



Convention on the Rights of the Child

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Written replies by the Government of Montenegro to the list of issues (CRC/C/MNE/Q/1) related to the consideration of the initial report of Montenegro (CRC/C/MNE/1).

(24 August 2010)

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

Part I

Reply to the issues raised in paragraph 1 of the list of issues (CRC/CMNE/Q/1)

1. The Council for the Rights of the Child works through the sessions which are held in case of need. The Ministry of Work and Social Care carries out professional and administrative tasks on behalf of the Council. The Council's operating procedure is arranged on the basis of the Rulebook on operating procedure of the Council for the Rights of the Child. The Council's working plan is in accordance with the National Plan of Action for Children in Montenegro (2004-2010), as well as with the working programmes of the Government of Montenegro.

Reply to the issues raised in paragraph 2 of the list of issues

2. The National Plan of Action for Children in Montenegro (2004-2010) is a general document including all the activities, programmes and strategies undertaken by the State and the civil society, in order to fulfill the children's necessities in the proper way, as well as to achieve the main issues: to ensure that all the children have the right to protection from inequality, the right and the access to high-quality education for all boys and girls, to provide for healthy life and healthy environment and to make them citizens with full civil rights.

3. The Ministry of Work and Social Care has made an arrangement with the UNICEF – Podgorica Department to analyse in detail the effects in progress of the current National Plan of Action and, according to the results, to start drafting the new National Plan of Action for Children.

Reply to the issues raised in paragraph 3 of the list of issues

4. On the basis of the Article 53 of the Protector of Human Rights and Freedoms Law, it is regulated that the operating procedure and the organization of Protector's Department is arranged according to the Rules of operation. By the Rules of operation of the Protector of Human Rights and Freedoms it is determined that the Protector Deputies have exactly the same authorities as the Protector himself in the areas of their performing. The Deputy Protector of Human Rights and Freedoms is suggested by the Protector and elected by the Parliament of Montenegro, by a simple majority of Parliament members' votes. The Deputy is appointed for the period of 6 years and after the first term he/she could be re-elected one more time. Decision on the number of the Deputies is made by the Parliament of Montenegro. According to the decision on the number of Deputies of the Protector of Human Rights and Freedoms ("Official Register Publication" no 54/08), it is determined that the Protector has 3 (three) Deputies who operate in the following areas: protection of minority rights, protection of child rights and general issues. The Deputy Protector of Human Rights and Freedoms for rights of the child was elected by Parliament on July 29th, 2009.

5. Procedure for passing a new Law on Protector of Human Rights and Freedoms is in the ongoing process now and it predicts establishing of the following departments: Department for protection from discrimination, prevention of torture, child rights, minority rights and general issues.

Reply to the issues raised in paragraph 4 of the list of issues

6. The Strategy of collaboration between the Government of Montenegro and non-governmental organizations (NGOs) was made in January 2009, in order to improve the collaboration between these two parties and make better space and conditions for citizens and the non-government sector's participation in the development of Montenegro as a democratic and open State, thus contributing, according to their possibilities, to its success on its way to European and Euro-Atlantic integrations. This was realized through partnership with other social subjects and in accordance with the principles of tolerance and understanding, as well as with respect to different attitudes and opinions, through dialogue and presenting of the argumentative facts based on the principles of sustainable development, interaction, responsibility and equal possibilities for everybody, and also creating a motivating environment for the operation of NGOs, respecting at the same time their independence.

7. The main goals of this collaboration are the following: building up a democratic and open society in terms of development of European integration processes, as well as the process of Euro-Atlantic integration of Montenegro; improving transparency and protecting the independence and the importance of the social role of non-governmental organizations; creating partnership relations between NGOs and State institutions; realization and further improvement of complementarity and interaction in order of more efficient social development; creating of different institutional measures and mechanisms for improvement and further development of collaboration and mutual communication and improving the working conditions of the NGOs.

8. The collaboration between the Government and the NGOs will be based on the following principles: partnership (the Government and the NGOs will cooperate on the principles of partnership in all fields where the interest of civil society and community is present, on the basis of equal possibilities for everybody); transparency (the Government and the NGOs will regularly present information about their work); responsibility (the Government and the NGOs will accept full responsibility for realization of their joint activities); exchanging information (the Government and the NGOs will regularly exchange information on their plans, programmes and activities); the independence of NGOs (the Government will continue to take measures for creating better conditions for independent work of NGOs in accordance with their acts, thus supporting their independence and their right to critical judgment towards the work of the Government).

9. The forms of collaboration are the following: consulting (consulting with NGOs during the process of preparing and passing new legal, sub-legal and other regulations and acts); advising (organizing joint conferences, round tables, seminars and other forms of collaboration); joint activities (working out of strategic documents, defining of priorities, operational programmes and realization of policies as well as working on mutual evaluation of the results of Government policies in all fields); development of normative assumptions for NGO effectiveness (initiation of processing new legal and sub-legal acts and other regulations as well as changing the current ones, which are important for the position and operation of NGOs, including the NGOs in those processes).

10. In order to promote social values and partnership relations as well as to provide transparency of public policies development process, including of citizens and adequate, high-quality contribution of NGOs in the process of public policies success evaluating, it is provided that NGOs are informed and consulted about the process of preparing plans, strategies and other general acts. Regarding the drafts of laws and other documents which establish public policies relevant for implementation of citizens' rights and obligations, the Government arranges consulting meetings with the NGO. By special acts of the Ministry, the issues of informing, consulting and participation of the NGO in the process of passing

legal and sub-legal acts, plans, strategies and other general acts is also regulated by other State administration bodies. The procedure of choosing NGO representatives for working group members starts by open public announcement, at least published in one printed media. The open public announcement includes criteria for the NGO which could suggest their representative, criteria for the candidates as well as the necessary documentation which should be submitted along with the proposal of the candidate. Only one representative from each NGO can be elected as a member of the working group. Non-governmental organizations can propose one candidate for a working group only in case if: the NGO has been listed in the Register of Non-Governmental Organizations for at least one year before the open public announcement is published; in its Act of foundation and the Statute it has specified activities and aims in the areas of competence of the Ministry (State administrative body); it realized at least one or more projects during the previous year, in the areas of activities from the article number 4 of this manual, or it participated in a bigger campaign or realized at least two short-term actions; the members of the NGO management are not the members of political parties, State or public officials, managers or State institutions' employees, as well as the employees of State administrative bodies. Apart from the proposal, the NGO from paragraph 3 of this article is also obliged to submit the following: notarized copy of the final account (balance sheet and income statement) for the previous year, financing contracts, newspapers articles, etc; the statement of the NGO's authorised representative that the members of its management body are not members of political parties, State or public officials, managers or State institutions' employees, as well as the employees of State administrative bodies. The NGO's candidate for the working group member can be a person who meets the following requirements: he/she has official Montenegrin citizenship with residence in Montenegro; he/she has experience regarding the competencies of the State administrative body; he/she is not a member of political party bodies, State or public official, manager or State institutions' employee, as well as the employee of State administrative bodies; he/she has, at least, an advanced specialist's qualification. When proposing a candidate for working group member, the NGO is also obliged to provide the following documents: notarized copy of the ID or any other document regarding the candidate's identity confirmation; notarized copy of the certificate of qualification; biography of the candidate with regards to his experience in the non-government sector, specially within the area of competence of the State administration body; a statement that the candidate is not a member of political party bodies, State or public official, manager or State institutions' employee, as well as the employee of State administrative bodies; the candidate's statement on accepting the nomination for working group/body member.

11. According to this instruction, and within a certain time limit, the State administration body is obliged to announce a list of candidates nominated for the working group members on its web page, along with the names of NGOs which nominated them. The candidate with the most nominations from NGOs which fulfilled the conditions regulated by this instruction, should be appointed a working group member by the Head officer of the State administration body, within a certain time limit starting from the date of announcement.

