



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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Reference: CERD/105th session/2021/FU/MK/ks

3 December 2021

Excellency,

I wish to inform you that the Committee on the Elimination of Racial Discrimination, during its 105th session, considered the additional follow-up information submitted by the Government of Montenegro, pursuant to article 9 (1) of the Convention and rule 65 (1) of the Rules of Procedure of the Committee,

The Committee welcomes the submission of the additional information, in response to its letter requesting further information on the implementation of the recommendations contained in paragraphs 15 (e) and (f) and 25 of the Concluding Observations (CERD/C/MNE/CO/4-6), adopted following the consideration of the State party's combined 4th to 6th periodic reports, at its 96th session, held in August 2018.

The Committee appreciates the opportunity provided to continue its dialogue with the State party and would like to draw the State party's attention to the observations mentioned below. The Committee requests that comments and responses on actions taken by the State party on these issues be included in its combined 7th and 8th periodic reports, which was due for submission in a single document on 3 June 2021.

Paragraph 15 (e) of the Concluding Observations

The Committee welcomes the information provided by the State party on steps taken to inform parents, including from vulnerable groups, about the procedure of birth registration, including through trainings, campaigns and public discussions organized in various municipalities inhabited by members of Roma, Ashkali and Egyptian communities. The Committee considers the response to this recommendation satisfactory and requests it to provide, in its next periodic report, information on the concrete results of the measures taken.

Paragraph 15 (f) of the Concluding Observations

The Committee notes the information provided by the State party on the possibility to register a birth when the mother is unknown or lacks an identification document. The Committee regrets the lack of information on efforts to provide women who lack identification documents with such documents and with legal aid, when necessary, for birth registration.

Her Excellency Ms. Slavica Milačić
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With reference to paragraph 9 of the Follow-up report submitted by the State Party (CERD/C/MNE/FCO/4-6), the Committee requests the State party to provide, in its next periodic report, information on any negative decisions taken regarding the birth registration of a child, on the motives of any such negative decisions, and on any subsequent steps taken in line with the judicial protection pursuant to the Law on Extrajudicial Proceeding. The Committee considers the answer of the State Party to this recommendation partially satisfactory.

Paragraph 25 of the Concluding Observations

The Committee notes the information provided by the State Party on the number of complaints filed and the number of cases rejected or transferred under the criminal offence of infringement of equality and under the criminal offence of causing national, racial and religious hatred. However, the Committee regrets the lack of information on convictions made, investigations carried out, sanctions taken against the perpetrators and redress provided to victims regarding these cases. Noting that 95 per cent of criminal complaints filed in 2020 with the Basic State Prosecutor's Office in Podgorica for the criminal offence of infringement of equality were rejected, the Committee requests the State party to provide, in its next periodic report, information on the factors that lead to such a high number of rejections. While also welcoming the information provided on trainings and seminars organized within the Police Directorate, the Committee regrets the lack of information on measures taken to intensify awareness-raising campaigns related to racial discrimination among the population, in particular Roma, Ashkali and Egyptian communities, refugees, asylum seekers and internally displaced persons, especially regarding legal remedies available. The Committee considers the answer of the State Party to this recommendation as partially satisfactory and requests it to provide, in its next periodic report, information on measures taken to fully implement the recommendation.

Rest assured, Excellency, that the Committee looks forward to continuing its constructive dialogue with the Government of Montenegro, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

Marc Bossuyt
Vice-Chair

Committee on the Elimination of Racial Discrimination