



Convention on the Rights of the Child

Distr.: General
18 July 2017

Original: English
English, French and Spanish only

Committee on the Rights of the Child

Consideration of reports submitted by States parties under article 44 of the Convention

Combined second and third periodic reports of States parties
due in 2015

Montenegro*

[Date received: 30 November 2016]

* The present document is being issued without formal editing.



Contents

	<i>Page</i>
Introduction	3
1. General measures of implementation (Art. 4, 42, and 44, paragraph 6)	3
2. Definition of the Child (Article 1)	8
3. General principles (Art. 2, 3, 6 and 12 of the Convention)	9
4. Civil rights and freedoms	11
5. Family environment and alternative care	14
6. Basic health and welfare	19
7. Education, leisure and cultural activities (Art. 28, 29 and 31 of the Convention)	25
8. Special protection measures	26
9. Glossary	35

Introduction

1. By accepting the Convention on the Rights of the Child, Montenegro as a State party has undertaken the obligation in accordance with Article 44, paragraph 1.b of the Convention, to submit to the Committee on the Rights of the Child the second and third combined report of Montenegro, on the implementation of the Convention on the Rights of the Child, which has been made in accordance with applicable Guidelines specific for the agreement in terms of form and content of periodic reports submitted by States Parties, bearing in mind General Assembly resolution A/RES/68/268, of April, 9th 2014.
2. The report consists of three parts: The first part follows the implementation of the Convention and the Committee's recommendations resulting from the consideration of the initial report, the second part contains statistical and other data, and the third part contains adopted legal and strategic documents relevant to the rights of the child.
3. The Ministry of Labor and Social Welfare has coordinated the preparation of the Report. State authority bodies, as well as civil society organizations dealing with the protection of child's rights have participated in preparation of the report: the Ministry of Justice, the Ministry of Education, the Ministry of Health, the Ministry of Interior, the Ministry of Culture, the Ministry for Human and Minority Rights, the Office for Fight against Trafficking in Human Beings and NGO Center for the rights of the child. The report was adopted at the Government's session held in 2015. The whole civil society and the general public will be informed on the content of the report pursuant to Article 44, item 6 of the Convention.

1. General measures of implementation (Art. 4, 42, and 44, paragraph 6)

Legislative, strategic and other measures aimed at exercising the rights of the child in accordance with the Convention (Art. 4 and 41 of the Convention)

4. In Montenegro, there is an ongoing process of comprehensive social, political and economic reforms, which follows the adoption of numerous strategic documents, laws and ratifying international treaties. The Agreement on Stabilization and Association with the European Union (EU) was signed on October, 15th 2007 and entered into force on May, 1st 2010. Montenegro has opened, in a little more than three years, twenty chapters of which two have been provisionally closed, and there are several chapters ready for the imminent opening. During the previous period, Montenegro has intensively worked on the inner transformation and coming closer to the EU. Comprehensive reforms have been implemented in all social areas, both in the legislative area, and the establishment of new and strengthening existing institutions, strengthening of human resources and achieving specific measurable results. We have marked our further European path by strategic approach and key documents, and accordingly, together with the European Commission and Member States we are planning further dynamics in the process of accession.
5. Accordingly, it is necessary further harmonization of national legislation with the standards and legislation of EU, the provisions of the Convention and other international documents, and their full implementation with a view of exercising the rights of the child.

1.1 Recommendation 6 — Legislation

6. In the reporting period, Montenegro adopted the Law on Ratification of the Optional Protocol III on communication procedures to the Convention on the Rights of the Child on February, 28th 2012. In addition, these were confirmed: the Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, it was also ratified the International Convention on the Protection of All Persons

from Enforced Disappearance, the UN Convention on the Reduction of Statelessness, the Council of Europe Convention on Combating Trafficking in Human Beings (entered into force on November, 1st 2008); the European Convention on Extradition with additional protocols; the Convention on Cybercrime and the Additional Protocol to the Convention on cybercrime, concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems; the Council of Europe Convention on preventing and combating violence against women and domestic violence.

7. Within the International Labor Organization (ILO), Montenegro is a signatory of numerous conventions, emphasizing the ILO Convention no. 138 on the Minimum Age for Employment and ILO Convention no. 182 on the Worst Forms of Child Labor and recommendations of the ILO no. 190 on the Prohibition and Immediate Action for Elimination of the Worst Forms of Child Labor.

8. Montenegro adopted a series of laws and strategic documents in order to protect the rights of the child: Law on Social and Child Protection and (2013), Law on the Treatment of Juveniles in Criminal Proceedings (2012), Law on Protection from Domestic Violence (2010), Law on Prohibition of Discrimination (2010), Law on Prohibition of Discrimination against Persons with Disabilities (2015), Law on Amendments to the Criminal Code (2013), System Development Strategy of Social and Child Protection, the National Plan of Action for Children, Foster care Development Strategy, Domestic Violence Prevention Strategy etc.

9. Process of establishing a system based on the rule of law is still ongoing and it is characterized by constant improving of the knowledge of professionals for exercising the rights of the child.

1.2 Recommendation 8 — Coordination

10. The Government of Montenegro in 2013 adopted the Decision on termination of the Council's work ("Official Gazette of Montenegro", no. 25/2013) and its re-establishment by the Ministry of Labor and Social Welfare. The Ministry of Labor and Social Welfare in 2013 passed an act on the establishment of the Council for the Rights of the Child (hereinafter referred to as CRC), by which the jurisdiction of the Council was extended and clearly covered all activities related to the coordination of the implementation of the Convention and the Optional Protocols. The task of the CRC is: monitoring the implementation of the National Plan of Action for Children in the period 2013 – 2017, protecting and promoting the rights of the child within the areas of social and child protection, health care, education and other areas of importance to the protection of the rights and interests of the child, monitoring the implementation of regulations related to the protection of the rights of the child, monitoring Montenegro's fulfillment of obligations arising from the Convention on the Rights of the Child and other international documents related to the protection of the rights of the child, initiating adoption of regulations for improvement and protection of the rights of the child, promoting cooperation with local self-government in the process of implementation and protection of the rights of the child, enhancing cooperation with non-governmental organizations in the implementation and protection of the rights of the child, raising public awareness on the rights of the child and reporting on the status of the rights of the child.

11. Members of CRC are representatives of relevant Ministries, three representatives of civil society and a representative of the Child, by which is ensured the participation of children in the preparation and implementation of public policies related to their social status.

12. In order to support the Council, the Ministry of Labor and Social Welfare has established a Working Group for monitoring and preparing reports on the implementation of the National Plan of Action for Children which, inter alia, proposes topics that will be on the agenda of a sitting of the Council.

13. Cooperation between departments has been improved, but it is still working on the improvement of coordination in monitoring and implementation of the adopted policies. Coordination between the Ministries and consultation with civil society are mandatory and supported by the Decision of the Government.