12. The non-governmental sector in Montenegro provides financing funds for its programme plans and activities through regular application to open competitions annually announced by the Government, the Parliament and the local self-government, as well as by other local or international donors.

13. According to the Law on gambling taxation and the Regulation on criteria for specification of users and the way of distribution of profits on the basis of the public bid specifications the Government Committee makes Decisions on the distribution of profits, in the amount not less than 75% of these funds, intended for the operation of NGOs.

14. The State also offers financial help to the NGOs through the Law on Non-Government Organizations, which regulates providing funds for NGO from public finance, i.e. within the Budget of Montenegro. The Committee for distribution of funds for NGOs, appointed by the Parliament of Montenegro, according to the suggestion of the working body in charge, carries out the distribution of funds intended for financial support and help to the NGOs. The distribution is organized and performed according to the public competition announced by this Committee, for each year, due at the end of the first quarter of the current year.

15. On the basis of Decisions on criteria, the way and the procedure of distribution of funds for NGOs' projects support, mayors of municipalities announce public competitions for distribution of funds for NGOs' projects for each calendar year. The subject of the competition is distribution of funds to the NGOs whose projects are nominated for financing from the public finance of the municipality the Competition is announced for and whose projects are completely realized on the territory of that specific municipality.

16. The Committee carries out the distribution according to the project which, along with the application, is submitted by the NGOs, thus evaluating the following criteria:

- - the project contribution to public interest achievements within defined area;
- - transparency and the possibility of project realization control;
- - compatibility and cooperation with international subjects on the project;
- - recommendations about the project given by the relevant fields' experts.

Reply to the issues raised in paragraph 5 of the list of issues

17. In the part of the initial report referring to the basic principles – non-discrimination (articles 65-69), legislative measures on protection from discrimination are described.

18. On April 29th 2010 the Government of Montenegro adopted the Proposal of the Law on discrimination prohibition and it was sent to Parliament for further processing.

19. The Government has adopted many strategies and action plans in different areas of importance for prevention of discrimination. Among the most important are the following: Strategy of minority policy (2008-2012); Strategy for improvement of the Roma, Ashkelia and Egyptian (RAE) population position in Montenegro (2008-2012); National action plan for "The Decade of Roma population including 2005-2015" in the Republic of Montenegro; Activity plan for making progress in having equal rights at birth (2008-2012); Strategy of development and reduction of poverty (2003-2007); National action plan for young people (2007-2011); National action plan for children (2004-2010); National programme for prevention of unaccepted behaviour of children and the young population in Montenegro (2004-2006); Strategy for permanent solution of the refugees' problem as well as the problem of displaced population in Montenegro (2005-2008); Strategy for prevention of poverty and social isolation (2007-2011); The system of social and children's protection development Strategy in Montenegro (2008-2012); Strategy for integration of persons with disability in Montenegro (2008-2016); Strategic Action Plan for integration of persons with disability in Montenegro (2008-2009); Strategy of inclusive education in Montenegro (2008-2012); National strategic response to drugs (2008-2012); etc.

20. The realization of non-legislative measures in order to prevent and stop discrimination at all levels also includes a number of activities, first of all educational activities, such as a new concept of education, implementation of civil education into the formal system, seminars, lectures, working shops, etc., as well as campaigns for raising the consciousness of the public, activities of NGOs, international cooperation of Montenegrin State bodies with international organizations, States and international NGOs.

21. Among other measures, it is necessary to strongly emphasize the activities of NGOs in promotion of tolerance, preventing discrimination and offering help and support to the victims of discrimination. These activities are mostly carried out by NGOs dealing with the protection of human rights, promotion of non-discrimination, as well as with the organization of seminars, workshops, training courses, and in general with the organization and performance of the projects whose main goal is the promotion of equality.

22. The media have a very important role in raising the consciousness of the public on promotion of tolerance and the necessity to prevent discrimination. The programme contents, especially on public services Radio and Television of Montenegro, mostly give a clear picture of Montenegro as a multinational, multiethnic and multicultural State. Media campaigns carried out by State administration (independently or in cooperation with NGOs and international organizations) result in informing the public and raising the consciousness about the differences within Montenegrin society. During the previous period, the most important campaigns were the following: "Let's all go together to school", "With confidence", "Decade of Roma population including", "Enough", "16-days activities against the violation on women", "Having equal rights at birth – Democratic Montenegro basic value".

23. As a part of the educational system reform, the Ministry of Education and Science pays special attention to the question of integration of the Roma population into the formal educational system, in order to obtain high-quality elementary education for this population, and thus support their total integration into Montenegrin society.

24. In the scope of wider support to the education of Roma population and reduction of their poverty, the Ministry of Education performed a number of significant measures in order to increase the number of Roma children in the formal education system, such as:

- The Ministry gave free schoolbooks and equipment to all Roma children who started with the first grade of elementary school in the last two years;
- In order to create wider support in society for the integration of Roma children, the Ministry organized huge campaign in elementary schools, "Let's all go together to school";
- In order to provide necessary financial support for Roma children, the Ministry organized an action of collecting schoolbooks and clothes for Roma children through all the elementary schools. The Action was realized as "The book and the clothes for a friend";
- In order to obtain Roma population professional staff, 6 (six) Roma students started their studies at Pedagogy Department (Teachers' college) at the University in Nikšić;
- In elementary schools and kindergartens (municipalities of Podgorica, Nikšić and Berane were included in the project of Roma Educational Initiative – REI), Roma assistants were included in the teaching process;
- Under the project of "Roma Educational Initiative", the Ministry created a special database for following up the number and achievements of Roma pupils in certain elementary schools in Montenegro;

25. The Ministry of Education and Science in coordination with Republic Bureau for Schooling has created favorable conditions and environment for the integration and socialization of Roma children through the teaching staff education processes in school institutions (kindergartens and elementary schools). The integration of these children is specially attended by school management, pedagogical and psychological staff, as well as the professional services at the Ministry and Republic Bureau for Schooling.

26. The number of Roma children in elementary schools has been increased at the rate of approximately 20% annually. During 2007/2008, 1,263 Roma pupils attended elementary schools in Montenegro, while during 2008/2009 the number is 1,461 pupils of Roma population. Data comparison of the number of pupils shows an increase of 15,40%, which makes great step ahead in terms of quantity.

27. Complete Roma population is included in the system of health protection. In order to prevent infectious diseases and to achieve health education in general, many programmes are in the ongoing process.

28. The Roma population has access to the system of social protection under the same conditions as for all other Montenegrin citizens. The non-government sector also realizes different programmes in order to improve their life standard.

Reply to the issues raised in paragraph 6 of the list of issues

29. The public Institution “Komanski most” was founded by Decision of the Parliament of Socialist Republic of Montenegro in 1976, as the institution for placement of the children and youth with disruptions in development. As there was no institution in the State for taking care of adults with serious limitations in social functioning as a result of mental difficulties or other disabilities connected to mental disruption, after reaching the age of 18, the children still stayed in this institution. Gradually, the number of children was decreasing and it became an institution for adults.

30. According to the Decision of organizing public institution for placement of persons with special needs, which was made by the Government of the Republic of Montenegro at its session on February 2nd, 2006 (“Official Register Publication of Republic of Montenegro”, No. 11/2006), the Special Institution for children and youth is organized as the Public Institution for placing persons with mental disruption (temperate, heavy and serious), mentally retarded persons and it works under the name of Public Institution “Komanski most”, increasing thus the scope of users. The Institution activity, according to the operations regulated by the Law on social and children’s protection and the Decision on organization of Public Institution for placement of persons with special needs, includes: taking care in terms of providing of accommodation, food, clothes, etc; upbringing and education, related to conducting of upbringing and education programme by special educational programme; working activities in terms of obtaining working therapy, according to physical and psychological capabilities; health protection, provided in accordance to regulations on health protection and health insurance.

