



Convention on the Rights of the Child

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Committee on the Rights of the Child Seventy-eighth session

Summary record of the 2291st meeting

Held at the Palais Wilson, Geneva, on Friday, 18 May 2018, at 10 a.m.

Chair: Ms. Winter

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The meeting was called to order at 10.05 a.m.

Consideration of reports of States parties *(continued)*

Combined second and third periodic reports of Montenegro (CRC/C/MNE/2-3; CRC/C/MNE/Q/2-3 and CRC/C/MNE/Q/2-3/Add.1)

1. *At the invitation of the Chair, the delegation of Montenegro took places at the Committee table.*
2. **Mr. Kuševića** (Montenegro) said that, during the reporting period, his Government had significantly improved the legislative and strategic framework governing the protection of children's right, which was in line with international standards. In that connection, legislation on the competencies of the Council for the Rights of the Child had been adopted, and measures had been taken to ensure the participation of civil society and children in its work. Furthermore, the role of the Protector of Human Rights and Freedoms — the Ombudsman — in protecting the rights of the child had been strengthened. Successful awareness-raising campaigns had been carried out in collaboration with the United Nations Children's Fund (UNICEF), among others, in the areas of inclusive education, the elimination of the sexual abuse of children and deinstitutionalization.
3. The Family Law and the Law on Social and Child Protection established foster care as the preferred form of alternative care and strengthened the obligation on the State to provide monetary benefits to foster families. As a result of government efforts, the number of children living in institutions had fallen, while the number of children in foster care, especially non-kinship foster care, had increased. No children under the age of 3 years were living in institutions.
4. The Institute for Social and Child Protection and the Social and Child Protection Inspectorate had been established as part of the reform of the social and childcare system. Child benefit, the one-time benefit for a newborn child and other benefits for childbirth had been increased to ensure higher quality care for children.
5. Ongoing awareness-raising campaigns provided information on the role of the Ombudsman, the rights of the child and the importance of eliminating all forms of harassment and violence against children. Those efforts included the distribution of thematic leaflets and publications on child rights and the implementation of educational programmes, such as seminars on Internet safety.
6. All children were entitled to enrol in school, regardless of their immigration status. Under the Law on Asylum, asylum-seeking children had the right to free primary and secondary education in State schools. Increasing numbers of children with disabilities were attending regular schools. Special schools had been transformed into resource centres to support the inclusion of children with disabilities in mainstream schools.
7. The prevention of violence against children was one of the Government's key legislative and strategic objectives. In that connection, it had adopted a strategy for the period 2017-2021 aimed at preventing and protecting children from violence. The corresponding action plan detailed the measures to be taken, the implementing institutions and the expected outcomes.
8. The Criminal Code had been amended to bring it into conformity with the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. Under the amendments, the commission of a hate crime against a person from a particularly vulnerable group, including children, should be considered by a court to be an aggravating circumstance for sentencing. Stalking was now considered a criminal offence, in line with the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. When committed against a child, the offence carried a prison sentence of from 3 months to 5 years. The Criminal Code had been amended in order to ensure compliance with articles 2 and 3 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, particularly the provisions regarding the sale of children for sexual exploitation and the sale of organs for profit.

9. The Law on the Treatment of Juveniles in Criminal Proceedings had been amended to increase protections and to bring it into line with the new law on the enforcement of prison sentences, fines and security measures.

10. An independent external analysis of the implementation of the 2013–2017 National Plan of Action for Children conducted in late 2017 had resulted in a number of recommendations relating to, among other things, its effectiveness and the monitoring of children's welfare. Those recommendations would inform the new plan that was currently under development. The plan, which would be aligned with other strategic documents in order to render it more effective than its predecessor, would provide for improved cooperation with stakeholders and awareness-raising measures on sexual exploitation, forced marriage, child labour and deinstitutionalization.

11. The Social Welfare Information System, which was now operational, encompassed data collection, case management, reporting, monitoring and control. The System facilitated effective reporting and the generation of valid statistical data relating to children.