1.3 Recommendation 10 — National plan of action for children

14. National Plan of Action for Children (hereinafter referred to as NPAC) is a strategic document which identifies the main problems in exercising, protecting and improving the rights of the child in Montenegro and contains the main directions of their resolution. In June 2013, the Government of Montenegro adopted NPAC for the period 2013-2017 which represents the continuation of a strategic approach to issues of importance to children, which had begun through the development and implementation of the National Plan of Action for Children in Montenegro for the period 2004-2010. By creating NPAC the Government of Montenegro seeks to find a systematic approach to address issues of social status of children, and fulfill its international obligations arising from the ratification of the UN Convention on the Rights of the Child, two Optional Protocols, signed Third Optional Protocol, as well as other signed and ratified international documents. The primary mission of NPAC is to ensure the integrity and coherence of the country's policy towards children, and coordinated implementation of actions and measures in all areas dealing with children. The structure of NPAC is in accordance with the structure of Recommendations to Montenegro by the UN Committee on the Rights of the Child (2010), so that the document has seven key thematic areas, each of which defines one strategic and several specific objectives.

1.4 Recommendation 12 — Independent monitoring

15. Law on the Protector of Human Rights and Freedoms was adopted in 2011, and the amendments were adopted in June 2014. Law shall stipulate that as the Protector of Human Rights and Freedoms (hereinafter referred to as Ombudsman) may be appointed a person with seven years of working experience in the field of human rights, and as the Deputy Protector (hereinafter referred to as Deputy) may be appointed a person with five years of working experience. In addition, it was regulated the question of functional immunity covering the Ombudsman, Deputy and Advisers. This Law stipulates that the Ombudsman shall have one or more Deputies. Decision about the number of Deputies of the Ombudsman shall be brought by the Parliament of Montenegro. The Deputy shall perform duties within the competency of the Ombudsman in accordance with the internal arrangements of tasks by which the specialization shall be provided, particularly for the protection from discrimination, for the protection of persons deprived of their liberty in order to prevent torture and other forms of cruel, inhuman or degrading treatment or punishment, protection and promotion of the rights of the child, protection of minority rights, the protection of the rights of persons with disabilities. In addition to the regular work on complaints, from the appointment onwards, the Deputy is active in various fields in the domain of children's rights, such as: the promotion of children's rights, direct work with children, organizing and conducting workshops, focus groups and discussions with children of different ages and specific needs, conducting research of various phenomena, the publication of manuals and reports etc.

16. There is an ongoing process of obtaining accreditation by the ICC for the Institution of Protector of Human Rights and Freedoms of Montenegro.

17. Human resources capacities of the Department for the promotion and protection of children's rights are strengthened by establishing full-time employment with two officials, so that the Department has a Deputy for the rights of the child and three advisers. According to the human resources planning, the fourth adviser is being expected to establish employment relationship by the end of the current year. Activities in the field of protection and promotion of children's rights are being financed from the overall budget of the Ombudsman in accordance with a pre-planned schedule of implementation of activities and through various donations, i.e. project activities in cooperation with international organizations.

18. Bearing in mind the Recommendations of the UN Committee on the Rights of the Child, the Ombudsman mainly focused his/her regular activities, as of 2011, on raising the level of children's participation, as well as increasing the availability of the Ombudsman Institution to all children with the involvement of children in the work of the Institutions.

1.5 Recommendation 14 — Allocation of resources

19. Financing activities aimed at the protection of children's rights is being done out of the resources of the state budget and budgets of local self-governments, international development projects, grants, in accordance with the Law on Games of Chance and other sources. The budgets of the Ministries in charge of the rights of the child for each year shall be determined by the Budget Law for the year. In practice, the uniformity has not been provided yet in the way of presenting data on the special allocations for children, which complicates monitoring and analyzing. Gradual increasing of the budget for exercising the rights of the child is being envisaged in the coming period in accordance with the Convention on the Rights of the Child, Optional Protocols and National Plan of Action for Children. NPAC envisages, as one of the measures, the improvement of budgetary funds allocation for exercising the rights of the child in order to have greater coverage of vulnerable groups of children, including Roma and Egyptian children and children with special educational needs. NPAC as the indicator for monitoring this measure, specifies that each line ministry involved in the implementation of the Convention on the Rights of the Child, Optional Protocols and NPAC, realizes for 5% greater coverage of vulnerable groups of children.

1.6 Recommendation 16 — Data collection

20. Data collection on children is carried out from a variety of sources, the Ministries have their own systems for data collection, depending on the jurisdiction. Data processing is of particular importance conducted by Statistical Office of Montenegro (MONSTAT) which is the competent body for development of official statistics. MONSTAT in cooperation with UNICEF, made the publication with a clear overview of data on children in Montenegro "Children in Montenegro — data from the census in 2011." During data collection, the Law on Protection of Personal Data is being applied, so that data on children are fully protected.

21. Within the Project "Reform of the social and child protection system — Social inclusion", which is funded by the European Union (IPA 2010) with the technical support of UNICEF, the Ministry of Labor and Social Welfare has developed a unique methodology of collecting data on children in the system of social and child protection. This methodology is harmonized with international standards as well as relevant national regulations. On the basis of developed methodology, software was made at the beginning of 2013 which was installed in all centers for social work and services at the local level, as well as in the Ministry of Labor and Social Welfare at the central level. This system of collecting data on children in the system of social and child protection has been in usage since January, 15th 2013.

22. Data on children who are in the education system of Montenegro are collected through the database in the ICT Department of the Ministry of Education. Database on children with special educational needs who are involved in educational system is conducted at the central level. However, the database has not been systematized yet in the right way, especially when it comes to children from marginalized groups.

23. MEIS application — school electronic internet register book — is envisaged only for teachers and it was implemented in all primary and secondary schools in Montenegro. Everyday control of data entry and data analysis has been performed. The system has about 9,000 beneficiaries who do data entry and use a number of reports from the system. It was also initiated the introduction of MEIS application in resource centers, preschools and music schools.

24. The project "Social Card — Social Welfare Information System" implemented by the Government of Montenegro in cooperation with the office of UNDP, as Phase I of the development of Integrated Information System of Social Welfare (IISW), in the period 2012-2014, was aimed at making Information System of Social (ISSW) which should support most business processes in the centers for social work, as well as to connect to the information systems of relevant institutions for automatic data exchange, i.e. to provide the basis for improvement of efficiency and effectiveness of financial support and to raise the

level and quality of services. This system enabled the creation of a unique “social card” of a citizen, i.e. families involved in the programs of social and child protection.

25. Database is established for the criminal records of minors. Indicators are integrated in JIS (Judicial Information System) and in database of the Ministry of Justice relating to the execution of criminal sanctions, so that the statistic data on the number of juveniles committing crimes, their age, the type of offenses and the amount and type of imposed sanctions, educational measures and juvenile prison.

