sup>, in all elementary and secondary schools was organized a lecture, with topic "Fight against trafficking in human beings/children". In co-operation with the Red Cross of Montenegro, a workshop on "Trafficking in Human Beings" was organized for asylum seekers located in the Asylum Centre. In addition, the information desk in the centre of Podgorica, the Red Cross Red Cross, distributed information flyers prepared by the National Office for Combating Trafficking in Human Beings.

**26.**

An obligation is defined that the strategic documents of the Police Directorate must contain a component of gender equality. Internal acts are harmonized with the national document for the implementation of the United Nations Security Council Resolution 1325, Women, Peace and Security.

**27. What actions has your country taken in the last five years to increase leadership, representation and participation of women in conflict prevention, resolution, peace building, humanitarian action and crisis response, at decision-making levels in situations of armed and other conflicts, and in fragile or crisis settings?**

Every year the Montenegrin police send one female police officer to a peace mission to Cyprus.

**28. What actions has your country taken in the last five years to enhance judicial and non-judicial accountability for violations of international humanitarian law and violations of the human rights of women and girls in situations of armed or other conflicts or humanitarian action and crisis response?**

When it comes to the fight against trafficking in women and children, in the institutional sense, the Department for the Suppression of Human Trafficking, Smuggling and Illegal Migration was formed in March 2018. This activity represents an improvement in terms of capacity building when it comes to criminal prosecution of the said area. We also emphasize that the Operational Team for Combating Trafficking in Human Beings, which is managed by SSPO in Podgorica, has been formed, and the members of the team of which are 8 are representatives of the Prosecutor's Office, the Ministry of Interior, the Police Directorate and the Ministry of Justice. This team, in accordance



with decision and founding, has the primary task of prosecuting and identifying victims of trafficking.

One of the measures for implementation of the Strategy for Protection against Domestic Violence for 2016-2020 is drafting of an act that will specify the actions of the competent institutions in cases of identification and processing of child marriages and extramarital communities.

In this regard, at the beginning of 2017, with the support of UNICEF, the Ministry of the Interior, in order to implement the obligations from the Strategy for the Protection against Domestic Violence (2016-2020), related to the processing of cases of early marriages, adopted the Guidelines for the Action of the Institutions in cases of recognizing and prosecuting child marriages and extramarital communities, with the aim of improving the protection of children from violence. This document constitutes an additional tool in the treatment of all relevant institutions and contains a series of steps that each of them can and should undertake when it comes to knowing that an extramarital community of children has occurred.

Guidelines for the treatment and processing of cases of child marriages and extramarital communities have a clear objective, which is to give recommendations to relevant institutions and employees, who will act in situations related to the emergence of child marriages.

Bearing in mind the specificity and complexity of the issues that are the subject of this act, a multi-sectoral approach was necessary in order to prepare comprehensive material to assist the employees in the institutions that deal with these situations, as well as the victims of the aforementioned marriages or extramarital communities. The document consists of a review of national and international legislation in this area, indicators for identifying phenomena and specific steps that each institution involved in the system should and can do.

In these cases, the police act as well as others in which the children are participants, and this means urgent, cautious and with due care. In case of information about the existence of a child marriage, a Social Work Centre, possibly the Office for Combating Trafficking in Human Beings (if it is suspected that it is a victim of trafficking in human beings), will be informed. The police officer is obliged to inform the victim about the possibility of lodging in the shelter, with the possibility of obtaining free legal aid, as well as with the right to choose persons who will attend all procedures and actions related to protection (confidential person).

The guidelines for treatment and prosecution strengthen the cooperation of state bodies directly involved in the fight against illegal marriage. Through clearly defined operational procedures, which are defined in the Guidelines, law defines the obligations of these institutions.

The MoI has established an Operational Team for combating domestic violence and violence against women, which aims to strengthen the capacity of the police in terms of training as many officials as possible to work with children. The task of the Team will be to look at current practice and analysis of specific cases,

to establish further guidelines for the treatment and improvement of the prevention and combating of domestic violence. This body will function on the principle of strengthening coordination and establishing a unified practice. Also, the team will target weak links in the chain of actors and influence changes.

Cooperation on prevention, information exchange, education, reporting and prosecution, as well as assistance and protection of victims will be priorities in teamwork.

The team is conceived as a body that will develop mechanisms for timely and adequate response, primarily police, and other institutions; which will assess capacities and suggest key changes; strengthening of trust and transparency of the police.

The team will pay special attention to the monitoring of training and further education of the representatives of the institutions hearing the victims in order to deal with greater sensitivity in such situations and to provide greater support to victims of domestic violence, as well as to impose measures on perpetrators of violence. In this regard, a plan for the organization of specialized and targeted training on identifying and assessing the risks of violence will be prepared, as well as on the proving and documenting of cases of violence.

The activities of the Operational Team will continuously monitor the problems of domestic violence. There will be an intensified dialogue with all subjects dealing with victims in the area of exchange of information and knowledge of the history of violence. In this way, we will contribute to a better implementation of the Law on Protection against Domestic Violence and more effective protection of the victim.

#### [ANNEX 9 – Report of the Ministry of Justice for the purpose of compiling the National Report on the Implementation of the Beijing Declaration and Platform for Action](#)

### **13. In the last five years, which forms of violence against women and girls, and in which specific contexts or settings, have you prioritized your action?**

Amendments to the Criminal Code from 2017 to the criminal legislation of Montenegro, new criminal offenses were introduced for the Female Genital Mutilation and Forced Sterilization, which are aligned with Art. 38 and 39 of the Istanbul Convention. Also, a new criminal offense of persecution was introduced in which way the compliance with Article 34 of the Istanbul Convention was made.

Furthermore, the penalties for the criminal offense of domestic violence or the family community have been tightened in such a way that the penalty for the basic form of this criminal offense is increased from one to two years, while for the violation of the measure of protection against domestic violence (determined by the court or another state body based on the law) provides for imprisonment of up to one year, instead of six months. Amendments to the criminal offense of Rape have been made, and a new

form of criminal offense has been introduced, the termination of a null and void marriage.