31. The Institution works in pavilion-type buildings: pavilions A, C and the kitchen with the dining room, administrative building, working therapy premises and laundry were all built in 1976, while pavilion B was built in 1996. The Institution possesses 30,000m² of land in total, with the previously mentioned premises which cover 2,623m². Pavilion A was reconstructed in 1998, and other buildings are maintained regularly.

32. There are 131 users currently placed at the Institution, of different age and gender, 74 males and 57 females. They have been classified into different categories according to the degree of disruption: slight - 53, serious – 33 and heavy – 44. There are 10 children currently in the Institution. The average age of users is 42 years, and the oldest user is 78.

33. Currently, 60 employees are taking care of the users. During 2008, the number of employees was 43. By the end of 2008 and during 2009, 9 employees were hired. At the beginning of 2010, 8 more employees have been hired. The work of the employees is organized in shifts, so that the users could be supervised during 24 hours. Out of the total employees’ number, there are 9 with university-level qualification, 1 has college qualification, 11 employees have intermediate-level qualification, 11 employees are vocational workers and 28 of them are unqualified workers. It is important to point out the

fact that 15-20% of the employees are being on sick leave during the longer period of time. External professional associates are the following: psychiatrist, dentist and the chosen doctor. Permanent activities are performed in order to increase the number of employees, as well as to improve the financial conditions (salaries) of the employees. The management bodies are Administrative Board and the Director. The Administrative Board is appointed by the Government on 4-years term, which is regulated by the Law on social and children's protection and by the Decision of organizing the Institution. The Administrative Board includes 7 members as follows: the President of the Board and three members are representatives of the Founder, one member is a representative of the local community and two members are representatives of the employees. The competencies of the Board and Director are defined by the Law on social and children's protection and by the Statute of the Institution. Operational funds are provided from the Budget of Montenegro.

Procedure for user placement

34. According to Article 25 of the Law on social and children's protection the right to placement in the Institution is regulated as a basic right of social protection. By this regulation among all, the right to placement in the Institution is given to children and young population with physical, mental or sensorial disruption, as well as the person with physical, mental or sensorial disruption, who cannot be provided protection in any other way. The Centre for social work makes a decision on the request for implementing this right, at first level, and in case of complaints against the decision of the Centre, the Ministry of Work and Social Care makes a decision. Furthermore, one can submit a complaint and start the legal procedure at the Administrative Court of Montenegro, providing administrative and legal protection.

35. According to Article 92 of the Family Law of Montenegro, it is regulated that the parental right can be exceeded even after the child's age of 18, in case of mental disease, retarded mental development or in any other case which makes the child unable to take care of himself, his rights and interests. According to Article 93 of the same Law, it is regulated that the decision on exceeding parental right is made by the Court in extrajudicial procedure.

36. According to Article 178 of the Family Law, the custody includes a child without parental care or an adult who is not capable of taking care of himself, his rights and interests. It is also regulated by the Article 235 of the same Law that an adult, without working capabilities according to the decision of the Court in charge, usually because of mental disease, can be given custody by the Centre of Social Work. The field of custody is precisely regulated by the rules of Family Law. Protection of status and property rights, as well as other interests, is provided by placing a person under custody.

37. In cases of children's protection in this category, the Centre of Social Work carries out different measures in accordance with the Proposal of the first-rate Commission for directing the children with special needs, which performs classification on the basis of the Rulebook of criteria for specifying the form and the degree of defect, difficulty or disorder of children and young people with special needs and the way of including into educational programmes. This Commission is under the competence of Ministry of Education and Science.

38. It is important to underline that the accommodation for users in this Institution is made according to the requests of parents or custodians, rarely according to the official duty. At the same time, this form of protection is the final measure, after all the other possibilities have been exhausted. In addition to the fact, 1,509 people, the users of the right to disability pension live in their families, although they were permanently disabled for the independent life and work before they became adults.

39. The way of users' expressing attitudes and opinions about the questions related to their status in the Institution is arranged according to the Statute of the Institution. Becoming a user, a person retains his personal rights, as well as his constitutional and legal rights. Regarding the questions related to their status in the Institution, the users realize their attitudes through their parents or custodians.

40. The Ministry of Work and Social Care supervises the work of the Institution according to the Law on social and children's protection, as well as other State bodies in the area of their competence. The authorised Centres for social work, parents and guardians of the users supervise the accommodation of the users, i.e. the initiation of control. The Protector of Human Rights and Freedoms carries out independent supervision. International organizations, together with the experts involved in realization of different projects and according to their mandates also supervise the work of the Institution.

The working procedure with the users

41. Regarding its internal organization, the Institution realizes its working process through three organizational units: Department for rehabilitation, Department for care and health protection and Department for general affairs.

42. The Department for rehabilitation organizes educational and working training of users, which includes the following: upbringing, education and working training of persons with special needs, of temperate, serious and heavy degree of mental disruption according to their psycho-physical capabilities, moderating of current diagnoses, acquisition of positive habits, adapting to usual situations and training for activities which motivate psycho-physical development of the users. This Department also deals with acceptance and dismissal of users.

43. The Department for care and health protection worries about the accommodation and food of the users. It provides acceptance and temporary care of people with special needs, of temperate, serious and heavy degree of mental disruption, who don't have the residence on the territory of Montenegro. It carries out the operation of health and hygiene care according to the rules of health protection and health insurance.

44. The Department for general affairs works on the following up of legal and financial regulations related to their area, it drafts normative acts, represents the Institution at the Court and other bodies, deals with financial-commercial work and technical work.

45. The chosen doctor, as well as the medical specialists in other areas takes care of the users' health condition, while nurses keep card file of users in order and take care of the therapy. Heavy difficulties in mental development can result in strong, uncontrolled sexuality, as well as in autism. Consulting the professional associates (psychiatrist and gynecologist), these phenomena are prevented by medicament therapy and contraception, thus preventing pregnancy.

46. According to the Protocol of procedure in case of strong disturbance and aggression of users, as a protecting measure against self-injury, fixation is used. In cases of physical restrain as the only measure to stop the user hurting himself or another user, or destroying the valuable property, the Institution started using the leather fixator, according to the standards. The usage of this measure is recorded in the observation user's list. This measure is temporary and adjusted to the specific moment. The usage of this measure is approved by the doctor.

47. Users with working capabilities are classified into two groups: male and female. Group working is carried out under the supervision of working therapist and the special education teacher and it is related to the working occupation in the kitchen, in the pavilions,

gardening, maintaining the orchard etc. During the summer, a number of users spend some time with families in the mountain, with the agreement of the custodial organ. Their staying in the family is arranged by the contract, with precise conditions of the user's rights and interests. The jobs they do include: keeping the cattle and helping with the housework. This is claimed to be a good way of socialization for the users.

48. The users are also provided with summer and winter 7 days vacation in the Public Institution "Lovćen-Bečići". Staying at the coast during the summer period is used by about 25 users, while staying in the mountain in winter period is used by about 15 users.

49. Parents and the relatives of the users have the right to visit users and participate in all the activities related to users. Unfortunately, small number of parents or relatives visit them and stay in contact with users (less than 15%). The Institution is also open for the representatives of NGOs, international organizations and media.

Activities to improve the protection of people with disability

50. It is of great importance to underline the fact that during the previous years, managerial staff of the Institution, together with the Ministry of Work and Social Care, representatives of the local government and international partners – UNICEF, were trying to find out proper solutions for providing better conditions in the Institution and community support for people with disabilities.