12. Civil society continued to contribute to the protection of children's rights by participating in the drafting of legislation and strategic documents, supporting the work of the Council for the Rights of the Child, conducting awareness-raising activities, defining child protection procedures and participating in children's parliaments.

13. The Government would continue to assist municipalities in the implementation of legislation and provision of services. The protection of the most vulnerable children was of particular importance and would continue to inform public policy. He wished to emphasize that much work had been done to improve services, in line with European standards.

14. **Mr. Gastaud** (Coordinator, Country Task Force) said that, despite the State party's commendable efforts, the Committee had a number of concerns relating to children's rights in various fields. In terms of legislation, the State party had no code or general law that incorporated the standards of the Convention into its internal legal order. Despite its broad remit, the Council for the Rights of the Child was not empowered to ensure coordination among ministerial departments; he therefore wondered what the achievements of the Council had been and whether the Government intended to strengthen its powers and endow it with higher institutional status. He would appreciate further details on the content, goals and time frame of the new plan of action for children. He would like to know how the Government would follow up on the strategy for developing foster families and what progress had been made to date under the strategy for the prevention and protection of children from violence.

15. Noting that the Office of the Ombudsman, which acted as the national human rights institution, had not been accredited with A status by the Global Alliance of National Human Rights Institutions, he said that more information regarding the Office's mandate and the human and financial resources allocated to it would be welcome. He wondered how the institution followed up on complaints submitted by children. He would appreciate clarification of how budget allocations were made for the protection and promotion of children's rights.

16. It would be useful to have statistics on the proportion of judges, social workers and teachers who had received training on children's rights and to know whether the Government had taken steps to assess the level of their knowledge in that regard. The delegation might explain the circumstances in which a judge could authorise exceptions to the minimum age for marriage and whether the Government intended to amend the legislation regarding those exceptions. He would appreciate an explanation of the objectives of the draft law aimed at centralizing civil society programmes and decentralizing their resource allocation. He wondered whether the law would undermine the independence and autonomy of non-governmental organizations (NGOs).

17. **Ms. Khazova** (Country Task Force) said that the State party had made significant improvements with regard to overcoming discrimination. However, implementation of legislation continued to pose a problem. In that regard, she wished to know how the Government planned to increase the school enrolment of Roma children and ensure that all minority children received a full education and could compete on an equal basis with their

peers. She wondered whether the necessary budget was available for the Law on Free Legal Aid; whether ethnic minority children could benefit from the law, particularly considering the language barrier; whether legal aid centres existed in different parts of the country; whether children were aware of the centres; and whether child-friendly information on the legal aid centres was available. She would appreciate information on the Government's plans to combat discrimination on the grounds of disability, social and financial status, and to provide equal opportunities for all children.

18. Regarding the best interests of the child, she asked what was being done to ensure consistency in the understanding and application of that principle, and whether any training was provided in that regard for judges, lawyers and those employed in child protection. She wished to know why the collection of data on maternal mortality had stopped in 2010 and whether there were any plans for its resumption. Despite the criminalization of selective abortion, a significant imbalance in the numbers of male and female births persisted, which suggested that the practice continued. She asked what was being done to prevent it and to ensure that the law was implemented effectively.

19. The Committee was concerned that children's right to be heard was not taken seriously by parents or by teachers. Pupil-teacher relationships were not such that children were encouraged to express their views, and school parliaments were merely a formality, with no real impact. She asked how contradictions in family law with regard to taking account of children's opinions in cases that affected them were interpreted, and what were considered justifiable grounds not to ask for a child's opinions. She also asked whether children's opinions were taken into account in decisions to place them in foster care, and whether children with disabilities were heard when decisions were made that concerned them.

20. **Mr. Madi** (Country Task Force) said that, while efforts to facilitate procedures for the registration of births were welcome, the Committee had received information that women who gave birth in hospitals and were not covered by a health insurance scheme were obliged to pay for the release letter required to register the birth. Those who could not afford to pay would therefore be unable to register the birth of their children. He asked whether that was indeed the case and, if so, how the State party intended to rectify the situation. He also wished to know what was done to ensure the registration of children abandoned at birth and the children of people with no civil documents, in particular the Roma, Ashkali and Egyptians.