1.7 Recommendation 18 — Dissemination and awareness-raising

26. Convention on the Rights of the Child has been studied through the subject Civic and Citizenship education, as well as the subject Social Studies, which is adapted to age groups (primary/secondary school). As a model of student participation in schools are formed children’s Parliaments (primary schools) and student communities (secondary schools).

27. Since 2012 the Parliament of Montenegro has been organizing the program of civic education of Democratic Workshop “Barbara Prammer” which is aimed at strengthening the relations between Parliament and young people, particularly primary school population and is committed to affirmation of children’s rights to participation and advocacy as significant social needs and values.

28. The Government of Montenegro has successfully implemented a series of campaigns aimed at promoting children’s rights, as follows: Campaign “We are talking about possibilities”, which led to systemic improvements in the education sector; Campaign “Every Child Needs a Family” aimed at raising public awareness of the importance of family for the child’s development, as well as the Council of Europe Campaign “One in Five” whose activities envisaged by the National Plan of Campaign are fully implemented.

29. Ombudsman’s Office within the project, “Address to the Ombudsman!” began with the implementation of Creative and educational workshops on children’s rights and competencies of the Ombudsman. Through the project “Children write to the Ombudsman” the first comic book on children’s rights was published which reflects full children’s participation in all stages of its development. Bureau for Education Services and the Institute for Textbooks and Educational Means of Montenegro accepted the inclusion of the comic book in the curriculum and the further distribution and printing of the comic book on children’s rights as an additional teaching aid within the subject Civic and Citizenship education (VI and VII grade of primary school). In this way, the children’s rights within the subject are represented in an interesting and accessible, understandable way to children.

1.8 Recommendation 20 — Training

30. In Montenegro there are specialized institutions for the training of human resources employed at the state authority bodies, namely: Human Resources Administration — Institution which implements and enforces the training of employees in the state administration and local self-government, Judicial Training Center, Institute for Social and Child Protection — in charge of education of professionals employed in the institutions of social and child protection and in the Bureau for Educational Services.

31. Judicial Training Center of Montenegro has carried out systematic trainings of all professional groups working with children. Trainings have been carried out for judges for juveniles, prosecutors for juveniles, police officers for juveniles, lawyers, i.e. professional services representatives of social and child protection system for the implementation of the Law on the treatment of juveniles in criminal proceedings.

32. In accordance with the Strategy for Development of Foster care in Montenegro, trainings of professionals and expert associates in the field of social and child protection have been carried out, both in the part of promotion of foster care as an alternative form of care for children without parental care, and in the part of recruiting interested families, family assessments, assessment of children, supervision trainings for this form of protection.

33. Bureau for Educational Services in cooperation with international and domestic organizations in the field of education has carried out trainings of teachers on different

topics: Inclusive education in primary and secondary schools, modernization of teaching; Interactive methods in teaching; Development of critical thinking; Skills of non-violent communication, planning and programming of educational work — Program for teachers in pupil's dormitories of secondary schools; Understanding of adolescents in the classroom — the role of teachers; Implementation of reforms in the general high school; Healthy Lifestyles; Training of teachers for teaching the subjects: the European Union and European integrations; Education of Roma: Achievements, possibilities and challenges in the future; Civic and Citizenship education; Effective communication in the classroom: Raising environmental awareness, etc.

34. Office for fight against trafficking in human beings has implemented a significant number of trainings aimed at strengthening the professional capacities of representatives of the judiciary, prosecution, police, health, social and educational workers, representatives of the inspection services, employees in the Shelter for foreigners and Center for asylum seekers, representatives of local self-governments, members of Army and other bodies within which the emphasis is placed on the identification and provision of adequate assistance and protection to victims of KD trafficking in human beings.

35. Police Directorate carries out trainings and specializations of officers for the suppression of crimes and offenses through the partnership cooperation with the Police Academy in Danilovgrad, the Human Resources Administration, the Ministries, the Supreme Court and international and nongovernmental organizations. Training are aimed at improving the level of knowledge and skills of police officers on the treatment of children/juveniles, achieving recommended standards and quality implementation of accepted commitments in order to respect and improve the status of children/juveniles.

1.9 Recommendation 22 — Cooperation with civil society

36. The Government of Montenegro adopted the Decree on the manner and procedure of achieving cooperation between state authority bodies and non-governmental organizations. This Decree stipulates the manner and procedure of achieving cooperation among the Ministries and other bodies of state administration and non-governmental organizations, as well as the criteria and procedure for the election of NGO representatives in working groups and other bodies established by the state administration. State authority bodies, during the drafting and adoption of acts of the annual work program (strategies and analyses of the situation in a particular area, drafts and proposals of laws, other regulations and by-laws governing the exercise of the rights and freedoms of citizens), provide consultation with non-governmental organizations through meetings (seminars, round tables, workshops, etc.) and written and electronic communication (submission of proposals, suggestions, comments, etc.). By the Decision of the Government of Montenegro is established the Council for Development of NGOs, as an advisory body to the Government, headed by the Minister. As an organizational unit of General Secretariat of the Government there is an Office for cooperation with non-governmental organizations. By the end of the year the Government is going to determine the draft Law on NGOs, which is in the process of harmonization. The draft of this law envisages on one hand a centralized programming, and on the other hand a decentralized distribution of funds for NGO projects. Significant resources for the implementation of NGO projects are allocated according to the Law on Games of Chance.

2. Definition of the Child (Article 1)

37. In accordance with Article 19, paragraph 1, item 6 of the Law on Social and Child Protection, it shall be stipulated that a child is a person of up to 18 years of age. Law on the Treatment of Juveniles in Criminal Proceedings under Article 2, defines as a child a person under the age of 14 years, while a person is a juvenile if at the time of commission of the offense he/she was over 14 and under 18 years of age. The said Law shall differ between the term younger juvenile (a person who over 14, and under 16 years of age) and older juvenile (a person over 16, and under 18 years of age). Law on Social and Child Protection is currently the only legal document in the Montenegrin legislation that specifically defines

as a child a person under 18 years of age (Article 19, paragraph 6). Draft Law on Amendments to the Family Law stipulates that a child is any person under 18 years of age.

3. General principles (Art. 2, 3, 6 and 12 of the Convention)

3.1 Recommendation 26 and 27 — Non-discrimination

38. Law on Amendments to the Law on Prohibition of Discrimination shall specify all known fundamentals for protection against discrimination, inter alia, the protection against discrimination based on age, which also includes protection against discrimination of children. Also, a special Article defines discrimination on the basis of age, which implies: “Preventing or restricting the exercise of the rights, or any other unreasonably differentiating or treating unequally the person or group of persons, based on age”. Law shall also include the discrimination in the field of education and vocational training, which includes the children at all levels of education. (‘Discrimination in this area implies: hindering or preventing the enrollment into the educational institution and the institution of higher education and the choice of educational program at all levels of education, expelling from these institutions, hindering or denying the possibility to attend classes and participate in other educational activities, classification of children, pupils, participants in education and students, abusing or otherwise unreasonably differentiating or treating unequally the person or group of persons, on the grounds of Article 2, paragraph 2 of this Law”).