51. Considering the fact that establishing new services for supporting children with disruption in development is a process which takes time, the first undertaken activities in Public Institution "Komanski most" were separating the children from the adults. The premises inside the Institution were adapted and equipped for children's accommodation. The adapted rooms include the sleeping rooms, living room – playing room, dining room with the kitchen and the bathroom, toilets and the room for washing machine and the dryer for children's clothes. The space is adapted for children's needs and has its own exit to the garden, where the green area arrangement is expected as well as the installation of the appropriate equipment. By separating children from the adults, the risk of incidents among the users is reduced. There are closets in the sleeping rooms built into the wall for clothes and by the bed there are wardrobes for children's personal things. The living room is used for interactive activities with the children and for playing. At first the interactive work was done by the UNICEF representatives, but nowadays it is done by the governess who are also provided for an intensive course in England. The employees education is constantly organized in the Institution, in cooperation with international partners. Seven children are included in educational process: five of them are included in programmes of Public Institution Centre "1. jun", while two children are included in the Institution for schooling and professional rehabilitation of disabled children and youth, where they attend appropriate educational process according to their capabilities.

52. Permanent activities are directed to improving the basic accommodation and hygiene conditions at the Institution. Apart from regular maintenance, an agency for deep cleaning and disinfection of all the premises is periodically engaged.

53. Individual plans and programmes, made according to individual psycho-physical capabilities of users were innovated, and these represent the basis for daily activities and rehabilitation. Individual plans were made in cooperation with the Centres of social work, parents and relatives of users.

54. A construction project for the reconstruction of pavilion A was made, in the total value of 300,000 euros. The preparation of tender documentation for the first stage of reconstruction is in the ongoing process. At the same time, the project of widening the

video supervision of the pavilions is preparing. The funds are provided from the Capital Budget of Montenegro.

55. A construction project for adaptation of pavilion B and the kitchen is also planned. This adaptation will be realized during 2011, with the funds from the Capital Budget, unless grant resources are provided during 2011.

56. The Government of Montenegro has adopted a number of strategic documents partly related to these problems, in order to provide complete protection of disabled people, such as: Strategy for social and children's protection 2008-2012, Strategy for integration of disabled persons 2008-2016, Information on realization of Action Plan Strategy for integration of disabled persons in Montenegro for 2008 and 2009, as well as the Action Plan for putting into effect the Strategy for integration of disabled persons in Montenegro for 2008-2009, and now a second one for 2010-2011. By this document the principle of decentralization is promoted, and establishing the system of services at local level creates a network of day centres for children with disruption in development who cannot be involved in the regular educational system. Apart from the day centre in Bijelo Polje, day centres are opened in Nikšić, Ulcinj and Pljevlja, and the opening is planned also in Berane, Bar, Mojkovac, Cetinje. The activities on providing spaces for building up of small group houses – small group communities for the children with disabilities in development, who need accommodation out of the family, realized in cooperation with Danilovgrad municipality are also in the ongoing process.

Reply to the issues raised in paragraph 7 of the list of issues

57. According to the Constitution of Montenegro, article 30 point 7, temporary imprisonment for a juvenile cannot last longer than 30 days. When taking actions towards a juvenile, especially at his interrogation, a police officer is obliged to act carefully, taking into consideration his social development, sensitivity, personal characteristics and his privacy, according to the Law on Police Forces, article 10. Police authorities, in cases of acting with juveniles, are by the rule applied in presence of a parent or legal representative.

58. According to the Criminal Code of Montenegro, only a judge for juveniles is allowed to make a decision on imprisonment of a juvenile, with good reasons. A juvenile serves imprisonment or the punishment of juvenile prison separately from adults, in a separate part of the building, with accommodation capacity of 20 people with individual treatment. Exceptionally, juveniles are placed together with adults, only in the case of potential long-term loneliness and if the adult will not have a harmful influence on him.

59. A juvenile must be given professional defence – i.e. not only must he have an attorney at the first interrogation and during the whole procedure, but according to the principle of obligatory specialization for attorneys who will have a defending role during the procedure, attorneys have to obtain special knowledge in the area of children's rights and juvenile delinquency.

60. The urgency of process is of enormous importance, speaking of processes against juveniles, so the administrative bodies involved in the process, other bodies and institutions which are asked for information, reports or opinions, as well as all the other subjects of procedure, are obliged to act as urgently as possible in order to complete the procedure. A custodian has the right to be informed about the procedure against a juvenile, as well as to make proposals and point out the facts and the proofs which are important for making the right decision. A complaint can be submitted against the verdict and the sentence pronounced according to the verdict, and the request for protection of legality can be raised in both cases – when the court decision affected the Law, as well as when a sentence or educational measure was applied incorrectly against the juvenile.

61. Organization of the Bureau for execution of criminal sanctions is obliged to provide legal help to juveniles deprived of their liberty regarding necessary actions in order to protect their rights. A juvenile has the right to complaint in the case of violation of a law concerning deprivation of liberty, serving a sentence in a juvenile prison or in the case of any other irregularities made during the process.

Reply to the issues raised in paragraph 8 of the list of issues

62. A criminal act of violence in the family or family community has the consequence of criminal responsibility according to the Criminal Code of Montenegro, article 22. A more serious form of this criminal act is predicted for the person who endangers by violence the physical and emotional integrity of a juvenile.

63. The Law on protection from family violence which will provide a higher level of protection of children as the victims of violence, is already in the Parliament procedure. Considering that the violence is treated as a criminal act, the court processes provide sanctions for the performer. Children's protection from abuse and neglect is carried out by centres of social work and within the non-government sector there are shelters for women and children, victims of family violence.

64. Victims of violence have the right to psychosocial and legal help and social protection. The principle of urgency in the processing related to protection from violence is predicted, as well as the fact that the interest and the welfare of the child who is victim are priorities in all the procedures. The Law implies the regulations concerning the social protection of the victim – financial and non-financial help, accommodation and the services of social work provided according to the law which arranges the rights from social and children's protection. The authorised person in State administration, other service, medical, educational or any other institution is obliged to report to the police on violence he finds out while being on duty. The social and medical worker, teacher, and any other citizen who discovers violence during working time is also obliged to bring charges against the performer. The duty of administration for violation and the police to inform the center for social work when the child is the victim of family violence is specially pointed out.

65. In the social support plan it is provided that centres for social work can make a professional team including representatives of the centre, local self-government, police forces, NGOs, and experts dealing with family questions in order to make a plan for help to the victim and the coordination of activities in the process of helping the victim. Up to the present, these teams have processed 1,557 cases of children who were victims of abuse and neglect.

The Review of the number of reported cases about abuse or neglect and convictions by years

<i>Year</i>	<i>2000</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>Ukupno</i>
Reported no.	75	57	65	80	122	172	285	185	245	271	1,557
Convictions no.			2	1	4	2	5	8	11	17	50

66. It is predicted to work out a special strategy which would deal with protection from family violence and which would be adopted by the Government of Montenegro. It would also include the programmes which needed to be realized in order to improve social and other protection.

Reply to the issues raised in paragraph 9 of the list of issues

67. There is no accurate information on the number of children living and working on the streets. Measures taken to protect them are regularly processed by the centres of social work in cooperation with representatives of the internal affairs administration and according to the Law on social and children's protection and Family Law.

Reply to the issues raised in paragraph 10 of the list of issues

Information on the draft Law on Juvenile Justice and other data and information:

(a) Whether the State party has a comprehensive system of juvenile justice in accordance with article 40 (3) of the Convention;

(b) Whether all persons below the age of 18 are dealt with in juvenile courts composed by specialized judges;

68. By working schedule for 2010, the Government of Montenegro predicted the definition of the Draft Law on juvenile courts. The activities on the draft of this Law were organized in cooperation with UNICEF- Podgorica Department, along with the financial support of the European Union Delegation in Podgorica.

69. The constitutional basis for passing the Law on juvenile courts is included in article 16 of the Constitution of Montenegro, i.e. articles 26 to 44 which regulate the legal arrangement in implementation of human rights and freedoms, and according to these a juvenile cannot be the subject of criminal procedure, criminal sanction or measure and its execution cannot be performed if not defined by Law.

