

**Additional replies of the Government of Montenegro to the issues raised by the members of the
CEDAW Committee at the dialogue on the Second Periodic Report of Montenegro**

1. Question of selective abortus

This matter is regulated by the Law of 2009 regulating termination of pregnancy. Selective abortus are forbidden. In case of indication of eventual selective abortus, health inspection is in charge of undertaking appropriate measures and activities against identified public health institutions.

2. Sustainability of preschool services in rural areas

The Government, in a close cooperation with UNICEF, puts a special focus on the rural areas, where so-called interactive services have been launched. In practice, this means that preschool teachers are sent to the remote areas in which preschool institutions do not exist. Preschool services and activities in these areas have been mainly organized in satellite school or in other local areas, most of them having grown into regular preschool units with preschool teachers being employed. It has contributed to sustainability of these programs, in addition to a fact that those are financed from the state budget.

3. Sexual education

The school subject programs such as Biology, Healthy life styles, Psychology, Sociology, etc. have within their curricula lessons covering sexual education. Those are oriented towards sexual and reproductive health and protection, attitudes towards body, gender and sexual differences, gender and sexual identity, tolerance, etc. which means that the Government is committed to providing universal access to comprehensive sexual and reproductive health education. Additional teaching material is prepared and sent to every school, as well as made available to the teachers, in order to enable active learning process, develop adequate pupils' skills and improve teachers' competences. Analyses of the school system show that sexual education has been thoroughly covered through a cross-curriculum approach. Introduction of a new school subject on sexual education would mean the abolition of some other subject, as proposed pupils' school hours must be respected.

In Montenegro, in-service and pre-service programs of trainings for teachers have been conducted. Within in-services programs, in the Catalogues for accredited programs, there is a new program related to gender issues: "Gender issues in education with a focus on gender based violence" (in 2016 trainings were conducted), in addition to the program "Integration of gender issues principles in educational system" (conducted in 2015). Sexual education is now disseminated to preschool institutions as there is also a program for the preschool teachers and exerts titled "Multidimensional approach in overall early child development", which also covers topics such as understanding gender sensitive practices. The University is in charge of the pre-service programs, which means that they are autonomously developed, but the revision of the curriculum of initial preschool teachers' education is based on the contemporary approach to this issue.

4. Explanations related to the provisions of the Montenegrin Citizenship Law related to the acquisition of Montenegrin citizenship by spouses

Article 11 paragraph 1 of the Law on Montenegrin Citizenship (“Official Gazette of Montenegro”, No. 13/08, 40/10, 28/11, 46/11, 20/14 and 54/16), stipulates that a person who has been married to a Montenegrin citizen for at least three years and who takes up lawful and uninterrupted residence in Montenegro for at least five years, may be granted Montenegrin citizenship if the conditions referred to in Article 8, paragraph 1, items 1 (that he or she is over 18 years of age), 4 (that he or she has accommodation and guaranteed source of income in Montenegro, in the amount that guarantees material and social security), 5 (that he or she has not received a prison sentence, either in Montenegro or in another state, exceeding one year, for criminal offence which is subject of ex officio prosecution, or if the legal consequences of his or her conviction no longer apply), and 7 (that there are no legal obstacles for the reasons of the public order and the security of the state) of this Law are fulfilled.

Provisions of the Paragraph 1 of this article also refer to a person which has been married to a Montenegrin citizen for at least three years, and the marriage has ceased to exist due to a death of a spouse. Lawful and uninterrupted residence in Montenegro from the Paragraph 1 of this Article is determined according to the criteria prescribed by the Article 17 of the Law.

Article 19 of the Law on Montenegrin Citizenship stipulates criteria for cessation of Montenegrin citizenship: Montenegrin citizenship shall cease through: 1) his or her request (by discharge), 2) by operation of law (ex lege), 3) based on an international treaties and agreements. Marital status of a Montenegrin citizen is not relevant for discharge from Montenegrin citizenship.

When it comes to the acquisition of Montenegrin citizenship by a child whose one of the parents has acquired Montenegrin citizenship based on a residence in Montenegro, Provisions of Article 16 of the Law on Montenegrin Citizenship stipulate that Montenegrin citizenship by admittance shall be granted to a child that has no citizenship of another state or has a discharge from citizenship of another states if: 1) both parents have been admitted into Montenegrin citizenship; 2) one of the parents has acquired Montenegrin citizenship by admittance and if the child lives lawfully and uninterrupted in Montenegro with that parent; 3) in case of partial adoption, a child lives lawfully and uninterrupted with an adopter who is a Montenegrin citizen. The application referred to in paragraph 1 item 2 of this Article shall be submitted together with the consent of the other parent, unless that parent is stateless. If the other parent does not give his or her consent for the granting of Montenegrin citizenship to the child, the authorised guardianship body shall give its opinion. If the child in question is over 14 years of age, for granting Montenegrin citizenship his or her consent shall be required, as well.

5. Information on the Law on the Personal Name – provisions related to the change of personal name, in the context of the recent case of non-issuing a personal identification document to a person who has been declared as an transsexual person

On 29.03.2017. a person belonging to the LGBTIQ community, transgender person, submitted the request for change of the personal name No. 09-UPI-200/17/9891 in accordance with the Article 14 Paragraph 1 of the Law on the Personal Name (“Official Gazette of Montenegro” No. 47/08 and 40/11). By this request, the person in question has requested a change of the personal name into new name

MIA. The submitter of the request has withdrawn the request by a written statement, and therefore the procedure has been suspended.

After withdrawal of the request, the person in question belonging to the LGBTIQ community has submitted a new request for change of the personal name No. 09-UPI-200/17/9900 ON 29.03.2017. By this request, the person in question has requested a change of the personal name into a newly chosen personal name VANJA. The decision upon the request has been made and the decision for change of the personal name has been handled on 03.05.2017. On 03.05.2017. the person in question submitted a request for change of the personal identification card due to the change of the personal name. The request in question has been approved, and the identification card No. 032991263 has been issued, valid from 04.05.2017. through 04.05.2027. and handled to the person in question on 10.05.2017.

Against this backdrop, we wish to emphasize that in relation to the request in question, the Directorate for Civil Status and Personal Documents, i.e. Regional Unit Podgorica has acted in accordance with the Law on the Personal Name and has adopted a positive decision upon the request according to the provisions on administrative procedures of the Law on General Administrative Procedure.

In addition, we would like to remind that according to the Law on the Personal Name every citizen shall have the right of a free choice of the personal name. The Ministry of the Interior of Montenegro, has not abolished this right upon any request. The Ministry of the Interior will continue with a good practice, transparent work and respect for the Constitution and legally guaranteed human rights of all citizens, in accordance with the procedures prescribed.

6. Information on the prohibition of harassment at Work with a particular focus on gender based and sexual harassment

The Law on the Prohibition of Harassment at Work, Official Gazette of Montenegro, No. 30/2012 prescribes for rights, obligations and responsibility of employers and employees with regards to the prevention of harassment at work and in a relation to work, as well as other matters of significance for the prevention and protection from mobbing.

This law shall be applied to employers and employees, in accordance with the relevant legislation regulating labour, as well as to the persons engaged outside of the employment relationship, such as: persons in vocational trainings; pupils and students who are on practical training; volunteers; persons who perform certain tasks while serving their sentence of imprisonment or educational measures; persons on voluntary and public works, works organized in the general interest, workshops and competitions, and any other person who, on any basis, participates in work with the employer.

This law also applies to the cases of harassment and sexual harassment, in accordance with the regulations regulating the labour. For the purposes of this Law, the employer is a state body, a state administration body, an organ and a service of local self-government, a public institution, a business organization, as well as a domestic or foreign legal or natural person or a part of a legal person.