21. He asked what was being done to promote the reporting of children's rights issues in the media and promote children's participation and to strike the balance required with regard to maintaining children's privacy, while avoiding stereotypical representation. Socioeconomic disparity was broadening the digital divide; he wished to know what steps were being taken to improve access to digital technologies and digital literacy for all children. Further information would be welcome on the measures taken to guarantee children's rights to freedom of association and freedom of religion. He asked whether there was a children's parliament in the State party. Lastly, he wished to know to what degree children enjoyed the right to freedom of religion and whether all religions featured in religious education through the school curriculum.

22. **Mr. Nelson** (Country Task Force) said that the Committee was concerned that 50 per cent of the population of the State party did not recognise child abuse or domestic violence as a problem and continued to consider beating a child to be an acceptable form of discipline. He therefore wished to know how the State party's new 2017–2021 strategy and action plan to prevent and protect children from violence would address domestic violence and abuse against children and what budget had been allocated to its implementation. He asked whether any campaigns would be run on the implementation of the strategy and action plan that would target corporal punishment specifically and provide guidance on alternative forms of discipline. He also wished to know how the work of the Council for the Rights of the Child was coordinated with the strategy and action plan and what resources and budget the Council had been allocated.

23. On the prohibition of sexual violence against children, he said that the number of reported convictions — 36 — did not seem very many, particularly given the lack of

recognition of child abuse and domestic violence among the population in the State party. The Committee had been informed that there were lengthy delays in the processing of complaints and judicial proceedings, which had led to a backlog of court cases. He asked what was being done to address that situation. He also asked whether the State party had gathered any statistics on cases of non-sexual domestic violence against children. He was concerned about reports that some children, following investigations of abuse, were either returned to abusive homes or held in orphanages or detention centres with child offenders. He wished to know what was being done to avoid such an approach and provide shelter for victims. He asked if there was a victim support organization in the State party and, if so, what activities it conducted and where it was located.

24. He asked whether the Deputy Protector for Children's Rights under the Office of the Ombudsman was an effective role and whether the Office had any long-term plans to address the root causes of violence against children. He wished to know whether data were collected on the complaints investigated by the Deputy Protector and how children could access the Deputy Protector if they wished to raise a case. He wondered whether any assistance was provided to children when filing complaints.

25. The Committee had been informed that corporal punishment remained acceptable in juvenile justice settings; he wished to know whether the State party intended to change that attitude. He asked how corporal punishment was defined in law and what penalties were in place. Did the State party have any statistics on prosecutions in that regard and the outcomes thereof? Further information on the complaints mechanism in place in schools would be welcome, and in particular whether there was a code of conduct for teachers and, if so, whether teachers received training with regard to its content.

26. Regarding harmful traditional practices, he was concerned about exceptions to the law that provided for marriage to take place at the age of 16, rather than 18, and asked whether the State party intended to repeal those exceptions. He wished to know whether there was a system in place to track child marriages, especially among girls in the Roma, Ashkali and Egyptian communities, in which, according to information received by the Committee, instances of forced and arranged marriages remained frequent. Had any prosecutions taken place in such cases, and if so, what had been the outcomes? He asked whether any information was available on the sale and purchase of virgin brides, which was alleged to take place in the Roma, Ashkali and Egyptian communities. He also wished to know whether any awareness-raising measures were conducted on the harmful consequences of child marriage.

27. Lastly, further information on the helpline for victims of violence would be welcome, in particular whether it was accessible on a national number, or if it was arranged at the municipal level, and what training and expertise were required of those answering calls. He asked what was done to promote the hotline, how children were made aware of it and how they could access it. He also asked whether any data were gathered on the nature of calls, and, if so, whether the evidence collected was made available to inform national policy.

The meeting was suspended at 11.05 a.m. and resumed at 11.25 a.m.