70. In a unique way, the Draft of Law gives a normative frame related to material, processing, executive criminal law and the institutions which applied those to juvenile executors of criminal acts, as well as related to criminal proceeding protection of juveniles.

71. The Draft points out the difference between juveniles aged 14-16, as younger juveniles and those aged 16-18, older juveniles. The Law excluded criminal sanctions and other measures regarding the persons who are below the age of 14 at the moment of execution of criminal act – children, because other institutions apart from courts should be dealing with this population. The application of imprisonment is also excluded regarding younger juveniles. Juvenile judges and juvenile Council judges must be professionals who acquired special knowledge in the area of the rights of the child as well as juvenile delinquency. Thus the principle of specialization, which is supported even in the case of other participants of the act towards juvenile, is introduced in order to ensure not only efficient procedure conducting, but also the higher-level protection and help for the juvenile.

72. The regulations of Law are applied in the procedure towards persons who are suspected to have executed criminal act as younger juveniles, while at the time of starting legal procedure they are still below the age of 21, or they have executed criminal act as older juveniles, but at the time of starting legal procedure, i.e. the trial, they are still below the age of 23.

73. When taking actions in presence of a juvenile, especially at his interrogation, the participants of the procedure are obliged to act carefully, taking into consideration his maturity and other personal characteristics and privacy protection, so that the procedure and the activities undertaken in the procedure would not have bad impact to his development.

(c) The number of children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings (art. 37 (b), (c) and (d)).

74. The public institution Centre for children and youth "Ljubović" in Podgorica arranges the placement of children and young people with behavioral disorder. The

upbringing measure of sending to the Centre is executed here, in the duration of 6 months up to 2 years. The Centre activity, according to the operations regulated by the Law on social and children's protection includes: taking care in terms of providing of accommodation, food, clothes, etc; upbringing and education, in accordance with special regulations, working – occupational engagement, related to providing working and occupational therapy, cultural and sports activities etc., health protection provided in accordance to the regulations of health protection and health insurance.

75. The work of the Centre is organized through the following organizational units: Accepting Station, Intensive supervision along with daily stay at the institution for upbringing, Reception with diagnostics, Measure execution (sending to the upbringing institution for a period of 6 months up to 2 years).

76. There were 116 children staying in the mentioned institution during 2009, out of which 23 girls and 93 boys.

Review of the number of children sent to the Centre for children and the young “Ljubović“, for 2009

<i>Kind of violation</i>	<i>Stealing</i>	<i>Aggressive behaviour</i>	<i>Drug addicts</i>	<i>Drug dealing</i>	<i>Charity asking and running</i>	<i>Violations</i>	<i>Total</i>
Number	24	3	4	2	43	40	116

Part II

Reply to the issues raised in part II of the list of issues

Brief update on the information presented in the initial report regarding:

77. (a) New bills or Laws and their respective regulations:
- Criminal Code (“Official register of Montenegro”, No. 40/2008 and 25/2010).
 - Law on Protection of Genetic Data (“Official register of Montenegro”, No. 25/2010).
 - Law on Health Care of Patients (“Official register of Montenegro”, No. 25/2010).
 - Law on employment and implementation of rights out of insurance from unemployment (“Official register of Montenegro”, No. 14/2010).
 - Law on taking and using of biological samples (“Official register of Montenegro”, No. 14/2010).
 - Law on protection of citizens from infectious diseases (“Official register of Montenegro”, no. 32/2005 and “Official register of Montenegro”, No. 14/2010.).
 - Law on taking and transplantation of the parts of human body with the purpose of healing (“Official register of Montenegro”, No. 76/2009).
 - Law on migration of disabled persons with the help of a dog (“Official register of Montenegro”, No. 76/2009).
 - Law on foreigners (“Official register of Montenegro”, Nos. 82/2008 and 72/2009).

- Law on protection of personal data (“Official register of Montenegro”, No. 79/2008 and 70/2009).
- Code of Criminal Procedure (“Official register of Montenegro”, No. 57/2009).
- Law on the conditions and procedure for abortion (“Official register of Montenegro”, No. 53/2009).
- Law on privileges for disabled persons in the inner traffic (“Official register of Montenegro”, No. 47/99).
- Law on protection of personal data (“Official register of Montenegro”, No. 79/2008 and 70/2009).
- Law on inheritance (“Official register of Montenegro”, No. 74/2008).
- Law on professional rehabilitation and employment of disabled persons (“Official register of Montenegro”, No. 49/2008).
- Law on urgent medical help (“Official register of Montenegro”, No. 49/2008).
- Law on ratification of the United Nations Convention on the Rights of Persons with Disabilities and its Optional Protocol (“Official register of Montenegro”, international contracts, No. 02/2009).

78. (b) New institutions (and their mandates) or institutional reforms:

During the reporting period day centres for children with difficulties in development have been opened in the municipalities of Nikšić, Ulcinj and Pljevlja.

79. (c) Recently introduced policies, programmes and action plans and their scope and financing:

- Strategy for minority policy (2008-2012),
- Strategy to combat corruption and organized crime and the Action Plan for its implementation;
- Strategy for prevention and control of terrorism, money laundering and financing of terrorism and the Action Plan for its implementation;
- Strategy for cooperation between the Government of Montenegro and non-governmental organizations;
- Plan of activities for having the equal rights at birth (2008-2012);
- Information on realization of the Action Plan for the Strategy for integration of disabled persons in Montenegro for 2008 and 2009 with the Action Plan for 2008-2009;
- Action Plan for implementation of the Strategy for integration of disabled persons in Montenegro for 2010-2011;
- Action Plan for implementation of the National Strategy for fighting against trafficking for 2010/11.

80. (d) Recent ratifications of human rights instruments:

- Law on confirmation of the Agreement between Montenegro and Luxembourg on social insurance with the Administrative Agreement on implementation of the Agreement between Montenegro and Luxembourg on social insurance (Off. Reg. of Mne - International contracts, No. 6/2008);

- Law on ratification of the United Nations Convention on the Rights of Persons with Disabilities and its Optional Protocol (Off.Reg.of Mne - International contracts, No. 2/2009);
- Law on confirmation of the Contract between Montenegro and the Republic of Serbia on legal help in civil and criminal issues (Off.Reg.of Mne - International contracts, No. 4/2009);
- Law on confirmation of the Contract between Montenegro and the Republic of Serbia on reciprocal execution of Court decisions regarding criminal issues (Off.Reg.of Mne - International contracts, No. 4/2009);
- Law on confirmation of the Contract between Montenegro and the Republic of Serbia on extradition (Off.Reg.of Mne - International contracts, No. 4/2009);
- Law on confirmation of the European Convention on the Compensation of Victims of Violent Crime (Off.Reg.of Mne - International contracts, No. 6/2009);
- Law on confirmation of the Additional Protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data regarding supervisory authorities and transborder data flows (Off.Reg.of Mne - International contracts, No. 6/2009);
- Law on confirmation of the European Convention on international validation of criminal charges (Off.Reg.of Mne - International contracts, No. 6/2009);
- Law on confirmation of the Revised European Social Charter (Off.Reg.of Mne - International contracts, No. 6/2009);
- Law on confirmation of the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine, and its Additional Protocols on the Prohibition of Cloning Human Beings and on Transplantation of Human Organs and Tissues of Human Origin (Off.Reg.of Mne - International contracts, No. 7/2009);
- Law on confirmation of the European Convention on Nationality (Off.Reg.of Mne - International contracts, No. 2/2010);
- Law on confirmation of the Council of Europe Convention on Action against Trafficking in Human Beings (Off.Reg.of Mne - International contracts, No. 4/2008);
- Law on confirmation of the Council of Europe Convention on the Prevention of Terrorism (Off.Reg.of Mne - International contracts, No. 5/2008);
- Law on confirmation of the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (Off.Reg.of Mne - International contracts, No. 5/2008).