39. Law on Gender Equality shall stipulate equal participation of women and men in all areas of public and private sector, equal status and equal possibilities for exercising all rights and freedoms and using personal knowledge and skills for the development of society, as well as exercising equal benefit from achieved results.

40. Law on Prohibition of Discrimination against Persons with Disabilities shall specifically regulate the area which refers to the category of persons with disabilities and establishes explicit prohibition of discrimination against these persons (persons who have long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers may hinder their full and effective participation in society on equal basis with the others).

41. General Law on Education under Article 9a which refers to the prohibition of discrimination shall stipulate that “physical, psychical and social violence; abuse and negligence of children and students; physical punishments and insults, i.e. sexual abuse of children and students or employees or any other form of discrimination is not allowed within the meaning of the Law”.

42. Law on Social and Child Protection shall stipulate the prohibition of discrimination of beneficiaries on the basis of race, sex, age, national belonging, social origin, sexual orientation, religion, political, trade union or other belonging, property status, culture, language, disability, nature of social exclusion, belonging to a particular social group or other personal characteristics (Article 7).

43. Law on the Treatment of Juveniles in Criminal Proceedings shall stipulate that throughout conducting of proceedings against a juvenile, inter alia, it should be taken into account the respect of his/her human rights and fundamental freedoms; the language that he/she understands, the usage of technology adapted to the age and level of development of a juvenile; the respect of the right to privacy of a juvenile in all stages of the proceedings; the avoidance of restrictions of personal liberty of juveniles; the promotion of implementation of alternative measures and the methods of treatment against juveniles; of prioritizing criminal sanctions which are not executed in institutional conditions; of giving special importance to training and specialization through a multidisciplinary approach and the institutional cooperation.

44. Adoption of special Law on Protection from Domestic Violence shall stipulate extended warranties for protection against domestic violence defining this socially unacceptable behavior as commission or omission by a family member in violating physical, psychological, sexual or economic integrity, mental health and peace of other family member, irrespective of where the incident of violence has occurred.

45. Also, Media Law establishes that the media shall protect the integrity and the right to privacy of juveniles. Any media programming that could endanger health, moral, intellectual, emotional and social development of a child shall be clearly and visibly marked as such and distributed in a way with the least possibility for a child to use it. Media are forbidden to publicise the identity of juveniles involved in a criminal offence, either in a capacity of a victim or a defendant (Article 22 of the Media Law).

46. Law on Internal Affairs — Police powers against a juvenile, as a rule shall be exercised in the presence of a parent or legal guardian and attorney (Article 30).

47. Education and promotion of anti-discriminatory behavior and practices, as an integral part of the Plan of implementation of anti-discrimination legislation are the continuing activities of the Ministry for Human and Minority Rights, and after the implementation of the Education Plan and Plan of promotion in 2011, 2012, 2013 and 2014, the implementation of Plan for 2015 is in progress, through the training of a greater number of those who are directly and/or indirectly involved in the implementation of anti-discrimination legislation and practice.

48. So far in education were included representatives of state authority bodies, offices of ombudsman, non-governmental organizations dealing with human rights, then, representatives of all regional units and police units and local self-government representatives who come into contact with cases of discrimination, as well as representatives of all courts for Misdemeanor in Montenegro, representatives of all inspections, and in this year there are representatives of the State Prosecutor's Office.

49. Media Campaign on Prohibition of Discrimination and promotion of anti-discriminatory behavior, in 2014, as a theme had: raising awareness of the general population towards discrimination, creating tolerant environment and sensitizing the public especially towards the most vulnerable social groups. Media campaign was conducted (which included the broadcasting of TV spots, radio commercials, advertisements in the print media and billboards, then distribution of leaflets through the circulation of daily newspapers), titled "I support, appreciate, protect, represent a MAN". Preparations are in progress for the implementation of a media campaign to raise awareness of the general population in relation to the discriminated social groups and categories for 2015.

3.2 Recommendation 29 — The best interest of the child

50. Law on Social and Child Protection shall stipulate that social and child protection is based on the principle of respect for the best interest of the beneficiary in exercising the rights to child protection (Article 7, paragraph 1, item 6).

51. Also, the Law on the Treatment of Juveniles in Criminal Proceedings as a fundamental principle stipulates respect of the best interests of a juvenile, which is reflected in the following: juvenile proceedings are urgent and all measures are taken urgently, without delay, and the bodies participating in the proceedings against a juvenile, other bodies and institutions of which information, reports or opinions are asked for, and all other subjects of proceedings against a juvenile, are obliged to act urgently so that the proceedings are completed as soon as possible. In practice, the prosecutor promotes the application of — alternative measures aimed at non-initiating the proceedings against a juvenile or to stay of proceedings, and influencing on the proper development of a juvenile and strengthening of his/her personal responsibility in order not to commit criminal offences in the future. Each juvenile shall be heard in the presence of a defense attorney who has acquired the specialist knowledge in the field of the rights of the child. Specialized persons exclusively work with juveniles, i.e. persons who have acquired special knowledge on the rights of the child, namely: authorized police officers, prosecutors, judges, lawyers, and representatives of professional services that provide professional advice, information and other professional assistance in the treatment of juveniles as participants in criminal proceedings. No one can be exempted from the duty to testify concerning circumstances necessary to evaluate mental development of a juvenile, understand his/her personality and conditions he/she lives in (Criminal Procedure Code of Montenegro). Criminal proceedings are conducted at the place where a juvenile resides regardless of where the criminal offence was committed. In proceedings conducted against juveniles, the public is excluded in order

to protect the interests of a juvenile as well as in proceedings where juveniles appear as victims, especially where juveniles are victims of criminal offences of sexual exploitation or abuse. The hearing takes place in premises which are specially and technically equipped for this purpose via audio-visual recording, and exceptionally as stipulated in Article 93, paragraph 6 of the Law on the Treatment of Juveniles when there are legitimate reasons, in case of juveniles, i.e. children as victims may be heard in their apartments or other premises, i.e. institution in which they reside, regardless of the technical equipment thereof. The hearing of a juvenile is carried out by the state prosecutor and the judge of the same gender as a juvenile in a special premise equipped with technical devices for audio visual recording, with the assistance of professionals if it is not contrary to the interests of the proceedings or a juvenile. The prosecutor may deny the right to a legal representative to attend the certain action in the proceedings, if such a decision is in the interest of protection of his/her personality. In addition, criminal offences committed against juveniles cannot be barred until a juvenile is 18 years old.