**14. What actions has your country prioritized in the last five years to address violence against women and girls?**

Amendments to the Criminal Code from 2017 to the criminal legislation of Montenegro, introduced new criminal offenses for Genital Mutilation and Forced Sterilization, which is aligned harmonized with Art. 38 and 39 of the Istanbul Convention. Also, a new criminal offense of persecution was introduced in which way the compliance with Article 34 of the Istanbul Convention was achieved.

Furthermore, the penalties for the criminal offense of domestic violence or the family community have been tightened in such a way that the penalty for the basic form of this criminal offense has increased from one to two years, while for the violation of the measure of protection against domestic violence (determined by the court or another state body based on the law) provides for imprisonment of up to one year, instead of six months. Amendments to the criminal offense of Rape have been made, and a new form of criminal offense has been introduced, the termination of a null and void marriage.

**16. What actions has your country taken in the last five years to prevent and respond to violence against women and girls facilitated by technology (online sexual harassment, online stalking, non-consensual sharing of intimate images)?**

Amendments to the Criminal Code from 2017 to the criminal legislation of Montenegro, new criminal offenses were introduced for the Genital Mutilation and Forced Sterilization, which is harmonized with Art. 38 and 39 of the Istanbul Convention. Also, a new criminal offense of persecution was introduced in which way the compliance with Article 34 of the Istanbul Convention was achieved.

Furthermore, the penalties for the criminal offense of domestic violence or the family community have been tightened in such a way that the penalty for the basic form of this criminal offense has increased from one to two years, while for the violation of the measure of protection against domestic violence (determined by the court or another state body based on the law) provides for imprisonment of up to one year, instead of six months. Amendments to the criminal offense of Rape have been made, and a new form of criminal offense has been introduced, the termination of a null and void marriage.

Also, in 2017, by amending the Criminal Code, the criminal offense referred to in Article 211 Child Pornography was harmonized with the obligations laid down in the Lanzarote Convention and the Council of Europe Convention on Computer Cybercrime, by introducing the definition of child pornography in the way that child pornography is considered to be any material which visually depicts a child dealing with real or simulated sexually explicit behaviour and any display of the child's full

organs for primary sexual purposes. In this way, the definition of Child Pornography was introduced in accordance with paragraph 2 of Article 20 of the Convention.

**18. Has your country taken any action in the last five years especially tailored to address violence against specific group of women facing multiple forms of discrimination?**

YES

Amendments to the Criminal Code from 2017 to the criminal legislation of Montenegro, new criminal offenses were introduced for the Genital Mutilation and Forced Sterilization, which is harmonized with Art. 38 and 39 of the Istanbul Convention. Also, a new criminal offense of persecution was introduced in which way the compliance with Article 34 of the Istanbul Convention was achieved.

Furthermore, the penalties for the criminal offense of domestic violence or the family community have been tightened in such a way that the penalty for the basic form of this criminal offense has increased from one to two years, while for the violation of the measure of protection against domestic violence (determined by the court or another state body based on the law) provides for imprisonment of up to one year, instead of six months. Amendments to the criminal offense of Rape have been made, and a new form of criminal offense has been introduced, the termination of a null and void marriage.

Amendments to Article 42a of the Criminal Code were also made, which relate to aggravating circumstances in determining the sentence. That article reads as follows:

- (1) If a criminal offense is committed because of hatred towards another person for reasons of national or ethnic origin, race or religion, or because of the absence of such affiliation, disability, gender, sexual orientation or gender identity, this circumstance will be deemed by the court as aggravating unless is not prescribed as a characteristic of a basic or more serious form of criminal offense.
- (2) If the criminal offense is committed against a person belonging to a particularly vulnerable category of person (children, persons with disabilities, pregnant women, elderly persons, refugees), the court will regard this circumstance as aggravating.

**28. What actions has your country taken in the last five years to enhance judicial and non-judicial accountability for violations of international humanitarian law and violations of the human rights of women and girls in situations of armed or other conflicts or humanitarian action and crisis response?**

The Criminal Code of Montenegro under the chapter "criminal offenses against sexual freedom" prescribes higher and more severe penalties in relation to crimes committed against a child (acts of rape, pledge of a child, pledges of child abuse, child pornography, abuse and neglect of children, etc.).

Montenegro has signed and ratified numerous international conventions protecting the rights of the child, the UN Convention on the Rights of the Child and its two protocols (the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol on the Prohibition of the Engagement of Children in armed conflicts), and others such as the UN Convention against Transnational Organized Crime (2000) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, the Council of Europe Convention on the Fight against Trafficking in Human Beings.

Trafficking in human beings, which in the strongest sense represents the most serious violation of basic freedoms and basic human rights, most often victims of women and children, is prescribed as a criminal offense in Article 444 of the Criminal Code of Montenegro:

(1) Any person who by force or threat, misrepresentation or maintenance in error, misuse of authority, trust, relationship of dependence, difficult circumstances of another, the retention of identity documents or the giving or receiving of money or other benefits, in order to obtain consent from the person who has control over another for the purpose of exploiting his work, forcible labor, bringing in a position of servitude, slavery or slavery in a similar relationship, engaging in criminal activity, prostitution, or for the purpose of exploitation; other types of sexual exploitation, begging, pornographic use, illegal marriage, for the removal of a part of the body for transplantation or for use in armed conflicts, shall be punished by imprisonment from one to ten years.

Coordination of the work of state, international and non-governmental organizations on the implementation of the national anti-trafficking policy contained in the Strategy for Combating Trafficking in Human Beings for the period 2012-2018 is under the jurisdiction of the National Office for the Protection of Human Trafficking. The Strategy for combating trafficking in human beings consists of six elements : prevention and education, effective prosecution, identification of victims of trafficking, assistance, protection and reintegration of victims, coordination and partnerships and international cooperation. At the beginning of this year, the Government adopted the Action Plan for the Implementation of the Strategy for Combating Trafficking in Human Beings for 2017 - 2018 with specific activities, deadlines, implementers and partners, success indicators and sources of funding. With this document, within the framework of Strategic Objective 1, which refers to the need to strengthen the existing mechanisms with the additional training of experts, bodies and organizations working together on identifying victims, respecting common standards and protocols of operation, the Operational goal is defined as well.