28. **Mr. Kušević** (Montenegro) said that consideration was being given to drafting a law on children's rights. UNICEF had evaluated the system of monitoring children's rights in Montenegro and had issued recommendations, which were being followed up. The Directorate for Social and Child Protection in the Ministry of Labour and Social Welfare was being strengthened and consideration was being given to the establishment of a specific department for vulnerable and marginalized children. Additional funds were being allocated to strengthen the work of the Council for the Rights of the Child, of which all councillors currently provided their services on a voluntary basis. A helpline for children would be fully operational by the end of 2018. A telephone hotline for women and children who were victims of domestic violence was run by an NGO, with the assistance of UNICEF and funding from the State. A shelter was also being set up for victims of violence. Children who were deprived of a family were not provided with shelter in correctional facilities under any circumstances. The 36 convictions for offences of sexual

violence against children were the cases that had been completed. Others remained pending before the courts and further complaints were under investigation.

29. **Ms. Sovilj** (Montenegro) said that the review conducted by UNICEF had yielded recommendations, including on the composition of the Council for the Rights of the Child, most of which would be implemented. UNICEF had also contributed to reviewing the results of the National Plan of Action for Children, which had expired in 2017. The review had concluded that the Plan had met expectations and had resulted in a positive political and legislative environment and readiness to move forward to the next stage, which would focus on implementation of the law. The new 2017–2021 strategy and action plan to prevent and protect children from violence was the first of its kind and provided for legislative strengthening and measures to ensure an adequate institutional framework, ensuring that the judicial system was well-equipped to uphold the best interests of the child. Despite persistent social norms, efforts were being made to empower children to protect themselves against violence. A system was being set up to monitor and evaluate the implementation of the strategy and plan of action, through a working group that would report annually to the Government through the Ministry of Labour and Social Welfare.

30. A campaign to protect children against violence was being run in cooperation with UNICEF and had been widely reported in the media. The campaign had been endorsed by all municipalities and had been well received by the public. Some attitudes that were not acceptable did indeed persist with regard to corporal punishment. A new action plan for children would be prepared in 2018, through which the campaign would continue. The principles enshrined in the Convention were not equally understood by all government sectors. Training programmes were therefore being developed with a view to harmonizing attitudes towards, and perceptions of, the rights of the child.

31. **Ms. Mašanović** (Montenegro) said that corporal punishment was prohibited in all settings under family law. Work was ongoing in cooperation with UNICEF to raise awareness of the prohibition of corporal punishment. Efforts were also being made to provide information for children to help them understand their rights and how to exercise them.

32. **Mr. Madi** said that, while the Family Law prohibited corporal punishment in all settings, legislation on the treatment of juveniles in criminal proceedings did not include an explicit prohibition of corporal punishment. He asked whether the State party intended to include such a provision in that legislation.

33. **Ms. Khazova** said that, although corporal punishment had been prohibited by law, which was commendable, the sanctions for violations of that provision were not specified. In its response to the list of issues ([CRC/C/MNE/Q/2-3/Add.1](#)), the State party had stated that violation of that prohibition by a parent could result in the deprivation of parental rights. She asked what was done to ensure that children were not separated from their parents unnecessarily and what guidance was provided on positive parenting and anger management for parents.

34. **Ms. Sovilj** (Montenegro) said that an advice line was available for parents, which was operated by professionals and which focused on non-violent parenting techniques. Social workers had also been trained to give guidance in that regard. A family assistance programme was in place, run by an NGO, which provided support for children and their parents, with a focus on non-violent parenting with a view to preventing the separation of families. The programme, which was being implemented in six municipalities, had yielded excellent results. The deprivation of parental rights was considered very seriously and only applied as a very last resort.

35. **Ms. Mašanović** (Montenegro) said that the courts that granted exceptions to allow 16- or 17-year-old children to marry considered each case thoroughly. For example, the opinions of social workers were sought, and the children concerned were heard without the members of their family present.

36. Child victims of domestic violence were entitled to free legal aid, and the cost of interpretation services for persons who did not speak Montenegrin, for which there was a specific budget, was borne by the courts.