3.3 Recommendation 31 — Respect for the views of the child

52. Law on Social and Child Protection shall stipulate that access to social and child protection is based on the principles of informing the beneficiaries about all the data important for determining their social needs and exercising their rights, as well as how those needs can be met, an individual approach to the beneficiary in providing rights in the area of social and child protection, as well as the active participation of the beneficiaries in the creation, selection and use of the rights in the area of social and child protection, which are based on participation in the assessment of situation and needs, and decision making on the use of needed services. (Article 7, paragraph 1, items 3, 4 and 5).

53. One of the basic principles of the Law on the Treatment of Juveniles in Criminal Proceedings (Article 4, paragraph 6) is the right of juveniles to freely express their opinion. Respect for the views of the child refers to the right that an opinion of juveniles shall be taken into account in all matters directly concerning them. In the course of hearing, juveniles shall always be informed of their right to present a defense in the way they think would be best for them, juveniles are asked for an opinion, i.e. their opinion on the method of defense is respected, which is entered in the records of their hearing. In addition, juveniles have the right to choose a counsel whom they consider to protect their interests in the best way. The opinion of a juvenile particularly accentuates when the prosecutor determines that against a juvenile shall be imposed the alternative measure, because none of the alternative measures can be imposed without the explicit consent of a juvenile.

54. Students' parliaments have been established in primary and secondary schools, and at the level of four municipalities (Podgorica, Bar, Bijelo Polje and Cetinje) local children's parliaments are established, by which pupils can give comments, suggestions, and praise the work of the school; websites of school are created through which pupils are informed about the work of the school; setting of so-called "box of trust" is obligatory in schools through the project "School without violence — safe school environment".

4. Civil rights and freedoms

4.1 Recommendation 33 — Birth registration

55. Law on Amendments to the Law on Extra-Judicial Proceedings shall stipulate the procedure for determining the time and place of birth, in order to regulate the status of persons who are not entered in the civil registry book and persons born outside health care institutions. It is envisaged that this procedure is initiated by the proposal of a person who is not entered in the birth registry book or proposal of any person who has a direct legal interest, i.e. the guardianship authority. In order to facilitate the exercise of the rights, it is envisaged subject matter jurisdiction. Also, the provisions shall envisage that the first instance court delivers a final decision on the time and place of birth to the competent authority responsible for keeping the civil registry book within 8 days from validity, in order to enter the fact of birth in the birth registry book and stipulates that the proposer is exempted from paying taxes and other costs of the proceedings.

56. Law on Civil Registry Book shall stipulate that records of births, marriages, deaths and other legally defined data concerning or related to personal and family status of Montenegrin citizens incurred in Montenegro and other state, as well as citizens of other countries and stateless persons in Montenegro, shall be kept in the civil registry books (Registry of Births, Registry of Marriages and Registry of Deaths). Registry of Births shall contain:

1. the basic entries: data on birth — first name and last name, last name at birth and sex, day, month, year, hour and place and municipality of birth (for persons born in another country, also the city and the country of birth); the data on parents — first name and last name (also the mother's maiden name), date and place of birth, citizenship and the personal identification number (JMBG);

2. amendments, modifications and deletions of the basic entries: acknowledgement, determining or contesting paternity or maternity, retrospective conclusion of marriage between parents if the child was born before they had concluded marriage, adoption and cancellation of adoption, fostering and cancellation of fostering, prolonging and taking away or depriving and limiting and returning the parental rights, change of child's personal name and change of parent's, adoptive parent's or legal guardian's personal name, change of sex, change of citizenship, conclusion of marriage and divorce, cancellation and pronouncing marriage invalid, death and proclaiming a person dead, subsequent correction of errors and other changes concerning the data in question.

57. When it comes to entry into the Registry of Births, Article 19 of this Law shall stipulate that the birth of a child in a maternity ward or some other health care institution must be reported by that health institution, as a rule, electronically or in another appropriate manner. The birth of a child outside a health care institution must be reported by the father of the child, or mother if she is able to do so. If the father or the mother is not able to report the birth of the child, the person that delivered the baby or that was present during the delivery or the person in whose apartment the child was born shall be obliged to report the child's birth. In case when a child was born outside the maternity hospital or other health care institution, the certificate on child's birth issued by a medical doctor shall be submitted together with the notification. Birth of a child is reported within three days of birth. The birth of a stillborn child shall be reported within 24 hours after the birth of a stillborn child. If the notification, due to non-working days (weekends, holidays ...), cannot be submitted within three days, or within 24 hours, the notification shall be submitted the following working day. Article 21 of the Law stipulates that the registration of a child in the Registry of Births and determining the child's a personal name is carried out no later than 30 days after the day the child was born. Article 33 of this Law stipulates that the subsequent registration of births, after the expiry of 30 days shall be performed by an authorized official of the Ministry of Interior after completing the procedure of determining the facts in relation to birth and if the authorized official determines that there are no grounds for recording in the registry of births, he/she shall adopt the decision on declining the notification for registration.

58. Law on Social and Child Protection shall stipulate that the rights in the area of social and child protection, including the right to child allowance can be exercised by a Montenegrin citizen with the permanent place of residence at the territory of the country. The rights in the area of social and child protection established by this Law and international agreement can be exercised also by a person who has the status of a foreigner with a temporary residence permit or permanent residence in the country, in accordance with a special Law (Article 5).

4.2 Recommendation 35 — Torture and other cruel, inhuman or degrading treatment or punishment

59. The adoption and early implementation of the Law on the Treatment of Juveniles in Criminal Proceedings, avoiding and restricting of a juvenile's personal freedom, i.e. respecting of his/her human rights and fundamental freedoms is risen to the level of the basic principles of juvenile justice in Montenegro. Remand in custody as a measure of deprivation of liberty may be ordered only exceptionally by law prescribed conditions, while measures of temporary supervision and placement of juveniles whose numerous

modalities are listed in the Law represent the rule if there is a necessity for their determination. Also this Law explicitly stipulates the obligation that the judge for juveniles, i.e. the president of the council for juveniles who pronounced the criminal sanction, shall carry out the supervision and control over its execution, with prescribing that during the execution of the institutional measure or the penalty of juvenile imprisonment, special attention is paid to the health status of juveniles and especially in relation to health risks which are associated with deprivation of liberty. For the first time in Montenegro, in the area of Juvenile Justice System has been established a legal obligation of a judge for juveniles, who pronounced the institutional measure, that every six months he/she visits a juvenile placed in a juvenile ward or in an institution where the institutional measure is executed, and the report shall be submitted to the President of the Court thereof.

60. Adopted Law on Amendments to the Criminal Code at the normative plan amendments have been carried out in the part of criminalization of all forms of torture and other cruel, inhuman or degrading treatment or punishment of children, with special emphasis on the protection of children living in institutions of social and child protection and children deprived of liberty with the guarantee of submitting complaints to the treatment. Law on the Treatment of Juveniles in Criminal Proceedings shall stipulate that against a juvenile who is serving a sentence of juvenile imprisonment is forbidden to use coercive measures, except as an ultimate measure of self-defense or in cases when it is absolutely necessary to prevent an escape or physical resistance, immediate risk of self-injury, injury to others and causing greater material damage to property.