National legislation of Montenegro is fully in line with the Council of Europe Convention on the Prevention and Suppression of Violence against Women and Domestic Violence (including children)

The Law on Protection against Domestic Violence (Official Gazette of Montenegro 46/10) regulates the protection against domestic violence, protective measures, the procedure for determining protective measures and other issues of importance for the

protection against violence. The solutions envisaged in the text of the law are fully in line with the spirit and recommendations: Opinion of the European Economic and Social Council on Domestic Violence against Women (Opinion of the European Economic and Social Committee on Domestic Violence against Women - 2006/C 110/15); Opinion of the European Economic and Social Council on children as indirect victims of domestic violence (Opinion of the European Economic and Social Committee on Children as indirect victims of domestic violence -2006/C 325/15).

In the Criminal Code of Montenegro, Article 220 prescribes a criminal offense: domestic violence or violence in family community. The Criminal Code prescribes penalties with anyone who through the use of violence endangers the physical or mental integrity of members of their family or family. Also, the Criminal Code prescribes a whole range of incriminations that can be related to the suppression of domestic violence, especially in relation to the protection of children from violence, for example, the sexual act towards a child (Article 206 CC), kidnapping of a minor (Article 217 CC) change of family status (Article 218 CC), neglect and abuse of a minor (Article 219 CC), not providing family support (Article 221 CC), violation of family obligations (Article 222 CC), incest (Article 223 CC), trafficking in children for the purpose of adoption (Article 445 of the Criminal Code), abandonment and abuse of a minor Article 445 CC).

Amendments to the Criminal Code of 2017 have amended Article 42 of the Criminal Code so that it is prescribed that "if a criminal offense is committed for reason of hatred of another person due to national or ethnic origin, race or religion or because of absence, affiliation, disability, gender, sexual orientation or gender identity, the court will appreciate this circumstance as being aggravating unless it is prescribed as a characteristic of the basic or difficult form of criminal offense "and that" if a criminal offense is committed against a person who belongs to a particularly vulnerable category of persons (children, persons with disabilities, pregnant women, elderly people, refugees), the court will regard this circumstance as aggravating."

Therefore, these changes are foreseen as an aggravating circumstance when measuring the sentence for a criminal offense, in particular, if a criminal offense is committed to a person who belongs to a particularly vulnerable category of persons (children, persons with disabilities, pregnant women, elderly persons, refugees).

When it comes to combating illegal arms trafficking, the Criminal Code prescribes the criminal offenses Smuggling (Article 265) and paragraph 2 prescribes that who carries over the customs line, avoiding customs supervision measures, a greater amount of weapons or ammunition or weapons whose holding is forbidden to citizens or another goods whose production or traffic is restricted or prohibited shall be punished by imprisonment for one to eight years and a fine. Also, Article 403 deals with Unauthorized Possession of Weapons and Explosive Substances that reads: Whoever makes unauthorized manufacture, sale, purchase, exchange, carry or hold firearms, ammunition or explosive materials shall be punished by an imprisonment sentence of three months to three years. Then a qualified form: Whoever carries, carries, manufactures, repairs, processes, sells, procures, exchanges, carries or otherwise places firearms, ammunition, explosives, spraying or gas weapons whose holding is

prohibited to the public, punishes, punishes is sentenced to six months to five years in prison. And the most serious form of this criminal offence: If the object of the offense referred to in paragraphs 1 and 2 of this Article is a larger quantity of weapons or assets or is a weapon or other means of great destructive power, the perpetrator shall be punished by imprisonment for one to eight years.

When it comes to combating the production, use and trafficking of unauthorized drugs, the Criminal Code prescribes Article 300 Unauthorized manufacturing, holding and marketing of narcotic drugs and Article 301 Enabling consumption of drugs.

**29. What actions has your country taken in the last five years to eliminate discrimination against and violations of the rights of the girl child?**

Amendments to the Family Law (Official Gazette of RCG 1/07 and Official Gazette CG 53/16) provide for a new Article 5a containing provisions concerning the principle of non-discrimination and equal opportunities for all children. Paragraph 1 contains an anti-discrimination clause on the prohibition of all forms of direct and indirect discrimination of a child by virtue of any actual or presumed personality of the child, his parents, guardians, family members and child of persons close to them.

Article 5a

Direct and indirect discrimination against a child or group of children, their parents, adoptive parents, guardians, foster parents, family members of the child and children of close relatives based on race, skin colour, nationality, social or ethnic origin, relationship with a minority or minority nationality, gender, gender identity, sexual orientation, health status, disability, age, financial status, marital or family status, membership of the group or the presumption of belonging to the group, or other organization, as well as other real or supposed personal qualities of the child, their parents, guardian, **family members and a child of persons close to them** shall be prohibited.

Special measures were introduced in order to achieve full equality, protection and progress of children or a group of children who are in an unequal position shall not be considered as discrimination.

[ANNEX 10 – Information from the Ministry of Foreign Affairs of Montenegro for the purpose of compiling the National Report on Implementation of the Beijing Declaration and Platform for Action](#)

**24 Does your country have an action plan and timeline for implementation of the recommendations of the Committee on the Elimination of Discrimination against Women (if a State party), or of the recommendations of the Universal Periodic Review of other United Nations human rights mechanisms that address gender inequity/discrimination against women?**

Montenegro currently does not have a single action plan for monitoring / implementation of the recommendations of all UN human rights treaty bodies and UPR.

For the sake of more efficient reporting, Montenegro has been chosen to be the pilot country for the implementation of the OHCHR database for monitoring and implementation of the recommendations of the Contracting Parties and the UPR. Applying this database will define the activities as well as the deadline for implementation of the individual recommendations.

ANNEX 11 – Report of the Ministry of Defence of Montenegro for the purpose of compiling the National Report on the Implementation of the Beijing Declaration and Platform for Action

**26. What actions has your country taken in the last five years to build and sustain peace, promote peaceful and inclusive societies for sustainable development and implement the women, peace and security agenda?**

The Ministry of Defence in the adoption of national action plans for the application of United Nations Security Council Resolution 1325 (hereinafter referred to as the “UNSCR” 1325) has the role of initiator and the authority to monitor and report on the conduct of the activities prescribed by it.

Adoption of the Action Plan is significant in the context of the negotiations on Montenegro's accession to the European Union, in particular Chapter 31 - Foreign, Security and Defense Policy, which is open on 24 June 2014.