Part III

Data, statistical and other information, if available

Reply to the issues raised in part III, paragraph 1, of the list of issues

81. Data about the children with disabilities available at the Ministry of Work and Social Care are shown in the following charts, and completed according to the rights which these children realize on the basis of the Law on social and children's protection.

(a) Living with their families

Chart 1 Children users of compensation for other party care and help disaggregated by municipalities, sex and age, living with their families.

<i>PI CSW</i>	<i>Users of compensation for other party care and help</i>	<i>female</i>	<i>male</i>	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	<i>total</i>
Podgorica	153	71	82		10	12	9	14	12	15	12	9	10	4	12	10	13	7	4				153
Danilovgrad	23	10	13		3	2	3	2	1	2	1	2		1	2	1			2		1		23
Cetinje	17	8	9		3	2	2	3	2		1						1	1	2				17
Kolašin	6	1	5			1		1					2					1		1			6
Nikšić	103	39	64		10	7	13	4	4	5	10	2	6	5	13	6	4	4	5	5			103
Šavnik	2	1	1						2														2
Plužine	2	1	1						2														2
Pljevlja	24	10	14		1	1	3	2	3		2	3	2	2	2	1		2					24
Žabljak	0																						0
Bijelo Polje	16	3	13			4			3			1				1	4	1	1	1			16
Mojkovac	13	6	7			2	1	4	1	1		1	2				1						13
Berane	9	3	6												2		2	2	2	1			9
Andrijevica	2	1	1				1											1					2
Plav	11	5	6		1	1	1	1			1		2	1			2		1				11

	<i>Users of compensa tion for other party care and help</i>	<i>female</i>	<i>male</i>																					
<i>PI CSW</i>				<i>1991</i>	<i>1992</i>	<i>1993</i>	<i>1994</i>	<i>1995</i>	<i>1996</i>	<i>1997</i>	<i>1998</i>	<i>1999</i>	<i>2000</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>total</i>	
Rožaje	29	11	18		1	4	1	1	1	1	3	1	4	2	2	2	2	1	2		1		29	
Bar	39	24	15	4	6	6	1	2	1	1	4	2	2	3	2		1	1	1	1	1		39	
Ulcinj	22	12	10			1	3	1		2	2	1	1	3	2	4	2						22	
Kotor	4	3	1				1		1	1	1												4	
Tivat	7	1	6						1	2	1	1			2								7	
Budva	7	5	2							1		2			2		1			1			7	
Herceg Novi	21	5	16			3	2	1	3	4	2	1	2			1	2						21	
TOTAL	510	220	290	4	35	46	41	36	37	35	40	26	33	21	41	26	35	21	20	10	3		510	

Chart 2 Children users of personal disability pension, disaggregated by municipalities, sex and age, living with their families.

	Users of person al disabili ty pensio																						
PI CSW	n	female	male	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	total
Podgorica	76	35	41		7	6	5	7	4	7	10	8	2	3	5	4	4	3		1			76
Danilovgrad	11	7	4		2	2	1	2	1	1					1				1				11
Cetinje	9	3	6		2	2	2	1	1		1												9
Kolašin	2	0	2			1							1										2
Nikšić	49	20	29		4	5	5	3	2	2	4	5	5	3	6	1	1	2		1			49
Šavnik	0	0	0																				0
Plužine	0	0	0																				0

	<i>Users of personal disability pension</i>																							
<i>PI CSW</i>	<i>n</i>	<i>female</i>	<i>male</i>	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	<i>total</i>	
Pljevlja	21	9	12		1	1	3	2	3		2	3	1	2	2	1							21	
Žabljak	0																						0	
Bijelo Polje	13	3	10			4			3			1					2	1	1	1			13	
Mojkovac	7	2	5			1	1	1		1		1	2										7	
Berane	5	3	2												2		1		1	1			5	
Andrijevica	1	1					1																1	
Plav	9	4	5		1	1	1	1					1	1			2		1				9	
Rožaje	15	6	9		1	1	1			1	3	1	3	1	1				2				15	
Bar	19	12	7	1	2	4	1	2	1	1	3	1		1	1		1						19	
Ulcinj	11	6	5				1			2	2	1		2		2	1						11	
Kotor	3	3					1			1	1												3	
Tivat	3		3						1		1	1											3	
Budva	2	2								1		1											2	
Herceg Novi	14	5	9			2	2		2	2	2	1	1			1	1						14	
TOTAL	270	121	149	1	20	30	25	19	18	19	29	24	16	13	18	9	13	6	6	4			270	

(b) Living in institutions

Chart 3 Children with placement in institutions of social and children's protection, disaggregated by municipalities of their residence, by sex and age.

<i>Children with disabilities placed in institutions</i>	<i>PI CSW</i>		<i>ns female male</i>		1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	total
Podgorica	15	7	8		1	2	2		2	2				1		3			1	1				15
Danilovgrad	7	4	3	1	1				1	1		2				1								7
Cetinje	1		1										1											1
Kolašin	1	1										1												1
Nikšić	5	2	3		1					1		1		1					1					5
Šavnik	2	1	1							2														2
Plužine	1	1									1													1
Pljevlja	1	1								1														1
Žabljak	0																							0
Bijelo Polje	1	1																1						1
Mojkovac	1		1							1														1
Berane	0																							0
Andrijevica	0																							0
Plav	0																							0
Rožaje	1		1											1										1
Bar	3	2	1	1	1	1																		3
Ulcinj	2	1	1								1							1						2
Kotor	4	2	2			1	1	1										1						4
Tivat	1		1			1																		1
Budva	2		2			1	1																	2
Herceg Novi	1		1												1									1

Children with disabilities placed in institutions																							
PI CSW	ns	female	male	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	total
TOTAL		49	23	26	2	4	6	4	2	8	4	4	2	3		4		3	2	1			49

(c) Placed in foster care

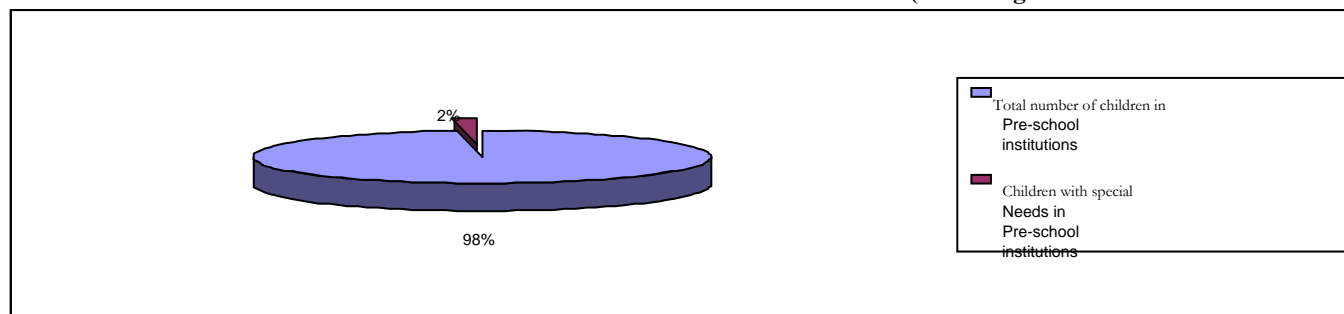
There are no children with disabilities using this form of protection.