Pursuant to the Law on the Prohibition of Harassment at Work, the Ordinance on Rules of Conduct for Employers and Employees on Prevention and Protection of Workplace Abuse ("Official Gazette of Montenegro", No. 56/12) has been adopted, stipulating the rules on prevention and protection from harassment at work as well as labour-related harassment (mobbing), and providing for an obligation of the employers and employees as well as a person engaged out of work to adhere to the Ordinance on Rules of Conduct, in accordance with the Law on the Prohibition of Harassment at Work.

Article 5 of the said Ordinance stipulates that for the purpose of preventing and protecting mobbing the employer and employees should avoid behaviours that:

- 1) Refer to the inability to properly communicate, such as:
 - The unjustified and deliberate disabling of an employee to express his / her opinion as well as the unjustified interruption of the employee in speech,
 - Lamenting, threatening and insulting,
 - Harassment of the employee through telephone calls and other means of communication, if it is not related to the work process and the job that the employee performs;
- 2) Can lead to disturbances of good interpersonal relationships, such as:
 - ignoring the presence of an employee, or if the employee is intentionally and unjustifiably isolated from other employees by avoiding and interrupting communication with him,
 - Unjustified physical isolation of employees from the working environment,
 - Unauthorized deduction of the workforce necessary for the performance of the work,
 - Unjustified disregard for joint meetings,
 - An unjustified ban on communicating with the employee;
- 3) May lead to the disruption of the personal reputation of the employee, such as:
 - Verbal assault, dissemination of untruth about the employee in general and in connection with his private life,
 - Negative commentary on the personal characteristics of the employee,
 - Imitation of voice, gestures and ways of movement of employees,
 - Humiliation of the employee with degrading and degrading words;
- 4) May lead to disturbance of the professional integrity of the employee, such as:
 - Unwarranted constant criticism and undermining the results of the work of the employee,
 - The dismissal of the work tasks that is not justified by the needs of the work process,
 - Unjustified disabling of an employee to perform work tasks,
 - giving humiliating work tasks below the level of qualification of an employee,
 - giving difficult tasks or those that are above the qualification level of an employee,
 - Determination of inappropriate deadlines for performance of work tasks,
 - Uneven scheduling of work tasks compared to other employees performing the same type of job,
 - Frequent change of work tasks or unjustified breaks in work, which are not conditioned by the work process,
 - Unjustified oversight of work,
 - Intentional and unjustified denial or retention of information related to the work,
 - Unjustified or excessive use of the camera and other technical means to enable employees to control,
 - Unjustified and deliberate exclusion from vocational training and upgrading;
- 5) May lead to disturbances to the health of the employee, such as:
 - Unjustified permanent threats (e.g. termination of employment, termination of employment contract or other contract) and the pressures of employees in constant fear,
 - The threat that an employee will be exposed to a physical force,
 - Physical disturbance which has no element of the criminal offense,
 - Deliberately causing conflict and stress;
- 6) Could be considered harassment, such as:
 - unwanted behaviour towards an employee or a person seeking employment, with respect to gender, birth, language, race, religion, skin colour, age, pregnancy, health status, disability, nationality, marital status, family responsibilities, sexual orientation, political or other affiliation,

social origin, property status, membership in political and trade union organizations or some other personal property;

7) Could be considered sexual harassment, such as:

- Humiliating and inappropriate comments and actions of sexual nature,
- The attempt or execution of indecent and unwanted physical contact,
- suggesting the acceptance of behaviour sexual in nature by promising a prize or by threat or blackmail, etc.

7. Information on the Strategy on Protection from Domestic Violence 2016-2020 and on the measures of the Plan of Action for the same period

The legal basis for drafting the Strategy was provided by domestic laws, in particular the Family Protection Code and Criminal Code and ratified international conventions – such as the Council of Europe Convention on the Suppression and Prevention of Violence against Women and Domestic Violence (Istanbul Convention), the UN Convention On the Prevention of All Forms of Discrimination Against Women (CEDAW), the UN Convention on the Rights of the Child and others. This is also a part of the obligations under chapters 23, 24 and 19 within the negotiation process on the accession to the EU.

The main challenges in this period are recognized in four areas:

- Legal protection, where it is necessary to round up the legal framework and ensure the full protection of the rights of victims in proceedings before the judicial authorities, including effective and timely free legal aid, protection of victims' rights and privacy during testimony, particularly when it comes to children, the effective application of protective measures, as well as reducing the risk of repetition and intensification of violence.
- Prevention and social values, where we are faced with a double challenge - on the one hand there is insufficient awareness of population in general about the importance of gender equality and nonviolence as social values; on the other hand, lack of developed awareness of professionals in this field on the gender-based violence and the importance of the approach where the victim is in the centre of attention.
- Protection and support through institutions, which must be addressed at many levels, above all, through the development of institutions that can provide adequate protection for victims, through the development of administrative and human capacity for law enforcement, as well as through the development of partnerships with other sectors - non-governmental organizations, as well as with the business sector. Only in this way is it possible to ensure respect for the rights of victims and to prevent their additional victimization due to inadequate training of professionals and inefficient work of the institutions.
- Multidisciplinary approach, efficient co-ordination and enforcement of law. The problem of violence is very complex and it must be addressed through a precisely structured and coordinated cooperation of all relevant institutions and judiciary as well as through effective law enforcement oversight. A major problem is the lack of accurate data related to violence, as each institution collects and processes data in its own way.

According to the above mentioned challenges, the Strategy has defined the following 6 goals:

- The first aim is to harmonize national legislation with the Council of Europe Convention on the Prevention and Suppression of Violence against Women and Domestic Violence.

- The second goal is related to achieving improved professional capacities and a multidisciplinary approach to enforcing family-protection regulations. It is envisaged that ten comprehensive measures will be implemented with a view to establish better coordination of work between institutions, including data collection and exchange. In addition, measures aim at standardizing procedures for the work of professionals, through continuous training and supervision over their work, so that the assistance they provide is quick, efficient, adapted to the circumstances and personal characteristics of the victim.
- The third objective is to increase the level of public awareness of violence against women and domestic violence, which should at the end of the strategic period be manifested through an increased level of information and public knowledge of the causes, distribution and consequences of violence against women and domestic violence and improved existing mechanisms of protection against violence. The measures envisaged correspond to the needs of the population in general, but also to the specific needs of vulnerable social groups.
- Through seven measures within the framework of the fourth goal, the Strategy aims to establishing an improved system of institutional protection from domestic violence. Measures include improving existing services of general and specialized support so that those comply with the standards stipulated by the Council of Europe Convention on the Prevention and Suppression of Violence against Women and Domestic Violence, as well as with the UN Convention on the Rights of the Child and the UN Convention on the Prevention of All Forms of Discrimination against Women. Measures are envisaged for the detailed analysis of the service of general support and the development of a national development plan incorporating the mentioned standards of protection.
- The fifth aim is to achieve improved access to justice and legal protection from domestic violence, which will be manifested through the implementation of effective measures to protect and support victims and witnesses in proceedings before investigative and judicial bodies. The four measures envisaged under this objective relate, above all, to the monitoring of the application of protective measures provided for by the law.
- Through the sixth goal, the Strategy aims at achieving an improved system of coordination, monitoring and implementation of the family policies and measures for protection from domestic violence. To achieve this, the establishment of a functional inter-agency and inter-sectorial body for co-ordination, monitoring and implementation of policies and measures for protection against violence is foreseen. This body should participate in the creation and monitoring of all policies relating to domestic violence and the implementation of the provisions of the Council of Europe Convention and the UN Conventions. Its work should be public, and the relevant measures foresee organizing at least once a year thematic consultations or conferences with representatives of all sectors in order to formulated common positions regarding changes in practices and policies related to the protection from violence.

8. Measures with a view to ensure better implementation of the Law on Free Legal Aid

In order to ensure better implementation of the Law on Free Legal Aid, the TV shows on this topic have been shown with a view to get the wider population in a potential need of legal aid more familiar with the right to free legal aid.