The First Action Plan for the Implementation of the UNSCR 1325 (2017-2018), was adopted in February 2017 by the Government of Montenegro. The purpose of this plan was to cover and elaborate three essential areas for the application of UNSCR 1325, namely:

- increasing participation of women in decision-making and peace processes, protection of women and girls in conflict zones, and
- the integration of gender perspectives and gender education into peacekeeping operations, as well as the range of mechanisms for implementing UNSCR 1325 and its accompanying resolutions.

Reporting on the implementation of the Action Plan is on a regular basis and is carried out on an annual basis. The Ministry of Defence and the Army of Montenegro bearers are responsible for 20 activities, out of which 17 activities are implemented, the realization of one activity is on-going and the two activities have not been realized.

In February 2019, the draft of the new Action Plan with the Implementation Program 2019-2020. The year is also being made in the process of adoption.



.Gender issues have become an integral part of politics and processes. The strategic and planning documents of the Ministry of Defence and the Army of Montenegro have recognized the importance of integrating the gender perspective and the application of UNSCR 1325 into the defence system. The gender perspective is included in the training programs, through the Montenegrin Army Training Instructor, in the international activities of the Ministry and the Army, through participation in international activities involving Montenegro, increasing the number of women in peacekeeping missions and operations, and as military diplomatic representatives in international organizations, in campaigns to attract the missing structure for the Army, by appointing a strategic adviser at the Ministry of Defence and the Army, and in women's employment and education plans.

In the area of gender equality promotion, the Defence Ministry issued in July 2016 the Human Resource Management Strategy of the Ministry of Defence and the Army of Montenegro, which defines the Gender Equality Policy and related strategic goals: increased representation of women in the military, command duties and missions, and continuous implementation of national gender equality policies, UNSCR1325 and other applicable and accepted regulations.

Based on the annual Action Plans for the implementation of the Strategy, individual human resource management plans are introduced, which include, among others, the Gender Equality Policy Implementation Plan and the UNSCR 1325 in the Ministry of Defence and the Army of Montenegro, a Promotion Action Plan for Personnel Enforcement Montenegro, Personal Support Plan for Employees in the Ministry of Defence and the Army of Montenegro, Employment Scheme in the Ministry of Defence and the Army of Montenegro, cadets' Education and Scholarship Scheme, enabling women to approach and provide service to the Army through the possibility of participating in Ministry projects , education in foreign military academies, scholarships, recruitment, and through positive examples and accomplished women's career in the Army.

The Ministry of Defence also issued Guidelines for attracting and retaining women in the Army of Montenegro, intended for the Command of the Army, Human Resource Organizations, Planning and Development, Education and Training, Operations, Public Relations as well as all structures within the Ministry and the Army, whose jurisdiction is the recruitment, reception, selection and professional development of persons in the Army.

The awareness of gender consciousness was greatly influenced by adoption of laws from the defence system. Thus, the Military Act prescribes that the military service shall take into account gender-balanced representation, and the Rule of Army Service of Montenegro shall prescribe the manner in which the service is exercised in the Army and other matters of relevance for the performance of such service relating to women and men. Pursuant to the Gender Equality Act, a Gender Equality Gender Coordinator has been appointed at the Ministry, which carries out gender equality issues under the Ministry's competence. Also, in the Army of Montenegro, a contact person for Gender

Equality issues was appointed. With the formation of the Army, in the General Staff a place of strategic advisor at the strategic level has been established, and activities are in the process of determining one of the officers who will carry out these tasks and who will be instructed to do this duty.

When it comes to gender equality control mechanisms, a team of six regional instructors for gender equality has been created in military operations that train this topic in the Army units. Two of these instructors became members of the Regional Security Sector Reform Platform (SSRR), a unique base for more than 50 experts from Southeast European governments, which was established in 2015.

In the selection methods for employment in the Army, training in military academies and training, the criterion that supports the choice of women is included if they have the same results as men on ability tests. Also, promotional activities for employment and education for the needs of the Army use positive measures to attract women.

The Ministry has recognized the importance of attracting and retaining women in the military and their career advancement, which promotes more effective and responsible armed forces, and whose participation in peacekeeping missions and operations contributes to making peace processes all over the world more effective and efficient. Thus, when conducting public admission to military service and cadet education, this ministry uses "positive advertisement" by inviting women to apply.

In the implementation of promotional activities, there are information boards dedicated to issues of gender equality, special leaflets and brochures are printed, there is a special link "Women in the Army" on the Ministry's website which promotes the benefits of defense work. Promotional activities also engage young and successful Army Officers, and in order to affirm the military call on women, a series of reports on women in the Army is published.

The Ministry publishes the journal "*Partner*", which is continuously promoted and the general public is informed of the activities of women of professional military personnel. Several campaigns were conducted in various forms aimed at raising public awareness of security-relevant occurrences (e.g. prevention of trafficking, prevention of domestic violence, etc.).

***Other:***

The research on the position of women in the armed forces of the Western Balkans has been carried out under the UNDP/SEESAC project entitled "Supporting the Integration of the Gender Equality Principle in the Security Sector in the Western Balkan Countries". The result of this study was the adoption of the Study on the Position of Women in the Armed Forces of the Western Balkans (2014), which represents the joint work of the Ministries of Defence and Armed Forces in the region, and is a unique example of regional cooperation of this kind. The study contains comparative data on the representation of women in armed forces in the Western Balkans, policies and practices of the ministries of defence and armed forces in the area of women's attracting

and employment, career development, education and training, data on participation of women in peacekeeping missions, policies and practices in the area of achievement Gender Equality in Armed Forces, as well as concrete examples of good practices being implemented in the defence ministries of the Western Balkans. The project was significant to Montenegro because of its commitment to regional cooperation, and the importance of gender equality issues for the defence system, as it aimed to help the efforts of the countries in the region, signatories to joint statements, to improve the presence of women in the military profession and to increase or maintain existing women's military personnel in the defence system and because it has been developed in accordance with the principles of the UNSCR1325 - Women, Peace and Security, implemented by the Ministry and the Army since 2008 in the defence system.

Importance of integrating gender equality issues in the reform process of the defence system Montenegro has been highly relevant to the regional approach, given that the introduction of gender perspective means new experiences in international, collective and national defence. The Ministry and the Army have recognized this and supported the second phase of the regional project on "*Strengthening Regional Co-operation in Incorporating Gender Perspectives in Security Sector Reform in the Western Balkans*" in order to continue work on strengthening the capacity of the Ministry and the Army to implement responsible policies, promotion of gender equality and the implementation of gender policy in order to preserve world peace.