(d) Attending regular schools

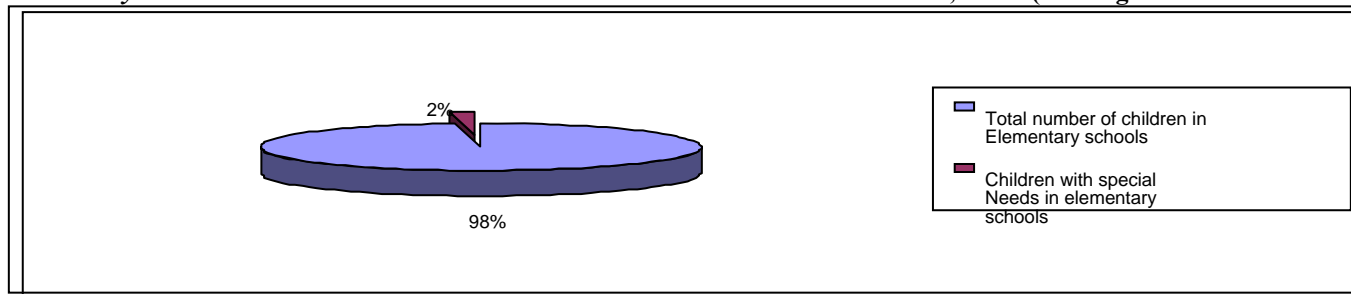
Data for 2006/2007:

Pre-school Institutions

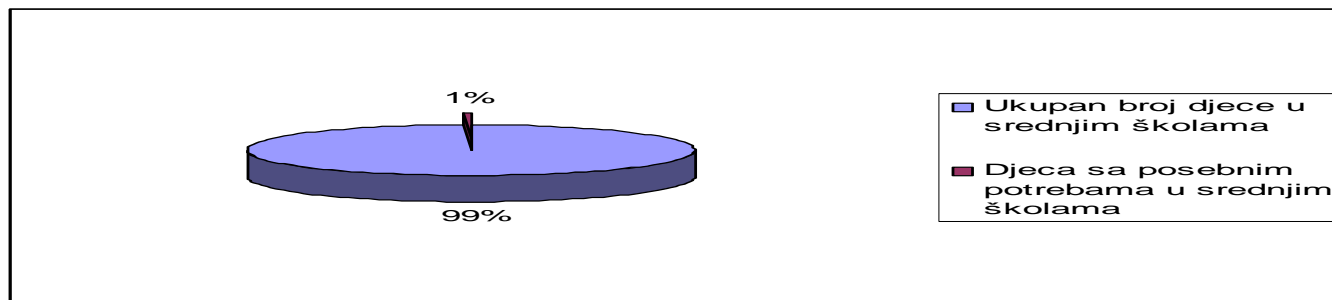
Number of children with disabilities – 185 (73 girls and 112 boys)



Elementary schools - Number of children with disabilities - 1,591 (631 girls and 960 boys).



Secondary schools - Number of children with disabilities - 196 (109 girls and 87 boys).

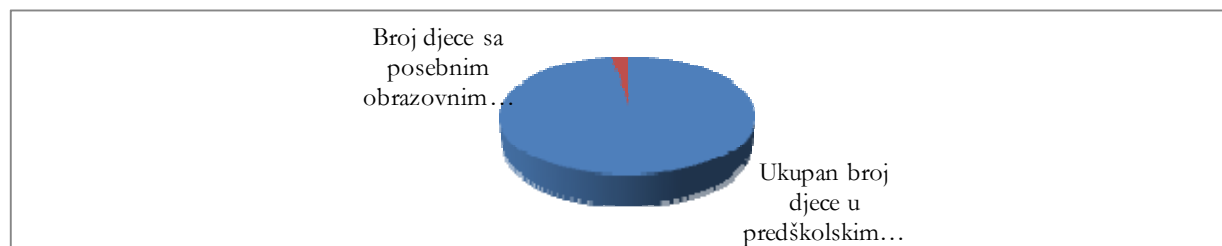


Data for 2007/08:

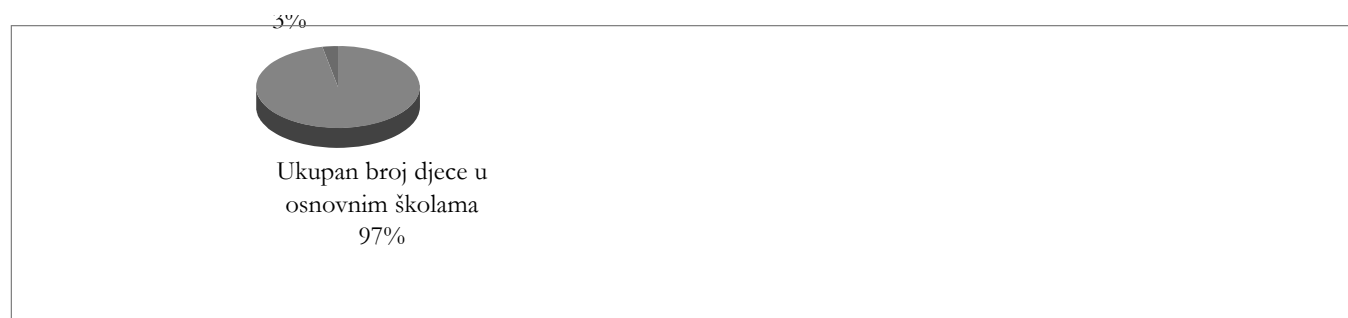
82. The system of education and upbringing in Montenegro includes 3,416 children, 1,311 girls, and 2,105 boys.

83. The number of children with special educational needs for the total number of school population in school system of Montenegro:

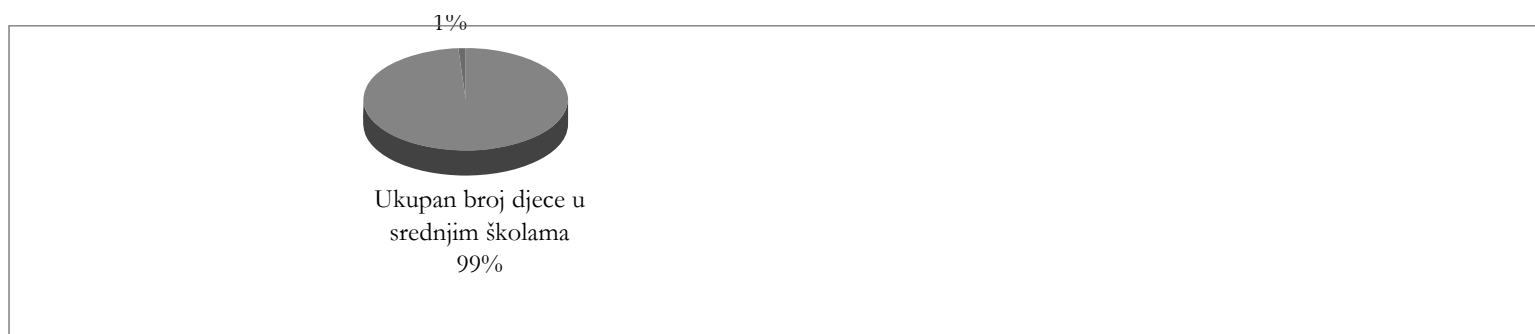
Pre-school level of upbringing and education – The number of children with special needs – 285 (105 girls and 180 boys)



Elementary school level of upbringing and education - The number of children with special needs – 2,339 (girls 907 and boys 1,432)



Secondary school level of education – The number of children with special needs – 368 (113 girls and 255 boys)



(e) Attending special schools:

Data for 2006/2007:

Special Institutions

<i>The name of the institution</i>	<i>Girls</i>	<i>Boys</i>	<i>Total</i>
The Institution for schooling and rehabilitation of persons with speech and hearing disturbance - Kotor	98	64	162
Centre for education and training "1. jun" - Podgorica	50	86	136
Centre for children and youth with problems in behaviour "Ljubović"	4	10	14
The Institution for schooling and professional rehabilitation of disabled children and youth - Podgorica	45	54	99
Special institution for children and youth "Komanski most" - Podgorica	12	20	32
Total:	209	234	443

Data for 2007/08:

Special institutions

<i>The name of the institution</i>	<i>Girls</i>	<i>Boys</i>	<i>Total</i>
The Institution for schooling and rehabilitation of persons with speech and hearing disturbance - Kotor	89	65	154
Centre for education and training "1. jun" - Podgorica	47	105	152
The Institution for schooling and professional rehabilitation of disabled children and youth - Podgorica	35	50	85
Special institution for children and youth "Komanski most" - Podgorica	5	9	14
Total:	176	229	405

84. According to article 19 of the Law on upbringing and education of children with special needs and in accordance with the Rulebook on criteria for definition of form and degree of defect of difficulty, i.e. disturbance of children and youth with special needs and the way of their including in educational programmes, local commissions for directing are formed. Starting from 2008, the first-level commissions for directing the children with special needs were formed in 18 municipalities. Commissions offer proposal for directing into appropriate educational programme, preschool institution, school or special institution.