37. **Ms. Milić** (Montenegro) said that the Government focused on integrating Roma, Ashkali and Egyptian children. The Ministry of Education made considerable efforts to ensure that such children enrolled in and could attend preschool. Segregated schools in a camp in Konik had been closed and the students sent to integrated schools in Podgorica. School buses had been provided for that purpose. Similar efforts were planned for Berane and Nikšić, cities which also had relatively large numbers of children in segregated schools. Officials had visited Roma and other neighbourhoods to encourage parents to enrol their children in preschool, and leaflets had been distributed in Montenegrin, Albanian and Romani. The Ministry of Education, together with the Ministry of Human and Minority Rights, awarded scholarships to secondary school students of minority background. The Ministry of Education had also made plans to hire approximately 20 social mediators to work with children, their families and schools.

38. Attendance records were carefully monitored in a bid to prevent students from dropping out of school. A system issued alerts when it was found that a student was likely to marry early or fall victim to a trafficking ring, and teachers were given information on the warning signs to watch out for. The emphasis was on fifth- and sixth-grade girls, who, as experience had shown, were at greatest risk. The Ministry of Education and the National Office for Combating Trafficking in Human Beings had worked together to organize around 50 training sessions with a view to preventing early marriage and other forms of exploitation.

39. Children's rights were an integral part of the course programmes for students in teacher training schools. Children themselves learned about their rights in their civics classes. They also participated in elections, choosing the members of their school parliaments. Customized study and transition plans for children with disabilities were developed with input from the children themselves.

40. In their computer classes, children learned how to protect themselves from online violence. Corporal punishment, as noted, was banned in schools, and a number of schools were being rebuilt to make them more environmentally friendly. A programme on parenting for lifelong health was run jointly by the Ministry of Education and the health and child-protection authorities. Religion was a subject of study in school only in the history of religion, which was an optional course.

41. **Ms. Khazova** said that she wished to know how children were elected to school parliaments and whether it was possible for troublemakers with bad grades to win election to their school parliaments.

42. **Ms. Milić** (Montenegro) said that children elected the candidates they preferred.

43. **Ms. Klikovac** (Montenegro) said that maternal mortality had fallen since the introduction of marriage and family guidance clinics and classes for pregnant women. Since 2011/12, when 111 boys had been born for every 100 girls, sex-selective abortion had become less common, partly as a result of public awareness campaigns. There were a number of regulations and reporting requirements connected with tests for the determination of fetal sex.

44. Pregnant women who were unable to afford health care or lacked health insurance did not have to pay for their treatment. Children were treated regardless of whether they had health coverage. Discharge letters were always issued to women who gave birth in medical facilities, and the facilities never withheld the documentation a woman needed to ensure that her child's birth was registered.

45. **Ms. Radošević Marović** (Montenegro) said that the Ministry of Human and Minority Rights, together with the Ministry of Education and Roma organizations, had been making multifaceted efforts to combat violence and early marriage in Roma and other communities. Educational activities in that regard targeted parents, children, Roma activists and public officials. Efforts to reach out to Roma communities included the publication and distribution of multilingual brochures and the organization of workshops and seminars. The authorities had also produced a documentary, "Don't End Up like Me", and published a collection of stories of Roma women who had married early. In addition, activities

designed to discourage Roma students from dropping out of school were organized, and the best Roma students were offered summer and winter holidays.

46. The budget of the Office of the Ombudsman, which had been spared the cuts that had been necessary elsewhere, had grown in recent years. The Office had 34 staff members and the independence to use its budget as it saw fit. A deputy Ombudsman focused specifically on children's rights. Complaints could be submitted to the Office, including from children, in a number of ways. Every school, for example, had a complaint box.

47. **Mr. Gastaud** said that he wished to know what happened to the complaints received by the Ombudsman's Office. He also wondered what consequences the instigators of child marriages faced and what happened to the bride and groom themselves.

48. **Ms. Radošević Marović** (Montenegro) said that the steps to be taken by the Ombudsman's Office in response to a complaint were regulated by law. The Office could represent children before the courts and lodge complaints with the courts on its own initiative. Effect had to be given to any recommendations made by the Office.