In the key training document for the Army of Montenegro - Instruction for Training, as a special module was introduced training in the field of gender equality and Resolution 1325 UNSCR, which has been continuously implemented since 2013 in all units of the Army and for all persons in its service in, carried out by trainers for gender equality in military operations. This training was introduced in training programs for military personnel in the Army who are referring to peacekeeping missions, as well as for those in service in the Army who attend basic military, non-military and officer training courses. The Ministry of Defence paid great attention to issues of gender equality, and in this respect a significant number of persons in service in the Army of Montenegro attended training on the UNSCR 1325 and its accompanying resolutions as well as the NATO Bi-SCI Directive. Between 2016 and 2018 training of gender-based violence against women and the application of anti-discrimination laws of Montenegro was attended by some 515 persons serving in the Army. In co-operation with RACVIAC, Ministry of Defence and the Army of Montenegro train their officers on gender equality in military operations.

The Ministry of Defence continuously implements the NATO BI-SCI 40-1 Guidelines and NATO/EAPC Policy and Action Implementation Plan UNSCR1325 - Women, Peace and Security through a series of activities: introduction of a strategic consultant at MD and AM, constant training of employees in the Army of Montenegro, as well as a part of the command staff of the Army on Gender Equality and UNSCR Resolution 1325, with a special focus on gender-based violence, sexual violence and violence

against women by increasing the number of gender mainstreaming trainers in military operations conducting education in units of the Army. All the efforts of the Ministry of Defence since 2008 resulted in referral of the Army Officer (Mayor Sanja Pejovic) to the post of Senior Adviser for Gender Command of the Allied Command Forces Europe Commander Europe (SHAPE) since July 2018. In the Ministry/Army, a gender sensitive database is maintained

Every year, significant funds are allocated from the budget for the implementation of gender equality issues and the implementation of UNSCR 1325.

***27. What actions has your country taken in the last five years to increase leadership, representation and participation of women in conflict prevention, resolution, peace building, humanitarian action and crisis response, at decision-making levels in situations of armed and other conflicts, and in fragile or crisis settings?***

Through the implementation of the goals from a whole set of planning documents, gender mainstreaming is pursued consistently, by encouraging women to train and educate in order to develop military career, leadership skills, availability of command duties and participation in peacekeeping missions, protection of women from all forms of discrimination and reporting of all semi-discrimination cases, removing cultural barriers, creating a positive climate for the integration of women into the military, and ensuring that the system includes gender advisors, that is, a team of experts trained on gender issues and issues of cultural awareness that will be able to be delegated as advisors or specialists, be made available for participation in peacekeeping missions and who will be the bearers of awareness-raising activities on deep-sea equality in the units of the Army.

The number of women in the military increased from 8.97% in 2014 to 10.62% in 2019, as well as the number of women who want to join the Army of Montenegro through the admission to public ads for education in foreign military academies and for employment in the Army, as a soldier under contract, officers and civilians. The active promotion of the opportunities for women's education in foreign military academies and their inclusion in the education process has increased the number of women in the duties that were typically "male". Thus, we have a woman on the duties of the pilot, as well as on the duties of the commanding navigational naval squadron, the declared squadron NBHO, the Departments for the Connecting System, the Engineering platoon, the Support platoon in the Intelligence and Scouting troops and the Deputy Commander of the Air Force Operations centre. Next year, one female cadet will complete education in prestigious US military academy, "West Point".

According to the Ministry's records, on 31.1.2019, in the MD, there are 45.19% women, of which 106 are civil servants and one non-office worker. Three women are military-diplomatic representatives of the Montenegrin Mission to NATO. Two women were employed in the category of senior management, the secretary of the Ministry and the

Director General of the Directorate for Material Resources, while in the category of expert-management staff there are seven women. In the Army, on 31.1.2019, there are 10.62% of women, including 39 professional soldiers per contract, 27 non-employees, 16 officers and 107 civilian women. At the moment, we have nine cadets being trained at foreign military academies. So far, seven women have participated in peacekeeping missions in Afghanistan, and one of them is an officer. The general conclusion is that there has been an increase in the number of women participating in peacekeeping missions and the number of women in the security sector in the previous period.

Regional and international co-operation, through various forms and projects, was a great support to the intensification of these processes, especially in the area of strengthening internal mechanisms for the implementation of gender equality through numerous education. *A positive example is that following the successful completion of the training for the native instructor, participation in the course for the gender counsellor at the strategic level, at the Nordic centre for Military Operations, for the officer of the Army, Major Sanja Pejovic, who after successful completion of the training was assigned to duty the NATO Advisory Command for Operations in Mons - Kingdom of Belgium.*

ANNEX 12 –Report of the Ministry of Sustainable Development and Tourism of Montenegro for the purpose of compiling the National Report on the Implementation of the Beijing Declaration and Platform for Action

**Answers to questions: 23, 26, 31, 34, 37, 38 and 39**

By participating in the international dialogue on the Objectives of Sustainable Development and the Agenda for Sustainable Development by 2030, Montenegro has shown its full commitment to priority issues of sustainable development, such as gender equality, among others. This commitment was confirmed on July 7, 2016, when the Government of Montenegro adopted the National Sustainable Development Strategy until 2030 (NSDS until 2030), as an umbrella, long-term development document, fully integrating the national requirements of the United Nations established by the United Nation's Agenda for Sustainable Development until 2030.

Guided by the Recommendations of this Agenda, Montenegro has developed the National Sustainable Development Strategy (NSDS) by 2030, and has set a platform for translating goals, tasks and indicators of sustainable development into a national context. In this way, Montenegro has established a comprehensive framework for national response to the challenges that are on the path towards the sustainable development of Montenegrin society in the field of economy, environmental protection, and the development of society, within which there are challenges related to resolving issues of discrimination on multiple grounds.

As one of the most important topics of the Agenda 2030, gender discrimination, which is dedicated to the fifth Sustainable Development Goal (SDG 5): *To achieve gender equality and to empower all women and girls* with the National Strategy for Sustainable Development by 2030, this issue has been addressed in the framework of social resources, and Chapter two provides assessment of the situation in this area, which is based on the analysis of the report on the implementation of the previous National Strategy for Sustainable Development, the implementation of the Millennium Development Goals (MDG) in Montenegro, and the analysis of sectoral strategic and legislative documents.