In December 2016, a seminar was held in cooperation with UNICEF, the Centre for Social Work and the Bar Association on "Free Legal Aid".

According to a report from December 2016 for Chapter 23 of negotiations with the EU, measure 55111, no disciplinary proceedings were initiated either by a lawyer or by a legal aid service. In the period January to October 2016, Montenegrin courts received 556 requests for free legal aid, out of which 446 were adopted, which means that the Law on Free Legal Aid is fully applied.

The analysis of the funds approved for this purpose has shown that funds amounting to € 108,910.00 were provided in Montenegro's budget, out of which € 93,064.28 has been spent from January to December 2016.

9. Information on the conditions for the women in detention and the length of the prison sentence, along with answers to the questions whether they are in contact with their children and how many prison officials are women

- 1) Prisons and detention conditions for women in the Institute for the Execution of Criminal Sanctions:

Women sent to detention or serving prison sentences are placed in the Podgorica Remand Prison or in the Detention and Rehabilitation Centre in Podgorica, which are the organizational units of the Institute for the Execution of Criminal Sanctions in Podgorica. Their accommodation shall meet the requirements related to the continuation of criminal investigation, security and safety, and to the need for an appropriate regime for each prisoner.

There are 29 beds of women in the Remand Prison: seven four-bed rooms and one single room, as well as a room for personal hygiene. On 1 June 2017, there were 13 women in custody. The number of women does not exceed the number of beds. In the sleeping rooms there is fresh air, lighting, heating, cooling, regular hygiene facilities, beds with mattress and bedding, lockers for personal belongings of the detainees.

In the Detention and Rehabilitation Centre – Department for Women convicted in criminal and misdemeanour proceedings, there are 40 beds in double, four-bed and five-bed rooms, as well as two single rooms. There is also a single room for women with disabilities, as well as a separate room for pregnant women and child-bearing women. On 1 June 2017 in the Department for Women there were 23 women, which is less than the number of available accommodation capacities. In the sleeping rooms there is fresh air, lighting, heating, cooling, regular hygiene facilities, bed with mattress and bed linen, locker for personal belongings of a prisoner.

In the Institute for the Execution of Criminal Sanctions there are on average 1,190 persons that are placed in detention or serving prison sentences. Among them, there are on average 40 women detainees and prisoners, which is 3.4% of the entire number.

- 2) Do women have contact with their children and how often?

Women serving prison sentences in the Department for Women within the Detention and Rehabilitation Centre are entitled to a regular visit twice a month, which also includes visits of their children. They also have the possibility to contact their children during special, unexpected or family visits once a month upon the permission of the person running the prison.

The length of the sentence does not affect the prisoner's contacts with the children.

Women in the Remand Prison are entitled to the visit of their children once a month upon the approval of a competent court, and with the previous opinion of the Centre for Social Work.

3) Women employed in the Institute for the Execution of Criminal Sanctions

There are 438 employees of the Institute for the Execution of Criminal Sanctions. Among them there are 103 women, which is 23% of a total number.

10. Additional Information on Family Law and Settlement of Joint Property of Spouses

The Family Law of Montenegro prescribes the settlement of joint property of spouses in the following articles:

Settlement of joint property of spouses

Article 293

Spouses may amicably divide the joint property by determining the parts in the whole property or a part of the property or of an individual item, as well as by determining that each spouse obtains certain items or rights from the property or that one spouse pays the other spouse the monetary value of his/her part.

The agreement referred to in the paragraph 1 of this Article must be made in written form.

Article 294

If an agreement is not reached, the property of spouses shall be divided to equal parts.

At the request of the spouse who proves that his/her contribution in gaining the joint property is obviously and significantly higher than the contribution of the other spouse, the court shall divide the joint property according to the contributions of each spouse.

When determining the share of each spouse the court shall take into account not only the incomes and earnings of each spouse, but also the support that one spouse provides for another, the work, household and family, care for upbringing of children and every other form of cooperation in management, maintenance and increase of joint property.

Article 295

Settlement of joint property of spouses may be requested during the marriage and after cessation of a marriage.

The right to request the settlement of joint property belongs to spouses, inheritors of a deceased spouse or a spouse who was pronounced dead, as well as a claimant of one of the spouses if he cannot cover his claims from the separate property of the spouse.

Article 296

In the process of settling joint property, at the request of a spouse, his/her part of the property shall primarily contain the items from joint property that are used by him/her for performing the activities of his/her profession.

Apart from the part of the property of a spouse, the things gained by work during the marital community, which are exclusively for personal use of the spouse, shall be taken from the joint property and given to the spouse.

If the value of the items from the paragraphs 1 and 2 of this Article is disproportionately large in comparison to the value of the whole joint property, those items shall be divided as well, unless the spouse who is to obtain these items compensate to the other spouse by the appropriate value or cedes to the other spouse some other items, with the consent of the other spouse.

Article 297

The spouse who is committed custody of children, shall, apart from his/her part of the property, obtain also the items that are used by children only or that are intended only for being directly used by the children.

In the process of settling the property the spouse who is committed custody of children shall be given the items for which it is obvious that it is in the interest to be in the possession and ownership of the spouse who is committed custody of the children.

Article 298

When in the executive procedure the final judgment is made to sell the part of the joint property awarded to one spouse, the other spouse shall have the right of prior purchase of that part of the property.

11. Information on the Proposal for the Law on Amendments to the Criminal Code of Montenegro

At the Tenth Sitting of the First Ordinary (spring) Session of the Parliament of Montenegro in 2017 that was held on 29 June 2017, MPs adopted the Proposal for the Law on Amendments to the Criminal Code of Montenegro. The proposed amendments are a continuation of harmonisation of national legislation with the EU acquis, conventions of the Council of Europe and the United Nations, legal standards of the European Court of Human Rights and other international instruments. The amendments, inter alia, stipulate the introduction of a long-term imprisonment which may last from thirty to forty years instead of a prison sentence of forty years. The novelties also, inter alia, provide for that the punishment can be prescribed for the most serious crimes, but it cannot be prescribed as the only punishment for certain criminal act. The novelties are also related to: female genital mutilation, forced sterilization, persecution, unauthorized use of state property for election purposes, unlawful taking of human organs or parts of bodies; the preservation, transportation, import and export of human organs or parts of bodies obtained by the commission of a criminal offense, the unauthorized marketing of hormonal substances, the sexual intercourse, extension of the ground of certain discrimination, marketing of nuclear and radioactive material, violence against employees of an airport or of an aircraft, disrespectful behaviour in the courts, financing criminal offences, etc.

The most relevant novelties related to the prohibition of discrimination of women are the following ones (pending official translation we offer an unofficial translation of the relevant articles of the Proposal for the Law on Amendments to the Criminal Code of Montenegro):

Article 6

Article 42a is amended to read as follows:

(1) If a criminal offense is committed out of hatred against another person because of her or his national or ethnic origin, racial or religious affiliation or the absence of such affiliation, disability, sex, sexual orientation or gender identity, the court shall consider this circumstance as aggravating unless it represents a principle characteristic of the criminal offence in question or more difficult form of criminal offense.

If a criminal offense is committed against a person belonging to a particularly vulnerable category of persons (children, persons with disabilities, pregnant women, older persons, refugees), the court may take this circumstance as aggravating.

Article 9

After Article 151, two new members are added, which read as follows:

"Female genital mutilation

Article 151a

(1) Whoever mutilate the external parts of female genitalia,

Will be sentenced to one to eight years in prison.