49. **Ms. Šuković** (Montenegro) said that forced marriages were more likely to occur in Roma and Egyptian communities. The problem had been acknowledged, and in 2013 the country's criminal legislation had been amended to make such marriages a form of trafficking in persons. Considerable training had been provided to ensure that the amendments were understood and the law was enforced. The number of forced marriages reported in the past four years had been on the rise, probably because of increased awareness. Criminal charges had been filed in relation to 4 child marriages in 2018 and 13 in 2017. The figures for previous years could be provided in writing. As children were particularly vulnerable, the authorities, in cooperation with UNICEF, had developed a special course unit on early and forced marriages that was covered in civics classes in primary and secondary schools. Guidelines on how public institutions should respond to early and forced marriages had also been adopted, and they were being promoted at the local level.

50. **Ms. Baković** (Montenegro) said that children born outside hospital who were not registered by their parents within 30 days could be registered at a later stage through the procedure established in the amended Law on Extrajudicial Proceedings. Registration of that kind was overseen by the Ministry of the Interior. Abandoned children were registered by the relevant centre for social work.

51. Internally displaced persons could register with the authorities in order to regularize their legal status. Once they had obtained the necessary documents, they were able to register the birth of their children. The Government had worked with the authorities in Kosovo to regularize the status of more than 1,000 internally displaced persons. A meeting would be held with those authorities in June 2018 with a view to regularizing the situation of a further 160 persons.

52. **Ms. Sovilj** (Montenegro), noting that the Government was implementing a strategy for the development of foster care, said that the number of children in institutions had fallen by around 50 per cent since 2010.

53. **Ms. Khazova**, commending the State party on the progress made towards deinstitutionalization, asked whether there was sufficient funding available at the local level for family support services and foster families to sustain that progress. She asked whether foster families were monitored to prevent child abuse and how the Government ensured that family support services were free from corruption and run by qualified staff, without frequent turnover.

54. She enquired whether children involved in family proceedings could request an alternative support person if they were not happy with the person assigned to them. She asked whether child abandonment was common and, if so, what measures were being taken to address the problem and to support pregnant women who were at risk of abandoning their newborn child.

55. Noting that courts were not required to seek the opinion of children involved in family proceedings if there were justifiable grounds for not doing so, she asked what

constituted justifiable grounds in such cases; whether children involved in such proceedings were dealt with by trained specialists; and what was done to ensure that those children were not obliged to make a statement if they did not wish to do so. She asked why only children aged 15 years and above were entitled to decide which parent they wished to live with and how the State party made sure that children were not forced to choose between their mother and father.

56. Lastly, she would welcome more information on the adoption procedure and the measures taken to ensure compliance with that procedure. In particular, she would like to know whether children who had been adopted were given information about their background.

57. **Mr. Nelson** said that he would like to know whether children with disabilities and NGOs were involved in the development of policies concerning children with disabilities and whether the Law on the Prohibition of Discrimination against Persons with Disabilities covered all forms of discrimination, including gender discrimination. It would be useful to know how data on children with disabilities were collected, whether those data were disaggregated and whether they were shared between ministries and used in the preparation of policies.

58. Noting that children aged 15 years old who were deemed capable of reasoning could decide which secondary school they wished to attend, he asked who was responsible for determining whether a child was capable of reasoning, whether parents and caregivers were consulted in such situations and why the law referred specifically to children aged 15 years old.

59. He would welcome disaggregated statistics on the number of children with disabilities in institutions, as well as information on the standard of care in those institutions, the training provided to staff and the safeguards in place for the prevention and reporting of child abuse. He would also like to know how children with disabilities in institutions were prepared for reintegration into the community. He wondered what was being done to prevent violence against children with disabilities in schools; whether the delegation could provide data on cases of that kind; and whether any such cases had resulted in prosecution.

60. Noting that some health service providers reportedly charged a fee, he enquired whether health care was free of charge; why fees were charged in some cases; whether awareness-raising on the importance of immunization had been carried out; and what measures had been taken to fully implement the International Code of Marketing of Breast-milk Substitutes.