61. When it comes to children deprived of liberty, appeal mechanisms exist and they are regulated by the Law on Execution of Criminal Sanctions. If a juvenile considers that his/her right has been violated in terms of serving the sentence or that he/she has been inadequately treated, he/she has the right to appeal. The head of the organization is obliged to inform a juvenile who filed a complaint within eight days of the outcome of thereof. Also, against the decision of the head of the organization with which some rights have been violated or limited of the convicted person during the execution of prison sentence, he/she has the right to exercise the judicial protection in an administrative dispute. The control of the legality of the execution of prison sentence is carried out by the Ministry of Justice through an authorized officer.

62. Institution of the Protector of Human Rights and Freedoms prepared, in 2011, the Special Report of the Protector of Human Rights and Freedoms of Montenegro on the situation of human rights of children and young people with disabilities who are placed in the Public Institution (PI) Children's Home "Mladost" in Bijela and the Public Institution (PI) Center for Education and Training "1. jun" in Podgorica. Representatives of the Institution have continuously been visiting institutions where children and young people with intellectual disabilities are placed, conducting interviews with beneficiaries, employees and management of the institutions. The Protector in the report noted the existing situation of issues and made recommendations for improvement of the conditions for accommodation and care of children in accordance with the recommended standards, but there were no cases of any forms of torture, cruel, inhuman or degrading treatment.

63. The Institution of the Protector of Human Rights and Freedoms of Montenegro during 2013 began with the implementation of the project "Police and treatment of children" in order to achieve a higher level of respect for the rights of juveniles through prevention and improvement of conditions and treatment by representatives of Centers/Departments of security (police). On the basis of given results, the Protector formed the opinion and addressed certain recommendations to competent authorities in order to improve the situation in this area.

4.3 Recommendation 37 and 38 — Corporal punishment

64. At the normative plan, important steps have been made in terms of improving the legal and policy framework for the protection of children from violence. We especially emphasize the adoption of Law on Protection from Domestic Violence, Law on Social and Child Protection, improvement of criminal substantive and procedural legislative (notably in the part relating to juveniles victimized by the criminal offense, i.e. who are heard as witnesses in criminal proceedings which is regulated by the Law on the Treatment of

Juveniles in Criminal Proceedings), as well as the adoption of the Strategy on the Protection against Domestic Violence for the period 2012-2015, and the Protocol on the Treatment, Prevention and Protection against Domestic Violence which arose out of it. Draft Law on Amendments to the Family Law explicitly stipulates that a child shall not be subjected to corporal punishment or any other cruel, inhuman or degrading treatment. The prohibition refers to parents, foster parents and all the other persons who are taking care of a child or come into contact with the child. Parents are obliged to protect the child from corporal punishment or any other cruel, inhuman or degrading treatment.

65. Protocol on the Treatment, Prevention and Protection against Domestic Violence, concluded on November, 25th 2011, and the signatories were the Ministry of Justice, Supreme Court, Supreme Public Prosecutor's Office, the Ministry of Education, the Ministry of Health, the Ministry of Labor and Social Welfare, Police Directorate and Misdemeanor Panel of Montenegro. The aim of this Protocol is to promote the establishment of multi-disciplinary cooperation with clearly defined treatment by each element of the system, i.e. the operationalization of normative and strategic framework in practice.

66. Law on Social and Child Protection prescribes that in an institution or with other service provider, an employee shall be forbidden any form of violence against the child, physical, emotional and sexual abuse, the exploitation of the beneficiary, breach of trust or authority that he/she enjoys in relation to the beneficiary, negligence of beneficiaries and other treatments that threaten the health, dignity and development of the beneficiary.

67. Law on the Treatment of Juveniles in Criminal Proceedings establishes the possibility of application of disciplinary measures and their forms, as well as the application of coercive measures in the educational institution of institutional type, i.e. juvenile imprisonment and these measures are explicitly regulated by juvenile criminal legislation, and their closer arrangement must be defined by House rules as a type of secondary legislation. It is also explicitly stipulated that juveniles who consider that their certain rights have been violated, as well as other illegalities or irregularities have been made during the execution of an institutional measure or the sentence of juvenile imprisonment, has the right to complain in accordance with the Law on Execution of Criminal Sanctions.

68. General Law on Education under Article 9a stipulates that inside the institution shall not be allowed: physical, psychological and social violence, abuse and negligence of children and pupils; physical punishment and insulting the personality, i.e. sexual abuse of children and pupils or employees or any other form of discrimination within the meaning of the Law.

69. The Ministry of Justice in the period 2012-2014, implemented the project "Justice for Children", significant steps are taken in order to improve the work and treatment of juveniles who are in custody, i.e. who are pronounced some of the institutional criminal sanctions. Officers of the Institution for Execution of Criminal Sanctions (IECS) went through special training programs for work with juveniles. At the Institution for Execution of Criminal Sanctions conditions are provided for separation of juveniles who are ordered the measure of custody, i.e. the sentence of juvenile imprisonment from adults (only in situations when one juvenile is in custody or in prison, he/she is accommodated with adults with special treatment which is applied to him/her).

5. Family environment and alternative care

5.1 Recommendation 40 — Family environment

70. Adopting the new Law on Social and Child Protection, the commitments are implemented, which include, inter alia, encouraging the development of a variety of new services of social and child protection in the community and inclusion in the sphere of provision of services as many different actors. The Law shall stipulate prescribing the minimum standards for the provision of social and child protection services. The minimum standards ensure that services in the territory of Montenegro are provided and developed in

a balanced way. Standards are the basis for the introduction of a licensing system for service providers. Standards also give the incentive for improving the offer and quality of all services for users. The proposed solutions support and promote the family as the best framework of protection of vulnerable groups, and encourage the development of foster care, day care services, home help and other services of social and child protection. This Law shall group services in social and child protection by similarity, as: 1) services of assessment and planning; 2) services of support for independent living in the community; 3) counseling-therapy and social-educational services; 4) services of housing; 5) urgent intervention. Each of these groups has got listed specific services aimed at beneficiaries in accordance with the stated objectives of social protection. Services of social and child protection are provided temporarily, periodically or continuously, in accordance with the needs and the best interests of users. Activity in the field of social and child protection, in addition to public institutions may as well, in accordance with this law, provide an association, entrepreneur, company or natural person. Also, the Institute for Social and Child Protection has been established as an independent body of state administration with the task, inter alia, of licensing professionals. For the first time, the Social inspection is established whose main task is to control providers of social and child protection services. In the Ministry of Labor and Social Welfare has been established the Directorate for the development of services whose main task is to carry out the allocation of resources for the development of social and child protection services at the local level in cooperation with local self-governments.