Forced sterilization

Article 151b

Who, by the use of force or threat, perform sterilization of another person in order to disable its reproduction,

Will be sentenced to three months to five years in prison. "

Article 14

Article 204 paragraph 2 is amended to read:

"(2) Whoever, against another person, performs a sexual intercourse or equal act without his or her consent, and the characteristics of paragraph 1 of this Article have not been realized,

Will be sentenced to six months to five years in prison. "

Article 15

In Article 210, paragraph 2 shall be amended to read:

"(2) If the offense referred to in paragraph 1 of this Article is committed against a minor or is committed by multiple persons in an organized manner,

The offender shall be punished by imprisonment of two to ten years. "

After paragraph 3 a new paragraph is added, which reads:

"(4) Prostitution in the sense of this Article means the use of a person for sexual activities by giving or promising money or any other form of remuneration or reward as a payment for engaging that person in sexual activities, whether or not payment, promise or reward are given to the person in question or to a third person. "

Article 16

In Article 211, after paragraph 6, a new paragraph is added to read as follows:

"(7) By Child pornography, within the meaning of this article, shall be considered any material that visually displays a child engaged in a real or simulated sexually explicit behaviour and any presentation of the sex organs of the child for primary sexual purposes."

Article 17

In Article 214, after paragraph 2, a new paragraph shall be added to read as follows:

"(3) Whoever incites to leaving or leaves other person abroad for the purpose of committing the criminal offense referred to in paragraph 2 of this Article,

Will be sentenced to three to three years in prison. "

The previous paragraph 3 becomes paragraph 4.

Article 21

After Article 293 two new Articles are added, which read:

"The unlawful taking of human organs or parts of the body

Article 293a

(1) Whoever, without written consent or consent in the sense of regulations regulating the transplantation of organs, takes the organ or part of the body from the living or the dying person,

Will be sentenced to one to eight years in prison.

(2) Whoever takes the body or part of the body from a living or deceased person outside the framework of the domestic transplantation system or if the taking is committed in violation of the basic principles and rules laid down by regulations regulating the transplantation of organs,

Will be sentenced to six months to five years in prison.

(3) Whoever, in return for the taking of an organ or part of a body, offers or has any property or any other benefit,

Will be sentenced to six months to five years in prison.

(4) If, as a result of the offenses referred to in paragraphs 1 and 2 of this Article, death or serious disturbance of health has occurred or the offense is committed by multiple persons in an organized manner or abuse of official position or committed against a minor,

The perpetrator shall be punished by imprisonment for five to fifteen years.

Preservation, transport, import and export of human organs or parts of bodies obtained by commission of a criminal offense

Article 293b

(1) Who prepares, preserves or stores human organs or parts of a body obtained by committing a criminal offense under Article 293a of this Code,

Will be sentenced to one to eight years in prison.

(2) The punishment referred to in paragraph 1 of this Article shall be prescribed for whoever transfers or transmits, exchanges, receives, imports or exports human organs or parts of the body obtained by the commission of a criminal offense under Article 293a of this Code.

(3) If the offense referred to in paragraphs 1 and 2 of this Article is committed by multiple persons in an organized manner or by abuse of official position,

The offender shall be punished by imprisonment for two to twelve years. "

12. Number of Prosecuted Criminal Offenses „Illegal Community with Juvenile "(Article 216 of the Criminal Code of Montenegro) and Criminal Offense "Trafficking in Human Beings " (Article 444 of the Criminal Code of Montenegro) with the indicated type and level of punishment Reporting period January 1, 2012 to March 31, 2017

Please find the table enclosed.

13. Information on women entrepreneurs i.e. on the companies founded by women and the companies whose CEOs are women – credits approved

In the period from 01.01. to 30.06.2017. - 26 credit requests approved in the total amount of 1.956.149,54 €.

In addition to the aforementioned (specified in the required report) another 23 credit requests in a total amount of 755,535.39 € are under proceeding.

14. Information on the women diplomats and career diplomats

There are currently 46 female diplomats in the diplomatic representations of Montenegro, out of 105 diplomats, of which 6 women are ambassadors. In the Ministry of Foreign Affairs there are currently 2 women Director-General, which is equal to a position of a Deputy Minister according to the Government's nomenclature (for economic and cultural diplomacy and for NATO and Security Policy).

The Ministry of Foreign Affairs has 222 carrier diplomats, out of which 114 are women (68 in the capital and 46 in the diplomatic representations of Montenegro).

Please find enclosed a composition of the negotiating groups that are conducting negotiation process within 35 chapters of negotiations with the European Union, as membership in the EU is one of the main Montenegrin foreign policy goals.

15. Additional information related to the efforts to prevent discrimination against RAE population

The Protocol for Monitoring and Prevention of Early School Drop-out has been completed. The Protocol will measure the number of children (in percentage) not enrolled in high-schools and the number of children (in percentage) that dropped-out of school. It will come into force as of the new school year 2017/2018.

Combating human trafficking:

The Ministry for Human and Minority Rights in accordance with the Action Plan 23 (Measure 3.10.1.26), the Action Plan for the “Strategy for the inclusion of Roma and Egyptians 2016-2020”, and the “Strategy for combating human trafficking for 2016” (Measure 1.1.8 – on Prevention), organized the education of parents, children, RE activists, and state administration officials on the protection against domestic violence and juvenile forced marriages among the Roma population, in seven (7) Montenegrin cities (Herceg Novi, Budva, Cetinje, Tivat, Kotor, Berane and Bijelo Polje) inhabited by members of the RE population. These activities were carried out in cooperation with the Ministry of the Interior, i.e. the Police Directorate, the Office for Combating Human Trafficking, Local Self-governments, the Roma Council and the NGO sector. During the implementation of the aforementioned measure, about 150 individuals were educated, and it has also been planned that these kinds of education take place in the cities of Nikšić and Podgorica by the end of this year.

The Ministry for Human and Minority Rights in accordance with the Action Plan 23 (Measure 3.10.1.26), the Action plan for the “Strategy for the inclusion of Roma and Egyptians 2016-2020”, and the “Strategy for combating human trafficking for 2016” (Measure 1.1.8 – on Prevention) organized seven (7) campaigns in Roma settlements on the problem of violence against women and forced marriages of Roma and Egyptian girls in seven (7) Montenegrin cities (Herceg Novi, Budva, Cetinje, Tivat, Kotor, Berane and Bijelo Polje). During the campaigns, citizens of Roma and Egyptian settlements were provided leaflets explaining a way to seek assistance in case of violence against women and forced marriages of Roma and Egyptian girls. It has also been planned that these campaigns carried out in Roma settlements take place in the cities of Nikšić and Podgorica by the end of this year.

The Ministry for Human and Minority Rights financed, in line with the Action Plan for the Implementation of the Strategy for Combating Human Trafficking for 2016 (Measure 1.1.1 – on identification of victims of human trafficking), the printing of one thousand (1,000) thematic information brochures on all forms of human trafficking with a focus on arranged marriages, on ways of self-identification of trafficked persons, and on the existing mechanisms for assistance and protection of victims of human trafficking including children. The flyers were printed in Montenegrin, Albanian and Roma language.

The Ministry for Human and Minority Rights intensifies efforts to create an incentive environment for the political participation of women, including women of RAE (Roma, Ashkali and Egyptian) population, while encouraging them to unite politically and delegate their own representatives to the governing positions of their parties, and introducing specific measures to fund female groups within political parties through the Law on Financing of Political Parties.

The Government of Montenegro adopted the Strategy for Social inclusion of Roma and Egyptians in Montenegro for the period 2016-2020, with the accompanying Action Plan for 2016. The Strategy is implemented through one-year plans. Accordingly, in March 2017, the Government adopted the AP for 2017. The Strategy is fully in line with the 'European Framework for National Roma Inclusion Strategies', and in addition to four key areas: education, employment, housing and health care, it also includes the areas of legal status, social status and family protection (four sub-categories: combating domestic violence and violence against women, prevention and suppression of begging, combating human trafficking and prevention of child marriages), and the field of culture, identity and information.