61. He asked what initiatives were under way to tackle the problem of adolescent pregnancy; whether counselling and contraceptives were available to children free of charge in schools; and what steps had been taken to address the shortage of child psychiatrists and child psychologists. He further asked whether schools were running programmes to combat the use of alcohol, tobacco and drugs among children and how preventive measures in that area were enforced.

62. Noting that the mothers' benefit provided for in the Law on Social and Child Protection was being abolished, he asked whether it was being replaced with another form of assistance. It was also unclear why the budget for child allowances and social cash transfers was being reduced; what measures would be taken to compensate for those cuts; and whether vulnerable groups who relied on support of that kind had been consulted before the cuts were made.

63. Lastly, he would welcome a response to his earlier questions on corporal punishment and on prosecution in cases of early marriage.

64. **Mr. Gastaud**, drawing attention to the hidden costs of education, said that he would appreciate information on steps taken to support poor families who were unable to cover those costs and on the initial outcomes of the 2016–2020 Strategy for the Social Inclusion of Roma and Egyptians. He would also like to know what measures had been taken to reintegrate children who had dropped out of school and whether those measures had been effective.

65. He asked whether the policy to reduce overcrowding in schools was being implemented throughout the country, including in rural areas, and what strategies had been developed to promote inclusive education. Lastly, he enquired what action was being taken in response to the findings of the study on access to preschool education that had recently been conducted.

66. **Mr. Madi** said that he was concerned by reports that around 240 children lacked the necessary documents to obtain permanent or temporary residency under the Law on International and Temporary Protection of Foreigners and were therefore at risk of statelessness.

67. He was also concerned by reports that children born or found in the territory of Montenegro did not acquire Montenegrin citizenship automatically, as provided for in the legislation on citizenship; instead, the Ministry of the Interior investigated whether they had links with another country, thus prolonging the citizenship procedure and affecting the children's enjoyment of basic rights and services.

68. He wondered how the State party's claim that all children were registered at birth could be reconciled with reports that many refugees and members of the Roma and Egyptian populations lacked the documents needed to register the birth of their children.

69. It would be helpful if the delegation could confirm that there was only one unaccompanied minor in a juvenile justice institution and clarify whether that minor enjoyed freedom of movement outside the institution and access to all basic services.

70. The Committee was concerned by the high number of children in street situations and the prevalence of child begging. Accommodating such children in juvenile justice institutions was not a satisfactory solution. The Government should develop a new policy in that area, taking into account the Committee's general comment No. 21 (2017) on children in street situations.

71. The juvenile justice system was not in line with international standards; there was a lack of specialized juvenile courts, for example. He would like to know how many juvenile offenders had been brought before the courts in the past three years; how many of those offenders had been sentenced to imprisonment; what the maximum term of imprisonment had been; and whether alternative socio-educational measures had been applied in any of those cases.

72. The State party's efforts to incorporate the provisions of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography into national legislation had focused primarily on trafficking. It would be useful to know the date on which the amendment to the Criminal Code criminalizing the sale of children had entered into force. In its next periodic report, the State party should provide more detailed information on its follow-up to the Committee's concluding observations on the initial report of Montenegro under the Optional Protocol ([CRC/C/OPSC/MNE/CO/1](#)).

73. Similarly, the State party had not done enough to implement the Committee's concluding observations on the initial report of Montenegro under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict ([CRC/C/OPAC/MNE/CO/1](#)). For example, it had not criminalized the recruitment of children by non-State armed groups.

74. Lastly, he would welcome statistics on the number of marriages that had taken place between children aged 16 to 18 years old in the past two years, disaggregated by socioeconomic background.

75. **Ms. Khazova** asked whether final decisions on the removal of children from their families were made by a judge or by an administrative body.

76. **Mr. Rodríguez Reyes** asked what policies had been adopted to promote breastfeeding and what proportion of hospitals were child-friendly.

The meeting rose at 1 p.m.