85. By Decision from 2009, 564 pupils with disabilities were appropriately directed.

(f) Not attending school

86. There are no precise data on the number of children with disabilities who do not attend school, but it is estimated that those are the children who have a right to personal disability pension, taking into consideration medical indications for implementation of this right.

Reply to the issues raised in part III, paragraph 2, of the list of issues

(a) The number of adolescents affected by sexually transmitted infections, including HIV/AIDS, tobacco use and drug and alcohol abuse, disaggregated by sex and age

Chart No. 1. The number of adolescents (up to the age of 18) affected by sexually transmitted infections*

Year	Syphilis		Acute hepatitis B		Acute hepatitis C		HIV/AIDS*	
	M	ž	m	ž	m	ž	m	ž
2007	-	1	2	2	-	-	-	-
2008	1	-	2	1	1	-	1	-
2009	-	-	-	1	-	-	-	-

* Data resource: Centre for control and prevention of diseases-Institute of Public Health of Montenegro

* In the period of 1989 to 2009 4 HIV/AIDS infected persons were recorded among children population, each one below the age of 9 at the moment of diagnosis of infection.

87. Apart from mentioned, other sexually transmitted infections are not recorded in the population up to the age of 18.

88. Data by years are not available for adolescents using tobacco, drugs and alcohol. Only available data are from the ESPAD research published in 2008, by questionnaire of pupils aged 15 – 16, performed in the Institute for Public Health of Montenegro.

89. Some of the data are as follows (According to: European research on usage of tobacco, alcohol and drugs among pupils, ESPAD and the Institute for Public Health).

90. Tobacco used by 44% of questioned pupils, out of which 51% of males and 49 % of females. Out of those who used tobacco:

- Periodically smoked 44% (48% M, 52% F)
- 1-5 cigarettes a day 22% (48% M, 52% F)
- 6-20 cigarettes a day 28% (62% M, 38% F)
- More than 20 cigarettes a day 10% (64% M, 36% F)

91. Usage of alcohol: during the last 12 months 66% of the pupils used alcohol, out of which:

- 7% of pupils used alcohol 6-9 times (60% M, 40% F)
- 15% of pupils used alcohol 10 and more times (76% M, 24% F)

92. Usage of other drugs is as follows:

- Inhalation drugs during the last 12 months used by 2% of pupils
- Cannabis during the last 12 months used by 2.4%
- Ecstasy during the last 12 months used by 1% (66% M, 34% F)
- Other drugs (cocaine, hallucinogens, heroin etc.) any time in life used by 6% of pupils

(b) The number of teenage pregnancies, disaggregated by urban/rural area and by minority groups;

93. The data on the number of pregnancies are the sum of abortions and deliveries. The data on pregnancies disaggregated by urban/rural area and by minority groups are not recorded. Data available in Chart No. 2.

Chart No. 2. Number of pregnancies (abortions and deliveries) up to the age of 19

<i>Year</i>	<i>Number of abortions*</i>	<i>Number of deliveries**</i>	<i>Total pregnancies</i>
2006	59	371	430
2007	73	394	467
2008	90	444	534

*Resource: Health statistics of Public Health Institution (data related to the evidence from health institutions and partly from private practice).

**Resource: Off.Reg. of Mne- 2008, p. 49, and Off. Reg. of Mne-2009 p 50.

(c) The number of programmes and services aimed at the prevention and treatment of adolescent health concerns, including mental health problems

94. By organizational model of primary health protection system inside each Public Health Institution – Health Centre, there is a Centre for support. There are 18 health centres in Montenegro.

- The Centre for children with special needs and the Centre for prevention are organized within each Centre for support.
- The Centre for children with special needs in Podgorica (started first) was visited by 419 users during 2008 (the first visit recorded), and 903 users visited it during 2009.
- The Centre in Berane was visited by 306 users in 2009.
- The Centre in Bijelo Polje was visited by 53 users in 2009.

95. Each Centre for prevention also includes:

Counseling service for children organized within the ordination of chosen doctor for children – pediatrician (Chart No. 3)

Chart No. 3 The number of (first) visits to the counseling service in the health protection service for preschool children in Montenegro

<i>Age</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
Infants	30 569	27 049	28 275
Other children	13 886	8 906	16 695
Total	44 455	35 955	44 970

Resource: Statistical annual publication in 2007. About the health of the inhabitants and health protection in Montenegro; IPH Mne, 2008 p. 147 Statistical annual publication in 2008. About the health of the inhabitants and health protection in Montenegro; IPH Mne, 2009 p. 149, and data in preparation of IPH Mne.

96. The Counseling service for young people could be visited on suggestion of chosen doctor or independently. There are 18 counseling services in Montenegro. Pediatricians and

chosen doctors are included in the team for programme realization and they carry out individual and health educational programmes for schoolchildren, students and young people aged 10-24. The Centres started working during 2009 and all the available data are related to 2009. Most of the Centres finished with preparatory operations and created working teams during the first half of the year, and then in the second half they started working with clients. (Chart No. 4).

Chart No. 4. The number of visits to counseling services for young population disaggregated by Health Centres for 2009.

<i>No.</i>	<i>Organizational Unit</i>	<i>Number of visitors</i>
1	Health Centre Andrijevisa	51
2	Health Centre Bar	157
3	Health Centre Berane	266
4	Health Centre Bijelo Polje	104
5	Health Centre Budva	18
6	Health Centre Cetinje	103
7	Health Centre Danilovgrad	126
8	Health Centre Herceg Novi	142
9	Health Centre Kotor	49
10	Health Centre Kolašin	52
11	Health Centre Mojkovac	130
12	Health Centre Nikšić	114
13	Health Centre Plav	98
14	Health Centre Pljevlja	9
15	Health Centre Podgorica	480
16	Health Centre Rozaje	108
17	Health Centre Tivat	227
18	Health Centre Ulcinj	5
Total visits		2.239
Resource: from the available documentation on the Fund for health insurance		

97. In eight municipalities (Podgorica, Bar, Kotor, Berane, Nikšić, Herceg Novi, Pljevlja, Bijelo Polje) the Counseling for VCAT for HIV/AIDS (voluntary, confidential, advising and testing) is organized. There are available data on visits during 2008 (Chart No. 5).

Chart No. 5. The number of clients of the network for voluntary and confidential advising and testing on HIV for 2008

<i>City</i>	<i>Total tested and advised</i>	<i>Younger than 25</i>	<i>Male %</i>	<i>Female %</i>
IPH–Podgorica	241	57	69.7	30.3
Herceg Novi	55	15	78.1	21.9
Kotor	37	8	81.0	19.0
Bar	70	15	68.5	31.5
Nikšić	0	0	-	-
Berane	35	7	82,8	27,2
Bijelo Polje	0	0	-	-
Pljevlja	1	1	100,0	-
Total	439	103	72,6	27,3

Resource: Data from IPH Mne – Counseling service for VCAT.