5.2 Recommendation 42 — Children deprived of family environment

71. A child who has been deprived of a family environment is entitled to special protection and assistance of the state. This could include foster placement, adoption or, in exceptional cases, placement in an institution for the care of children.

72. Law on Social and Child Protection, defines the obligation of all who are involved in activities of child protection to make every effort to assist the child to remain in the family by providing family support, and if this is not possible or it is not in the best interest of the child, through the provision of family placement — foster care. The new Law stipulates that a child under three years of age shall not be placed in an institution, and that the placement of the child in an institution, shall be provided exclusively when all the other options are exhausted and it is going to be reviewed at least once every six months.

73. The types of family placement — foster care have been specified, which contributes to the development of extra-institutional services in Montenegro. Family placement — foster care is provided as: (1) standard accommodation; (2) accommodation with intensive or additional support; (3) emergency accommodation; (4) temporary accommodation; (5) other types of accommodation.

74. The challenge put ahead of us should principally be: strengthening the natural family, providing even greater support to the mother and the child and creating conditions for their greater social and financial independence. Further strengthening of foster care within the extended family has been continued, as well as the development of all types of foster care, with a special focus on children aged 0-3 years.

75. The Government of Montenegro adopted the Strategy for development of foster care in Montenegro, which covers the period 2012-2016, laying down the activities, responsible actors, timeframes and financial resources. Starting from the fact that the development of foster care in Montenegro is a part of the reform processes in the social and child protection system, as it relates to the protection of the rights of children and young people as the most vulnerable groups, this Strategy has the reform, innovative, modern, realistic, and participatory methodological approach.

76. In accordance with the Law on Social and Child Protection, the Rulebook was adopted on the detailed conditions for the provision and use of services of family placement — foster care and family placement. This Rulebook shall stipulate the detailed conditions for the provision and use of services of family placement-foster care and family placement, norms and minimum service standards, assessment of the suitability of persons for providing services, program and manner of conducting training, providing technical support,

as well as compensation for the costs of family placement — foster care and family placement and the remuneration for the service provider. Professional support includes: advising the beneficiary and the service provider; support of the service provider for joint planning and solving the beneficiary problems; the beneficiary involvement in recreational and cultural activities; group activities with children, i.e. young people; financial support to beneficiaries and providers of services etc. Professional support is provided at least every 50 days for the service of family placement — foster care, i.e. at least 100 days for the service of family placement.

77. Government of Montenegro in the period from September 2013 to March 2014, conducted a campaign “Every Child Needs a Family” in order to promote fundamental human right of any child to family life. The campaign was aimed at increasing the number of foster parents in Montenegro and thus reduce the number of children in institutions and to raise awareness about basic human need and right of every child to be brought up in a warm family environment. Significant results were achieved by continuous activities during and after the campaign. After the campaign, various activities were continued in order to develop the campaign, but with less media intensity. The most significant result of this campaign is the increase of the number of children placed in foster families, especially the number of children placed in non-kinship foster families. At the end of 2014, the number of children in non-kinship foster families increased by 200% (or 3, 2 times) compared to the period before the campaign.

78. Transformation plan for the Public Institution (PI) “Komanski most” was drawn up during 2011 and 2012 with the support of UNDP and UNICEF, which defines and implements the transformation of this institution. Children’s pavilion at the institution “Komanski most” was closed in mid 2014. All children were relocated from “Komanski most”. A moratorium on the admission of children to this institution was introduced in 2007. Therefore the children’s pavilion at the institution “Komanski most” was closed.

79. Transformation plan for the Public Institution (PI) Children’s Home “Mladost” in Bijela was adopted and its implementation began. The aim of the transformation of the institution is, in accordance with Article 117, paragraph 2 of the Law on Social and Child Protection, to expand activities of the institution, by development of the service for the support of family and community, which would result in higher quality of care for the greater number of children. In 2010, 313 children stayed in family placement — foster care and in 2014, 373 children visited aforesaid representing an increase of 19.17%. At the same time in PI Children’s Home “Mladost” in Bijela in 2010, 154 children stayed in, and in 2014, 94 children visited aforesaid representing a decrease of 38.94%. Listed data suggest that activities are being continuously conducted on reducing the number of children in institutions by supporting the biological family and the development of family placement-foster care as an alternative form of protection.

80. The Protocol on intersectoral cooperation in the prevention of child abandonment was signed in 2014 among the Ministry of Labor and Social Welfare, the Ministry of Education and the Ministry of Health. Strengthening of intersectoral cooperation in order to prevent the separation of children from their families is one of the key activities of the reform of social and child protection system in accordance with the policy of Government on deinstitutionalization.

5.3 Recommendation 44 — Adoption

81. Adoption is regulated by the Family Law. Duration of the procedure of child adoption is defined by its complexity. Adoption of children from vulnerable groups that are particularly difficult to adopt, including siblings, children with disabilities and children belonging to minorities, is being implemented for the time being mainly through inter-country adoption, bearing in mind that the majority of local adopters wants to adopt a healthy child as of younger age and from their own nationality.

- Montenegro has signed the Council of Europe Conventions:
 - European Convention on the Exercise of Children’s Rights.
- Montenegro has ratified:

- European Convention on the Adoption of Children — Revised, which entered into force on 01/10/2012.
- European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children, ratified on 18/01/2002 and entered into force on 06/06/2006.
- Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 29 May 1993, of 9 March 2012, and entered into force on 01 July 2012.

5.4 Recommendation 46 — Abuse and neglect

82. Law on Protection from Domestic Violence, the first specialized Law which regulates the area of domestic violence. This Law shall define domestic violence as “commission or omission by a family member in violating physical, psychological, sexual or economic integrity, mental health and peace of other family member, irrespective of where the incident of violence has occurred.” The Law shall regulate the protection of victims of violence in misdemeanor proceedings and stipulate five types of orders of protection as a misdemeanor sanction: 1) order of removal from place of residence or other premises (‘removal from residence’), 2) restraining order, 3) prohibition of harassment and stalking, 4) mandatory addiction treatment, 5) mandatory psycho-social therapy. The principle of urgency in proceedings relating to protection from violence has been anticipated. Article 4 stipulates that a victim of violence has the right to psycho-social support, legal aid, as well as social and care protection. Also, Article 5 stipulates that the police, misdemeanor body, public prosecution office, social work center or other social and child protection agency, health care institution and other agency or institution acting as care provider, have the duty to provide victim of violence with full and coordinated protection, within their respective powers and depending on the severity of violation. Furthermore, in the proceedings relating to security, authorities and institutions are obliged to act urgently, taking into account that the interest and welfare of the victim, especially if the victim is a child, an elderly person, a person with disabilities and a person who is not able to take care of himself/herself, a priority shall be given in these proceedings.