The Ministry for Human and Minority Rights, in cooperation with relevant institutions and civil sector, and in accordance with the obligations from Negotiating Chapter 23 and the Action Plan for the Implementation of the Strategy for Social Inclusion of Roma and Egyptians 2016-2020, carries out each year an education dedicated to women members of national minorities, especially to Roma and Egyptian women, with the aim of empowering them to engage in politics and participate in public life. In addition, from the beginning of 2017, within the framework of the IPA project "Promotion and protection of human rights of Roma men and women, Egyptian men and women, and other vulnerable groups" led by the Ministry for Human and Minority Rights, and supported by the European Union, the NGO CEDEM, as one of the implementers, held a two-day workshop in Berane, Nikšić and Podgorica on the topic "Political inclusion, voting rights and electoral system in Montenegro", as well as two two-day workshops on the topic "Participation and political representation of minorities in Montenegro" in Berane and Nikšić, dedicated to members of the Roma and Egyptian populations, in order to raise awareness of this population about ways of political inclusion, representation in social processes, the voting process, and their position in the electoral system of Montenegro

The Committee recommends that the State party:

A) Adopt additional temporary special measures, in accordance with article 4, paragraph 1 of the Convention, and general recommendations no. 25 of the Committee (2004), in order to increase the number of RAE children enrolled in schools and the number of children finishing school, as well as the participation of women and girls from the RAE population in higher education;

In order to systematically regulate the position of the so-called Roma mediators, who have been engaged in project activities since 2013, a standard of employment for the position of an Associate in the social inclusion of Roma and Egyptian boys and girls in the field of education has been established, and according to the information from the Ministry of Education, 20 Associates, financed from the state budget, will be employed by schools attended by a significant number of Roma and Egyptian children, as of the school year 2017/18.

With a view of reminding the Committee, the standards of employment such as Associates in the social inclusion of Roma and Egyptian boys and girls in the area of employment, who are currently engaged in project activities, and Associates in the social inclusion of Roma and Egyptian boys and girls in the field of health, have also been established.

At the beginning of 2017, following the adoption of the Standard of employment and systematization of the employment positions in the Health Centre of Podgorica, two Associates in the social inclusion of Roma and Egyptian men and women within the health sector were employed in the Health Centre of Podgorica, which indicates that the issue has also been regulated systemically, whereas two Associates were engaged in project activities in Nikšić and Berane, and it has been planned that they be employed in health centres in those municipalities as of next year, and financed from the state budget.

The development of the fourth standard of employment entitled Associate in the Social Inclusion of Roma and Egyptian men and women in the field of social protection is underway. A Working Group has been established with the aim of adopting this type of employment standard by the end of the year, in order to find ways for employing these associates in the Centres for Social Work.

B) Train and employ more teaching staff from the RE population, including women, and identify sufficient financial resources to improve the quality of education in schools, in and around the refugee camp at Konik, and to intensify efforts to integrate RAE children into local schools;

C) Effectively apply the existing and adopt additional policies and targeted measures with a deadline set for achieving determined goals and indicators, in order to achieve essential equality of women and men in the labour market, improve women's employment, including women from the RAE population, eliminate professional segregation, and reduce the gap in wages between women and men.

According to data of the Ministry of Human and Minority Rights, there are currently five highly educated Roma and Egyptians (three men, two women), six Roma and Egyptians with the high-school education (three men, three women), and one employee (man) with no data on the level of education, all of whom are currently employed in the public sector.

The Ministry for Human and Minority Rights, in cooperation with the relevant institutions and civil sector, and in accordance with the obligations from Negotiating Chapter 23 and the Action Plan for the Implementation of the Strategy for Social Inclusion of Roma and Egyptians 2016-2020, each year, as of 2013, conducts education activities and campaigns (in the cities where a significant number of Roma and Egyptians live) on the topic of protection against domestic violence, violence against acts and arranged child marriage, provided for the parents and children of the Roma and Egyptian populations, as well as for the representatives of institutions and NGOs. In addition, the Ministry financed the translation and printing of brochures in the Roma, Albanian and Montenegrin languages on this topic, and they have been distributed during the visits to Roma settlements, and education sessions.

In addition, the drafting of Guidelines for the Treatment and Processing of Cases of Forced Marriages in Roma and Egyptian Communities for the need of police, social work centres, schools, Judges and health centres is underway. The work of the working group is coordinated by the Ministry of the Interior, and the activity is realized in cooperation with UNICEF and NGO Centre for Roma Initiatives.

16. Additional information related to the Strategy for the Persons with Disabilities

In September 2016, the Government of Montenegro adopted the Strategy for the Integration of Persons with Disabilities in Montenegro 2016-2020 with the Action Plan for Implementation of the Strategy for 2016 and 2017. This document covers all key areas relating to the inclusion of persons with disabilities in society (accessibility, participation, equality, employment, education and training, social protection, health, as well as the area that relate to the situation of organizations of persons with disabilities in civil society). The Strategy follows the areas of action and the timeframe of the European Strategy for People with Disabilities 2010-2020. A special focus is put to the results of the previous strategy, the existing legal framework and the current position of persons with disabilities in Montenegro.

Having in mind that this strategy is not the first such document in Montenegro, the main reason for its adoption is continuation of work on improving the position of persons with disabilities and establishing the widest legal framework for defining policies towards persons with disabilities in accordance with the social model of access to disability. A new Strategy represents a long lasting commitment when it comes

to the position of persons with disabilities in Montenegro with the need to involve them in all areas of society on an equal footing.

The drafting of the Strategy for the Integration of Persons with Disabilities for 2016-2020 included an intersectorial working group. In addition to the representatives of the relevant ministries, there are representatives of the non-governmental sector dealing with the rights of persons with disabilities.

In March 2017, the Government of Montenegro adopted the Information on the implementation of the Action Plan of the Strategy for the Integration of Persons with Disabilities in Montenegro for 2016, which includes an overview of the measures and activities implemented in the mentioned areas. In the Information, in addition to the activities of state bodies and institutions, the activities of the civil sector dealing with persons with disabilities are presented, regardless of whether they were done in partnership with the state bodies or independently.

SUMMARY OF THE INFORMATION ON THE IMPLEMENTATION OF THE ACTION PLAN OF THE STRATEGY FOR INTEGRATION OF PERSONS WITH DISABILITY IN MONTENEGRO FOR 2016

ACCESSIBILITY

The Ministry of Sustainable Development and Tourism, in cooperation with the Property Directorate, has made a list of publicly owned buildings owned by the state administration, as well as the Analysis of the facilities of state administration bodies from the aspect of accessibility to persons with reduced mobility and persons with disabilities.

In order to alleviate the accessibility and adoption of the Action Plan for adjusting catering facilities to the needs of persons with disabilities, during 2016, MORT is for types of catering facilities (hotels, motels, pensions, tourist settlements, etc.), which issue a permit for performing catering activity- Solution and assigned the category, determined the contents for the OSI that these facilities have: parking, access, entrance, public toilet, lifts, accommodation units, beach, etc.

During 2016, the Ministry of Information Society and Telecommunications adopted the Guidelines for the Development and Management of Internet Presentations of State Bodies, State Administration Bodies and Local Governments.

PARTICIPATION

In 2016, the Ministry of Culture, intensified cooperation with national and municipal institutions of culture and persons with disabilities to include in cultural contents, through linking the cultural sector, engaging in development strategies, etc. The policy of improving the accessibility of cultural content to people with disabilities still shows the need for continuous improvement. In 2016, on this basis, the Ministry of Culture in its official premises provided tiles in the Braille letter, with data on employees.

Paralympic 2016 was a historic year for the Paralympic Committee of Montenegro. A number of international and national activities have been realized. Montenegrin competitors participated in the biggest sporting events at the European Athletics Championship when our athletes won one gold and two silver medals, the Paralympic Games in Rio where Montenegro had two representatives in four Paralympic disciplines.