Based on this analysis within the NSDS by 2030, priority theme was defined Supporting values, norms and behaviour patterns important for the company's sustainability and strategic goal *To stimulate the active relationship of key actors towards sustainability of development*. The identified strategic goal is the answer to the problems in achieving sustainable development in Montenegro in this area, and it also applies to gender equality issues. This strategic goal is directly related to the challenges related to the achievement of the Fifth Sustainable Development Goal (SDG 5) through the implementation of the Measure Defined Eliminate Gender Discrimination of the NSDS Action Plan by 2030. The measure defined can be achieved by realizing the following sub-measures in the following period:

Based on this analysis within the NSDS by 2030, the priority topic was to *Support the values, norms and behaviour patterns that are important for the sustainability of society* and strategic goal *to Stimulate active relationship of all key stakeholders towards sustainability of development*. Identification strategic goals are responsible for the problems in achieving sustainable development in Montenegro in this area. This strategic goal is directly linked to the challenges of delivering the Fifth Sustainable Development Goal (SDG 5) through the implementation of defined measures to eliminate gender discrimination in the NSDS Action Plan by 2030. It is defined as possible to achieve the following sub-measures in the following period:

- *Eliminate all forms of discrimination against women and girls everywhere;*
- *Identify and appreciate the lack of care and home affairs through the provision of public services, infrastructure and social protection policies and promotion of shared responsibility in household and family;*
- *Provide full and effective participation of women and equal leadership opportunities at all levels of decision-making in political, economic and public life;*
- *Undertake reforms to ensure women have equal rights to economic resources, as well as access to land ownership and control and other forms of property, financial services, inheritance and natural resources;*
- *Enhance the use of auxiliary technology, particularly information-communication technologies, to promote empowerment of women;*

- *Adopt and strengthen relevant policies and applicable laws to promote gender equality and empowerment of all women and girls at all levels;*

Measures and sub-measures NSDS by 2030, in addition to the specific national circumstances and needs, also take into account the necessity of contributing to the achievement of the tasks set out in the UN Agenda 2030. In order to have measurable results of gender equality in the NSDS by 2030, outcomes:

- Eliminated political, economic and other types of discrimination on a gender basis
- Minimum 40% of women in the bodies of political decision-making at the national and local level
- Eliminate all forms of violence against all women and girls in public and private spheres, including trafficking in human and sexual and other
- Equal participation in unpaid work
- Gender Equal Share of Unemployment
- The National Mechanism for Gender Equality has been established
- It is necessary to ensure that women have equal rights and opportunities not only in the political but also in the economic life of the country, access to economic resources, property rights, labour rights, equal pay for equal work, and protection from all forms of discrimination in the labour market.

The NSDS will also establish a complex set of indicators to enable effective monitoring and reporting by taking into account the indicators of sustainable development with the UN, specific national indicators, indicators of particular international organizations and complex indicators. For indicators related to gender equality by the NSDS by 2030, it is defined that the Ministry for Human and Minority Rights are responsible institutions for their implementation.

*Accepted UN Sustainable Development Indicators:*

- SDG 5.1.1 Legal frameworks for the promotion, implementation and monitoring of gender equality and non-discrimination been established (The indicator is monitored in the CG, the competent institution of the Ministry for Human and Minority Rights (MLJMP));
- SDG 5.2.1 The share of women and girls aged 15 or older who were exposed to physical, sexual or psychological violence by a present or former partner in the previous 12 months, in the previous 12 months, according to the form of violence and age (The indicator is monitored in Montenegro. The research on the prevalence of violence against women is part of the Gender Equality Plan 2017-2020, but its implementation depends on the finances The indicator is

periodically dependent on the Ministry of Human Rights and Minorities (MHRM));

- SDG 5.2.2 Share of women and girls aged 15 years and older who have been subjected to sexual assault by a person other than an intimate partner in the previous 12 months, by age and place of occurrence (This indicator is not monitored in CG but an alternative, "Demographic and Health Survey" is being monitored. Current research on violence prevalence has not included this issue and it is suggested that it be included in the next research that would have to take place in 2020, the competent institution is the Ministry for Human and Minority Rights ));
- SDG 5.3.1 Share of 20-24 year old women who were married or in the community before 15 years and 18 years ago (The indicator is monitored in the CG, through the MICS research (Multiple Indicators Research - MICS is an international program household research developed by UNICEF), the competent institution is MONSTAT);
- SDG 5.4.1 Share of time spent on unpaid work in the household and care of others, by sex, age and location (this indicator is not followed, followed by similar: Time spent in unpaid work, minutes per day - UN Women and UNSD , the competent institution is the Ministry of Labour and Social Welfare);
- SDG 5.5.1 a and b The share of positions that women have in the national parliaments and the share of positions that women have in local self-government (The indicator is monitored in Montenegro as follows: Women in national parliaments, United Nations and Local Governments; competent institution is the Ministry for Human and Minority Rights (MHMR));
- SDG 5.5.2 The share of women in managerial positions (this indicator is not monitored in Montenegro, but a similar one is monitored: The share of women among ministers in the Government.) Share of women among the majors, competent institution Ministry for Human and Minority Rights (MHMR);
- SDG 5.6.1 Share of a 15-49 age group of women, who make their informed decisions about sexual relations, use of contraception and reproductive health (This indicator is not monitored in Montenegro, the competent institutions are the Institute of Public Health and the Ministry of Health, which should introduce this indicator no later than 2024);
- SDG 5.6.2 Number of countries with laws and regulations guaranteeing access to sexual and reproductive health care, information and education for women of 15-49 years old (This indicator is not monitored v, the competent institution is



the Ministry of Health, which should introduce this indicator no later than 2024);