During the year 2016, the Special Olympics of Montenegro realized numerous activities related to sporting events and education of persons with intellectual disabilities.

EQUALITY

The Ministry for Human and Minority Rights has prepared a Law on Amendments to the Law on the Prohibition of Discrimination. The draft law received positive opinions from all line ministries and the Secretariat for Legislation.

At its session of 22 September 2016, the Government of Montenegro adopted the Analysis of the Compliance of Legislation in Montenegro with the Law on the Prohibition of Discrimination against Persons with Disabilities and the UN Convention on the Rights of Persons with Disabilities.

The Ministry of Human and Minority Rights, in cooperation with the representatives of the state administration bodies and with the support of the international expert, prepared and at the session of 15 December 2016 the Government of Montenegro adopted the Strategy for the Protection of Persons with Disabilities from Discrimination and Promotion of Equality for the period 2017- 2021. with the Action Plan 2017 – 2018.

PROFESSIONAL REHABILITATION AND EMPLOYMENT

In 2016, 245 persons with disabilities were employed with 181 employers. For an indefinite period of time, 65 persons with disabilities were employed, and for a limited period of time 180 persons were employed (these persons have based their employment for a certain period of time during the current year or have terminated their employment). Employers who have employed persons with disabilities have been granted the right to a wage subsidy.

For the realization of the program of professional rehabilitation and employment with disabilities, in 2016, 3,045,339.77 euros were spent for: professional rehabilitation programs - 148,624.00 Eur; Subsidies earnings - 963,512.51 Eur; Subsidies (workplace adjustment and working conditions) - 72,223.23 Eur; Subsidies (participation in financing of personal expenses of the assistant in work) - 87,256,03 Eur; Financing of the grant scheme - 1.723.607,86 Eur; Financial assistance for program participants - 27,171.68 Eur; Fees to the members of the professional rehabilitation commissions and the Council of the Fund - 22,944.46 Eur.

During 2016, 53 projects of professional rehabilitation, active employment policy and employment of persons with disabilities were realized. These projects were approved by the decision of the Board of Directors of the Institute, by public call from 11.03.2015. For realization of these projects, in 2016, 982.695,84 eur was spent.

EDUCATION

In 2016, regional trainings of educational presentations for representatives of professional services of elementary schools were held with the aim to find instructional and educational materials for inclusive work and learning and their practical application. In addition, 5 accredited seminars in the field of inclusive education (IROP application, Application of ITP, family and school cooperation, Mathematics in

the cycle) were held as well as training on the use of textbooks in Daisy format for 5 representatives of 4 schools.

Early intervention programs are implemented in resource centres. Children with a routing decision are exempt from payment.

Inclusive activities at national and regional level have been established to promote and support inclusive education. Members of inclusive assets are defectologists, speech therapists, psychologists, pedagogues, class teachers from Podgorica (7), from the north (6), Niksic (5), the coast (6).

An inclusive portal has been created,

[Http://www.skolskiportal.edu.me/Pages/Inkluzivnoobrazovanje.aspx](http://www.skolskiportal.edu.me/Pages/Inkluzivnoobrazovanje.aspx).

SOCIAL PROTECTION AND PENSION-INVALIDIC INSURANCE

In September 2016, the Government of Montenegro adopted the Strategy for the Integration of Persons with Disabilities in Montenegro 2016-2020 with the Action Plan for Implementation of the Strategy for 2016 and 2017.

Three day centres for children with disabilities were opened. Day Centre for Children and Youth with Disabilities and Difficulties in Rožaje, officially started on July 22, 2016. Day Centre for Children and Youth with Disabilities and Difficulties in Development Podgorica, started receiving first beneficiaries in early April 2016. Currently, the Daily Centre is home to ten children with disabilities and difficulties. The day centre within the Children's Home "Mladost" in Bijela was opened in September 2016. The function of this service is planned for the needs of children living with disabilities aged 6-18 years.

On December 28, 2016, 40 years of work of the Institute "Komanski Most" was marked and an autism department was opened, which was funded by the Turkish Agency for International Cooperation TIKa. At the moment, 112 institutions are located in this institution.

A large number of social and child care services for people with disabilities and children with disabilities was provided by the NGO sector, which was financed by the state through the Public Works of the Health Insurance Institute of Montenegro, a competition for allocation of part of the income from games of chance through donations provided by the capital Podgorica etc.

HEALTH

The Ministry of Health has adopted a new Rulebook on indications and methods of using medical rehabilitation in health institutions that perform specialized medical rehabilitation ("Official Gazette of Montenegro", No. 81/16).

A new Ordinance on exercising the right to medical technical assistance has been adopted, "Sl. Montenegro", no. 82/16.

A large number of NGOs dealing with the rights of persons with disabilities, and especially parental associations, provided in the past year the services of a large number of professional workers (physiotherapeutic, speech therapists, defectologists, etc.) in their associations in order to improve the level of health care for children with disabilities in Development and adults with disabilities. At the same

time, in most of the projects, parents of children in the provision of physiotherapy services were also educated.

CIVIL SOCIETY

A large number of civil sector representatives took part in the work of government bodies in the past year in the preparation of strategic documents, laws, regulations, etc.

Representatives of 5 NGOs, who are members of the Council for the care of persons with disabilities, took part in the work of this body in 2016. The Council session was thematically dedicated to the presentation of the Strategy for the Integration of Persons with Disabilities in Montenegro 2016-2020.

The decision on allocation of part of the revenues from games of chance resulted in distribution of part of the revenues from games of chance for the co-financing of plans and programs for 2016 for the following areas: social protection and humanitarian activities, meeting the needs of persons with disabilities, development of sports, culture and technical Culture, non-institutional education and the upbringing of children and youth, and contribution to the fight against drugs and all forms of addiction.

SUMMARY OF THE STRATEGY FOR INTEGRATION OF PERSONS WITH DISABILITIES IN MONTENEGRO FOR THE PERIOD OF 2016-2020 WITH THE ACTION PLAN FOR IMPLEMENTATION OF THE STRATEGY FOR 2016-2017

The Convention on the Rights of Persons with Disabilities, ratified by Montenegro in 2009, aims to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and promote respect for their dignity. European Strategy for People with Disabilities 2010-2020 is a framework for action at European level as well as for national activities aimed at improving the position of people with disabilities, regardless of gender and age.

Bearing in mind Montenegro's commitment to EU accession, this strategy follows the areas of action and the timeframe of the European Strategy for People with Disabilities 2010-2020. With a special emphasis on the results of the previous strategy, the existing legal framework and the current position of persons with disabilities in Montenegro, it determines strategic goals in each of the areas and concrete measures and activities for achieving strategic goals in each of the areas under consideration.

On the other hand, having in mind that this strategy is not the first such document in Montenegro, the main reason for its adoption is continuation of work on improving the position of persons with disabilities and establishing the widest legal framework for defining policies towards persons with disabilities. It represents a long-lasting commitment when it comes to the position of persons with disabilities in Montenegro with the need to involve them in all areas of society on an equal footing.

The Strategy for the Integration of Persons with Disabilities in Montenegro 2016-2020 identified seven key areas of action: accessibility, participation, equality, employment, education and training, social protection and health.

ACCESSIBILITY

In Montenegro, there is no separate law dealing with the issue of accessibility of persons with disabilities in all segments of the society, but these issues are dealt with through several regulations. Accessibility area includes: accessibility of facilities (physical environment), removal of architectural

barriers on facilities, accessibility in traffic and accessibility of information (Information and Communication Technologies), and due to the strategic importance of tourism in Montenegro, special attention should be paid to this segment of accessibility.

The strategic goal in the area of accessibility in Montenegro until 2020 is the consistent application and improvement of existing regulations in order to increase the general level of accessibility of the physical environment, public transport, information and communication technologies, public facilities and services for persons with disabilities.

In order to achieve the targeted goal in the area of accessibility in Montenegro in 2020, in the following period it is necessary to achieve the following measures and activities: Develop accessibility standards, improve and expand existing legal regulations in the field of accessibility of the physical environment, transport means, information and communication Technology, public facilities and services having in mind the concept of universal design (design for all); Provide a framework for the continuous cooperation between state and local government bodies, associations dealing with the improvement of the situation of persons with disabilities, relevant educational institutions and other stakeholders in order to develop and apply accessibility standards; Continuous adaptation and reconstruction of the physical environment, means of transport, traffic infrastructure, parking spaces and public facilities in order to ensure their accessibility for persons with disabilities; To make an inventory of objects in public use at the local and state level; Make an analysis of the accessibility of facilities in public use at local and national level and to make electronic records with a detailed description of the level of their (non) accessibility to track progress in this area; Adopt action plans for adapting facilities in public use at the local and state level to persons with disabilities;

At the annual level, the local self-government will report to the Ministry on the implementation of adopted action plans for adapting facilities in public use at the local level to persons with disabilities; Improve education in the area of application of the accessibility standards of relevant actors - experts in the field of architecture and construction, as well as inspectors in this field; Adopt and implement programs of customization of tourist facilities to the needs of OSI. These measures should be included in the regulations on the categorization of hotel and catering facilities and the regulations on the special designations of hotels that have adapted their operations and services to the needs of the OSI; Establish standards for compulsory marking of passenger vehicles used by people with severe disabilities; Precisely prescribe the competence of the construction inspection to perform inspection supervision over the application of regulations that regulate accessibility; Continuously inform and educate all relevant actors through seminars and campaigns on accessibility standards, the concept of universal design and the needs of persons with disabilities, especially the administrators of the portal of the Government of Montenegro regarding access to web content for OSI; Ensure accessibility of services to persons with disabilities; Ensure accessibility of Internet presentations by state institutions to persons with disabilities in accordance with e-accessibility standards; Continue to digitize public services to facilitate access to these services for persons with disabilities; Promote access to OSI with new information and communication technologies.

PARTICIPATION

Persons with disabilities, for the first time, in local elections in 2014, in 14 municipalities in Montenegro, had the opportunity to fully participate in the process of election of the local councillors, which was made possible by the amendments to the Law on the election of councillors and

representatives. In this way, conditions have been created that the election material, electoral procedure and polling stations are accessible to persons with disabilities, regardless of the type of disability.

Amendments to the legislation were adopted, thus creating legal requirements regarding accessibility of sports, recreational and cultural objects to persons with disabilities.

The strategic goal in the field of participation in Montenegro until 2020 is to create the conditions for unhindered participation in public life and the enjoyment of basic rights of persons with disabilities on equal basis with other citizens.

In order to achieve the envisaged goal in the field of participation in Montenegro in 2020, in the following period, it is necessary to achieve the following measures and activities: Ensure that the election process, electoral sites and materials are adequate, accessible and easy to understand for persons with disabilities; Continuous adaptation of objects of culture objects and sports-recreational facilities to be accessible to persons with disabilities; Improving the availability of cultural content in formats accessible to persons with disabilities; To stimulate organizers of cultural events, especially those with a long tradition, to engage more intensively in the performances of people with disabilities; Enable realization of the right to free chair for representatives of organizations of persons with disabilities in the local and republican parliament; Encourage policies to develop programs in the field of culture for persons with disabilities; Encourage the development of sports for persons with disabilities; Encourage the policy of developing the sport of persons with intellectual disabilities; Strengthen the capacity of the Paralympic Committee; To create conditions for realization of recreational and sports programs for persons with disabilities; Improve the work of the disability care council; Systematic raising awareness of the rights and potentials of persons with disabilities in culture.

EQUALITY

Fundamental rights are the basis of every civilized society and legally regulated state. Their realization must be guaranteed and unhindered. In preparing the EU accession negotiations for the acquis, the Government of Montenegro has opened Negotiating Chapter 19 - Social Policy and Employment, as well as Negotiating Chapter 23 - Judiciary and Fundamental Rights, which, to a large extent, treat the issue of persons with disabilities.

The strategic goal in the field of equality in Montenegro until 2020 is to improve the normative framework through the harmonization of regulations in Montenegro with the UN Convention on the Rights of Persons with Disabilities. Ensure full implementation of the Law on the Prohibition of Discrimination and the Law on the Prohibition of Discrimination against Persons with Disabilities.

In order to achieve the envisaged goal in the area of equality in Montenegro by 2020, in the following period it is necessary to achieve the following measures and activities: Monitoring the application of international documents and conventions, as well as the adopted international standards for the protection of persons with disabilities, taking measures for their Implementation in the legal system of Montenegro and monitoring compliance with these documents; Preparation of a strategic document concerning the protection of persons with disabilities from discrimination and promotion of the equality of those persons with other persons, as well as monitoring the implementation of the Strategy; Organization of research and analysis of the situation in the field of protection of persons with

disabilities from discrimination and promotion of the equality of those persons with other persons; Cooperation with the local self-government in the field of protection of persons with disabilities from discrimination and promotion of the equality of those persons with other persons; Establish cooperation with non-governmental organizations in the field of protection of persons with disabilities from discrimination and promotion of the equality of those persons with other persons; Eliminate stereotypes and prejudices against persons with disabilities, as well as harmful acts that discriminate against these persons in all areas of life, including prejudice based on sex and age; Organizing training and training for different target groups in order to raise the level of awareness of persons with disabilities and their rights; Raising public awareness of persons with disabilities and their rights, including working with children, from the earliest age and through all levels of the education system; Encouraging the media to promote the rights and protection against discrimination against persons with disabilities and education on the use of terminology that is in line with the adopted international documents.

EMPLOYMENT

The Law on Professional Rehabilitation and Employment of Persons with Disabilities, adopted in 2008 and amended in 2011, regulates the issue of professional rehabilitation and employment of persons with disabilities in a comprehensive manner. The law regulates the ways and procedure for exercising the right to professional rehabilitation of persons with disabilities, measures and incentives for their employment, financing and other issues of importance for professional rehabilitation and employment of persons with disabilities. The main goal of the law is to create conditions for increasing the employment of persons with disabilities and their equal participation in the labour market, while eliminating barriers and creating equal opportunities.

In order to realize the measures and activities of professional rehabilitation and employment of persons with disabilities and other difficulty of the employed, the Institute is the first instance and second instance professional rehabilitation commission. The Ministry of Labour and Social Welfare, in cooperation with the Employment Service of Montenegro, continuously implements measures of active employment policy in accordance with the Ministry's plan and program of work.

The strategic goal in the field of employment in Montenegro until 2020 is to improve the conditions for increasing the employability of persons with disabilities and their equal participation in the labour market, removing barriers and creating equal opportunities for greater employment of persons with disabilities in Montenegro through their education, trainings and Professional training, as well as adapting the labour market to persons with disabilities.

In order to achieve the targeted goal in the field of employment in Montenegro until 2020, in the following period it is necessary to achieve the following measures and activities: To improve the legislative framework that regulates the field of professional rehabilitation and employment of persons with disabilities; Plan and implement active policies for employment of people with disabilities, Encourage self-employment and develop entrepreneurship support programs and the establishment of small and medium-sized enterprises by persons with disabilities; Conduct continuous education programs for professionals and staff working on professional rehabilitation and employment services for persons with disabilities; Improve the system of records of unemployed and employed persons with disabilities; Encourage and support inclusion of women with disabilities in the labour market as well as encourage entrepreneurship by the women of disabilities.