- SDG 1.4.2 Share of total agricultural population with proprietary or secure rights over agricultural land, per gender; and (b) the share of women among the owners or holders of the right over agricultural land, by type of property (This is not monitored, similar to the number of men and women who are holders of rights over immovable property, the competent institution is the Real Estate Directorate which should introduce this indicator not later than 2024);
- SDGs 5.a.2 The share of countries where the legal framework (including customary law) guarantees women equal rights to land ownership and/or land control (Not an indicator, the competent institution, the Ministry of Human and Minority Rights should introduce this indicator no later than 2024);
- SDG 9.c.1 Share of individuals owning mobile phones, per gender (Indicator is monitored in Montenegro, competent institution is the Agency for electronic communications and postal activity)
- SDG 5.c.1 Percentage of countries with monitoring systems and public allocations for gender equality and empowerment of women (This indicator is not monitored in Montenegro, but a similar one is monitored: This system is not yet established and UN Women is working on it , the competent institution of the Ministry for Human and Minority Rights (MHMR));
- SDG 16.7.1 Share of job posts (by sex, age, persons with disabilities and population groups) in public institutions (national and local legislative bodies, public services, and judiciary) compared to state level distribution (Not monitored in Montenegro, the competent institution is the Ministry for Human and Minority Rights (MHMRP should introduce this indicator no later than 2024).

It is also worth mentioning a complex indicator - *Gender Inequality Index (GII)*, which is also included within the National Sustainable Development Strategy by 2030. It follows gender (non) equality from the aspect of social development. It is reflected in three dimensions: reproductive health (measured through maternal mortality and adolescent birth rate), the political position in the system (measured by the proportion of women occupied parliaments, as well as the proportion of women and men over the age of 25 who have at least some middle and upper secondary education) and economic activity (measured by the participation rate in the labour market of women and men over the age of 15).

Since 2010, the GII is part of the Global Human Resource Development Report. However, this indicator for Montenegro was calculated for the first time only in 2014 and then its value was 0.172. This result places Montenegro at 37th place, compared to the 155 countries included in this report. This further means that there is no drastic inequality among the generations in Montenegro. Analysis of this indicator over time can show whether gender inequality increases or decreases with the development of the state. According to this index, the chances of development decrease when the inequality increases.

In order to achieve gender equality in the coming period, it is necessary to make gender sensitive policies and policies, but also to work on the political and economic empowerment of women. In order for women to abandon their full potential and thus contribute to the sustainable development of the entire community, they must be equal social subjects. Through the elimination of gender equality, Montenegro will contribute to the achievement of the Global Objective 5 for Sustainable Development.

The Strategy envisages that its implementation based on the Action Plan and Indicators is reported on a two-year basis starting from 2019, NSDS also defines that one of the priorities in the period following the establishment of an effective national development sustainability monitoring system that would involve monitoring the implementation of the goals, measures and tasks of sustainable development established by the NSDS Action Plan. With this in mind, NSDS has foreseen that it is necessary to establish an information platform for the development of sustainable development indicators, thereby providing conditions for preparing the pilot report by 2019. The Ministry of Sustainable Development and Tourism prepares preparatory activities for the first report on the implementation of the National Sustainable Development Strategy by 2030, which will indicate the degree of implementation of the Strategy in relation to measures and activities for a two-year period, as well as specific data on sustainable development indicators, and the analysis of the introduction of indicators into the statistical monitoring system, which will also include indicators related to gender equality.

In addition, in the forthcoming period, it is necessary to work on strengthening inter-sectoral co-ordination between the governmental departments in order to harmonize public policies with the sustainable development policy as defined by NSDS by 2030. This includes identifying disadvantages in horizontal and vertical level management with regard to taking the goals and indicators of sustainable development into the national framework, in order to achieve alignment of existing relevant strategies, programs and plans with the UN Agenda for Sustainable Development by 2030. Specifically, it is necessary to carry out an analysis of sectoral policies from the aspect of their compliance with the NSDS by 2030 and, in this respect, suggest amendments to the existing sectoral policies in relation to the responsibilities of the competent authorities and management bodies in the NSDS implementation by 2030. In this way, it would also have largely contributed to the achievement of the Goal 5, bearing in mind that NSDS took over all the requirements of the 2030 Agenda.

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ANNEX 13 – Report of Department for enhancing and protection of rights of RAE population – Ministry of Human and Minority Rights for the purpose of compiling the National Report on the Implementation of the Beijing Declaration and Platform for Action

**11. What actions has your country taken in the last five years to improve health outcomes for women and girls in your country?**

The Ministry of Human and Minority Rights, in cooperation with the Ministry of Health and the NGO sector, conducts preventive health check-ups for members of the Roma and Egyptian community each year, focusing on women and girls. During 2018, examinations were organized in the health centres in Podgorica, Tivat, Bijelo Polje, Nikšić and Berane, with a total of 150 people, of which 100 were women. Examinations were conducted to prevent and control patients with cardiovascular disease, abdominal ultrasound, diabetes, ultrasound gynaecological examinations, lung cancer, thyroid gland, breast, lung, mammography and other types of examinations. The types of review that will be shown in these campaigns are determined in consultation with the users themselves. Driven by motto that prevention constitutes a half of the health, the goal of these actions is to raise the awareness of members of Roma and Egyptian population about the importance of health preservation.

**12. What actions has you're your country taken in the last five years to improve education outcomes and skills for women and girls?**

The Ministry of Human and Minority Rights every year, as well as at the beginning of school year 2018/19 provided sets of textbooks for all children of Roma and Egyptian

population attending I, II and III grades of primary school. Being aware of the social situation in which the largest number of members of this minority group are located, and affirming the importance and the obligation of education, annual budget of the Ministry for Human and Minority Rights for this activity is EUR 30,-40,000. In addition, one of the on-going activities of the Ministry is the awarding of scholarships to all high school students and students of Roma and Egyptian population who have submitted timely and completed application for the scholarship. Scholarships for high school students are given in the amount of EUR 60.00 per month and for university students in the amount of EUR 1,500.00 per month.

- For the 2<sup>nd</sup> semester of school year 2017/18 (January-June 2018), scholarships for 102 Roma and Egyptian high school students (43 F, 59 M) were provided.
- For the II semester of academic year 2017/18 (January-June 2018) scholarships were provided for 17 students of Roma and Egyptian population (11 F, 6 M).
- For the 1<sup>st</sup> semester of school year 2018/19 (September-December 2018) scholarships were provided for 110 pupils of the Roma and Egyptian population (54 F, 56 M).
- For the I academic semester 2018/19 (September-December 2018), scholarships were provided for 14 students of Roma and Egyptian population (7 F, 7 M).