EDUCATION AND TRAINING

Education system in Montenegro includes: preschool education, primary education, secondary general education (gymnasium/grammar school), vocational education, higher education. Adult education is part of the general system and is realized at all levels of education. When it comes to the education of children with disabilities and disabilities, people with disabilities, it is organized in three basic forms: the classrooms of the regular schools - as the first choice, special classes in regular schools (primary schools), and resource centres - when it is the best interest.

In the previous period, progress in implementing inclusive education is noticeable. Despite visible progress, there is plenty of room for improvement, and above all in creating adequate conditions (accessible space, equipment, resources, customized way of providing services), in more intensive development of the support system and in developing intersectoral cooperation that will enable better information flow.

The field of education is regulated by a set of laws and bylaws that also contain norms related to the education of persons with disabilities. In the previous period, legislation was amended to improve inclusive education in accordance with international standards.

The strategic goal in the field of education and training in Montenegro until 2020 is to ensure the right to education without discrimination and the inclusive education system of all at all levels, as well as lifelong learning focused on the full development of human potential, dignity and self-worth through inclusion in the general educational System, with reasonable adaptations in accordance with the needs of individuals.

No child should be excluded from free and compulsory primary education, or from secondary education with the support of a general education system to facilitate effective education and individualized support measures in environments that support social development in accordance with the goal of full inclusion.

In order to achieve the targeted goal in the area of education and training in Montenegro until 2020, in the following period it is necessary to achieve the following measures and activities: Improve normative acts in order to be harmonized with the UN Convention on the Rights of Persons with Disabilities and mechanisms for monitoring the implementation of legislative Process; Improve cross-sectorial and inter-institutional cooperation by forming tripartite bodies (education, health and social protection) in order to create conditions that will allow for equal conditions for education, as well as monitoring the education process; Improve the routing procedure with the continuous education of commissions in line with needs and empower parents to consider it in the function of supporting the child; Enhance the record and monitoring of the inclusion of children with disabilities and disabilities, persons with disabilities through all levels of education; Improve basic education and professional development of teachers and other professionals in order to improve the quality and inclusiveness of the teaching process, the application of individual work strategies (development and application of IROP, adaptation of teaching process and ambient, etc.); Strengthen the system of support in inclusive education and fulfil the development and educational needs with the focus on inclusion in secondary schools, both professional and high school. Provide a systematic, sustainable and adequate teaching assistance system to students who need this type of support; Provide, promote and support the continuity of education and the transfer of pupils from one level of education to another; To make educational institutions

accessible in accordance with legal regulations and to provide adequate specialized aids, customized teaching and teaching resources, accessible literature (Braille letter or electronic or audio format), other assistive support and technology, manuals for work; Provide support for enrolment at higher education institutions, to exercise the right to free schooling and accommodation in a student dormitory, to adapt teaching, to provide customized literature, adequate teaching aids, assistive technology, to create conditions for providing teaching assistance to students with disabilities; Introduce the service of German interpreters at all levels of education according to needs; Provide education for adults with disabilities in accordance with the law; Continuously work to improve the awareness of the general public on the benefits of inclusive education.

SOCIAL PROTECTION

The social and child protection of persons with disabilities in the previous eight-year period has been improved, both by introducing new rights, which relate both to material benefits and services, as well as to the increase in the amount of material benefits. In the area of normative regulation, in addition to the Law on Social and Child Protection, adopted after almost 10 years of application of the previous law, several new laws were adopted in this area, and for some of the existing, amendments were adopted. Thus, in this area, the Law on Social Housing, the Law on the Movement of Persons with Disabilities with the help of dog assistants, the Law on Pension and Disability Insurance, the Law on Privileges and the First Law on the Prohibition of Discrimination of Persons with Disabilities, as well as a whole series of by-laws, are relevant. Conditions have been created for a better realization of the social protection of the vulnerable population.

Also in the previous period, the law stipulates that a person with a disability has a right to a personal disability financial means, which eliminates the possibility of discrimination against persons with disabilities in relation to the time of the occurrence of disability and years of life, which was the case before.

The Law on Social and Child Protection clearly focuses on the pluralism of services in the social and child care system. In accordance with this law, the activities in the field of social and child protection, or certain services, may also be provided by the association, entrepreneur, company and natural person, in accordance with the law.

Within the Directorate for Social and Child Protection of the Ministry of Labour and Social Welfare, the Directorate for Development of Services has been established to deal with the issues of development and financing of services at the local and state level, which will contribute to the improvement of the protection of vulnerable categories of the population.

The strategic goal in the field of social protection in Montenegro until 2020 is to ensure that persons with disabilities are included in society through the establishment of a modern and sustainable social protection system, while improving the living standards of all persons with disabilities in Montenegro, with special attention paid to those who need the highest degree support, which due to their health and inaccessibility of various service providers are not able to conceive and provide conditions of life appropriate to international standards.

In the area of pension and disability insurance, the goal is to ensure the implementation of international standards related to this area.

In order to achieve the targeted goal in the field of social protection in Montenegro until 2020, in the following period it is necessary to achieve the following measures and activities: Encourage the efficiency of disability assessment through the intervention of the Ministry of Labour and Social Welfare, the Ministry of Health and the Ministry of Education; Establish a Register of Persons with Disabilities; Ensure the sustainability of the social protection system for people with disabilities; To improve the legal regulations in the area of social protection based on disability, according to the level of support necessary for full inclusion in the community; Take measures to make as many social welfare institutions as possible accessible to persons with disabilities; Accredite and implement programs of education of employees in social and child protection; Familiarization of members of socio-medical commissions with the rights of persons with disabilities; Enable systematic and organized professional development of providers of services for persons with disabilities in the spirit of the social model; Provide access to information and only inform persons with disabilities about social protection rights on MLSW sites and state institutions in accessible formats; Establish and develop new / missing services based on user's explored needs; Consider material support for parents who are persons with disabilities; Improve the protection of children and young people with disabilities without parental care; When innovating the Law on Pension and Disability Insurance, take into account compliance with international standards in this area.

HEALTH

Healthcare activity is a matter of public interest and is implemented on the principles of comprehensiveness, accessibility, continuity, integral and specialized approach and continuous improvement of the quality of health care.

The Law on Health Care specified that in exercising the right to health care the citizens are equal, irrespective of their nationality, race, sex, age, language, religion, education, social background, property status and other personal property.

According to the Law on data collections in the field of health, it is envisaged the creation of the Register of diseases of greater socio-medical importance, infectious diseases and other conditions related to the health of the population, within which the Register on the health protection of children and youth with disabilities in psychophysical development and psychosocial disorders . The Institute of Public Health will keep the mentioned register.

In the Ministry of Health, the Directorate for Control and Improvement of the Quality of Health, monitors the improvement and promotion of indicators of the quality and results of work and within the health care of persons with disabilities.

When it comes to the normative regulation, it is important to emphasize the amendments to the Rulebook on indications and the manner of using medical rehabilitation in health institutions that perform specialized rehabilitation.

The strategic goal in the field of health care in Montenegro until 2020 is to improve the health of people with disabilities and their families on the principle of equal access to health services, through the development of a comprehensive system of health care at primary, secondary and tertiary level, sensitive to general and specific needs Health care for persons with disabilities and benefits for them.

In order to achieve the targeted goal in the field of health care in Montenegro until 2020, in the following period, it is necessary to achieve the following measures and activities: To increase the scope and types of rights to use medical rehabilitation for people with disabilities; Provide greater scope and quality of services in the field of medical and technical assistance for persons with disabilities; Provide more accessible health facilities for people with disabilities and affordable formats on medicines and other health products; Improve early diagnostics, intervention and support services for children with developmental disabilities and their families in the health care system; Ensure full application of the provision of the Rulebook on Primary Health Care, which specifies the provision of physiotherapeutic services at home for persons with disabilities; Improve the quality of relations on the user service (people with disabilities) relationship - health workers.