One of the regular activities of the Ministry of Human and Minority Rights is the organization of seven-day of winter and summer vacations for pupils of the 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> grade in order to motivate them to attend classes regularly and to attend the elementary school education. Winter vacation was organized for 23 pupils (12 M, 11 F) from Herceg Novi, Tivat, Podgorica and Nikšić, while 22 (12 female, 10 M) pupils from Berane, Petnjica, Podgorica and Nikšić went to summer vacation.

### **13. In the last five years, which forms of violence against women and girls, and in which specific contexts or settings, have you prioritized your action?**

Every year, the Ministry of Human and Minority Rights, in cooperation with relevant institutions and NGOs, and during 2018, has organized education and campaigns aimed at parents, children, Roma and Egyptian activists, civil servants/state employees of state administration for protection against domestic violence and forced child marriages among the Roma population: Ulcinj, Bar, Berane, Bijelo Polje, Pljevlja, Podgorica, Herceg Novi, Tivat, Kotor, Budva Cetinje, and Nikšić. Officials of the National Office for Combating Trafficking have taken part in the implementation of the above-mentioned training - through the preparation and presentation of content related to the fight against human trafficking - with special emphasis on forced child marriages as a form of human trafficking. Participants have discussed how to recognize domestic violence and how to deal with violence, as well as the consequences of juvenile contracted marriages, and how to report suspicion of having a marriage contract or the fact that marriage has already been concluded. In addition to the mentioned topics, the lecturers also pointed to the remarkable importance of education for the Roma and Egyptian population, which is a prerequisite for inclusion in all parts of social life in

Montenegro. In this connection, in 2018, the Ministry financed the printing of a total of 900 informative leaflets in the Montenegrin, Roma and Albanian languages on the aspects of protection against trafficking and domestic violence, which were divided into citizens during the mentioned campaigns and education.

**19. What outcomes and measures has your country taken in the last five years to promote women's participation in public life and decision-making?**

The Ministry of Human and Minority Rights (MHMR) is continuously conducting education for young people belonging to minorities, focusing on members of Roma and Egyptian population and especially on women, in order to empower them for inclusion in public and political life. During 2018 educational activities were organized in Nikšić, Podgorica and Tivat, where an average of 20 participants took part in one educational activity, out of which 40 were women.

**40. Which of the following disaggregation's is routinely provided by mayor surveys in your country?**

According to information from the Ministry of Education<sup>46</sup>, in 2015, 224 Roma and Egyptian children were included in the regular preschool education program, while additional 80 attended a half-day programs. As far as elementary school is concerned, although the Elementary Education Act (Article 4) stipulates basic education as compulsory for all children aged six to fifteen, only 76% of RE children attend elementary school. Data show that more than 11% of Roma children are not attending school (boys 9.4% and girls 13.8%) due to unfavourable social conditions, including poverty, social segregation, lack of family support, and early marriages.

Satellite unit of Primary School "Božidar Vuković Podgoričanin" near the refugee camp Konik was closed with the school year 2015/16. In school year 2016/17, all children from the mentioned satellite unit were integrated into seven (7) city schools (Primary school "Božidar Vuković Podgoričanin", Primary school "21<sup>st</sup> May", Primary school "Marko Miljanov", Primary school "Savo Pejanović", Primary school Vuk Kardžić", Primary school "Vladimir Nazor" and Primary school "Oktoh"), and for those pupils is provided transport, covered by the Ministry of Education.

In the school year 2015/2016, secondary school was attended by 99 pupils (50 boys and 49 girls), and 20 studied at three universities in Montenegro.

There were 103 children enrolled in pre-school institutions in the school year 2016/17, 1617 pupils were enrolled in primary schools, 112 in secondary schools, and 20 students of Roma and Egyptian population were enrolled at the faculties in academic year 2016/2017 .

In school year 2017/18, 191 children of Roma and Egyptian communities were enrolled in pre-school education. Number of pupils of Roma and Egyptian community

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<sup>46</sup> <http://www.mmp.gov.me/biblioteka/izvjestaji/> <http://www.mmp.gov.me/en/library/izvjestaji?alphabet=lat>

in regular primary education, in school year 2018/2019, 1,793 students (936 M, 857 F), which represents 2.66% of the total number of enrolled children in elementary schools in Montenegro.

In school year 2018/19, 137 pupils (75 M, 62 F) of Roma and Egyptian population attended regular classes, representing 0.48% of the total number of enrolled children in secondary schools in Montenegro.

For the II semester of school year 2017/18 (January-June 2018) scholarships were provided (EUR 60.00 per month) for 102 Roma and Egyptian students (43 F, 59 M), and for the I semester of 2018/19 (September-December 2018), scholarships were provided for 110 students of Roma and Egyptian population (54 F, 56 M). Based on the information available to the Ministry of Human and Minority Rights, in academic year 2018/19, there were 14 students (7 M, 7 F), members of the Roma and Egyptian community. For the II semester of academic year 2017/18 (January-June 2018), scholarships (EUR 150.00 per month) were provided for 17 students of Roma and Egyptian population (11 F, 6 M) and for the I semester of academic year 2018/19 (September-December 2018), scholarships were provided for 14 students of Roma and Egyptian population (7 F, 7 M). There were two training sessions for Associates in the Social Inclusion of Roma and Egyptians in the field of health (in August and October 2018) and in the reporting period, ten (10) schools announced a competition for 18 Associates. Textbooks for Roma and Egyptian students from the first to the ninth grade have been provided. MHMR has funded the creation of textbooks for students of I, II and III grades. MHMR has organized a seven-day winter vacation for 23 pupils of Roma and Egyptian population (12 M, 11 W) of VII, VIII and IX grades of Primary School in Lovćen-Bečići, in Ivanova Korita, and for the summer time, for 22 students of Roma and Egyptian population.

The Ministry of Education has provided transportation for more than 400 Roma and Egyptian community students attending seven elementary schools in the Podgorica Municipality: Primary School "Božidar Vuković Podgoričanin", Primary School "21<sup>st</sup> May", Primary School "Marko Miljanov" Primary School "Savo Pejanovic", Primary School "Vuk Karadžić", Primary School "Vladimir Nazor", and Primary School "Oktoih".