83. The Government of Montenegro adopted in June 2011, the Strategy for Protection against Domestic Violence, which includes: assessment of the situation and identify the key issues in social and other protection, as well as objectives and measures for the promotion of social and other protection, particularly regarding: raising the awareness of citizens about the problem of violence and forming attitudes about the unacceptability of violence; development of programs for the prevention of violence; support of the family in the prevention of violence; further development of the normative framework in the area of protection; strengthening cooperation among bodies, institutions, organizations and other legal and natural persons involved in protection; acquiring new knowledge and skills of all involved in protection; improving the system for collecting and analyzing data, and reporting on cases of violence.

84. The Ministry of Labor and Social Welfare, in partnership with UNICEF and UNHCR, in 2002 began the implementation of the Program of protection of children from abuse and neglect, aimed at improving the practice and delivering of high quality services to children who are victims of violence. Multi-disciplinary teams for the protection of children from abuse and neglect have been formed in eight social work centers in Montenegro within this Program. Decision of the Government of Montenegro, in accordance with the Law on Protection from Domestic Violence, the work of teams for the protection of children from abuse and neglect in 2012 was extended to protection against domestic violence. Professional teams were formed for the protection against domestic violence and violence against children in all social work centers. In that way the teams are integrated into the system and the necessity of their existence was defined. Namely, pursuant to the provisions of the Law on Protection from Domestic Violence under Art. 11 and 17, the necessity of forming a professional team has been established, which will be dealing with issues of protection of victims of domestic violence in the family.

85. During 2011, the Protocol on dealing with cases of domestic violence was drawn up, which was signed by all relevant institutions. Protocol signatories are: the Supreme Court, Ministry of Justice, Supreme State Prosecutor's Office, Ministry of Education and Sports, Ministry of Health, Ministry of Labor and Social Welfare, Police Directorate and Misdemeanor Panel. The aim of the Protocol is to establish and encourage the creation of multi-disciplinary cooperation with clearly elaborated dealings of each system. Protocol regulates joint work of all systems during the implementation of Laws and Conventions, and the obligation of taking the necessary measures to ensure that a sufficient number of specialized professionals who are dealing with the issue of domestic violence are organized, equipped and educated.

86. As one of the additional mechanisms in the current system of protection from violence, the Instructions on work of the multidisciplinary operational teams for protection of children and adults from violence has been drawn up, which offers clear guidelines and standards of their work, specifies deadlines for action, equalizes practice and closer clarifies the role of systems which have their own representatives in teams — many of which are essential: social and child protection, health, education, prosecution and police. The Instructions is completely harmonized with the Protocol on the Treatment, Prevention and Protection from Domestic Violence, and thus with the Law on Protection from Domestic Violence.

87. The Law on Amendments to the Law on Free Legal Aid has been adopted. The amendment to Article 13, paragraph 4 of the Law on free legal aid, victims of domestic violence are enabled to be recognized as privileged beneficiaries of the right to free legal aid. The right to free legal aid, in accordance with the Law on Free Legal Aid, shall have children who are victims of criminal offences of violence in the family or in a family community and trafficking in human beings.

88. The Rulebook on the implementation of a protective measure of mandatory psychosocial treatment of perpetrators of domestic violence was adopted. This protective measure is implemented in a health care institution, which is covered by the health institutions, which is located in the place of permanent residence, i.e. temporary residence of the perpetrator of domestic violence.

89. Article 219 of the Criminal Code stipulates that if a parent, adoptive parent, a guardian or any other person who by gross negligence of his/her duty to take care and bring up a juvenile he is obliged to take care of, neglects him/her shall be punished by an imprisonment sentence not exceeding 5 (five) years .

90. Within the project "Continuation of the reform of social and child protection," after implemented procedure, the Ministry of Labor and Social Welfare and the NGO SOS telephone for women and children victims of domestic violence Nikšić established free telephone line for support to victims of domestic violence.

91. Every year the campaign "16 days of activism combating violence against women", which officially began in November 2012, is conducted by the Ministry for Human and Minority Rights. The campaign is aimed at raising awareness about this problem and encouraging responsible authorities and the public to participate in the fight against violence.

92. The Ministry of Education is implementing programs of primary prevention against domestic violence for children and young people. Programs for the prevention of domestic violence for children and young people exposed to domestic violence are also being implemented in order to reduce the intergenerational transmission of domestic violence. The project "School without violence — safe school environment" has been implemented, with the aim to reduce and prevent violence among school children. Handbook for work, Brochure for parents and Questionnaire for the assessment of bullying have been made.

93. NGOs dealing with women's rights during 2014 implemented a series of projects aimed at raising awareness about the problem of domestic violence, both general and professional public.

94. During 2014 a series of studies on citizens' perceptions of violence were implemented in order to identify the tendencies in changes of opinion according to activities carried out in this field.

95. There are ongoing activities concerning the establishment of a unified database on victims of domestic violence within the project "Social Card — Social Welfare Information System".

96. During 2014, implementation of the project "Social Card — Social Welfare Information System" (ISSW) was completed, which has been operating from 01/01/2015. Information system has covered all business processes in the social work centers, and in addition to financial support, the information system carries out the conducting of cases (social services), business intelligence (reporting and statistics), monitoring and control, as well as conducting of workflows.

97. With the introduction of Social Welfare Information System" (ISSW) in the daily work of the centers, there was no need for further use of the software with which a database on child protection was formed. In the future, data on the protection of children will be received from the ISSW, and it is planned that the indicators are as well calculated automatically based on the data from the system and external data obtained from the competent institutions.

98. In cooperation with the Ministry of Justice and the Judicial Council, the improvement of the database on juvenile justice is being continued by establishing new indicators in accordance with international standards and practices. Database is established for the criminal records of juveniles. Indicators are integrated in JIS (Judicial Information System) and in the database of the Ministry of Justice relating to the execution of criminal sanctions, so that the statistic data are available on the number of juveniles as perpetrators of criminal offences, their age, the type of criminal offences and the amount and type of imposed sanctions and educational measures and juvenile imprisonment.

6. Basic health and welfare

6.1 Recommendation 48

99. Regular education is the imperative and the first choice in the system of education. In regular schools with special classes (7), joint education of children is conducted in particular subjects with their peers in regular classes, and pupils with disabilities who attend classes in regular classes receive the support of a defectologist. Special institutions are transformed into resource centers as the support of regular education for children with disabilities.

100. Bureau for Educational Services organizes the mobile services for assistance in regular education of children with special educational needs. The catalogue of accredited teacher training programs offers a variety of programs related to inclusion: both in the theoretical scope, and in relation to highly targeted and specific topics. Institute for textbooks and teaching aids edited a series of thematic handbooks, and all primary schools are distributed with handbooks: "Individual development-education program", "Difficulties in reading and writing," Handbook for the work with children in the process of writing, Handbook for the work with children with autism.

101. The campaign "We are talking about possibilities" was implemented by the Government of Montenegro, UNICEF and the Delegation of the European Union and it promoted the inclusion of children with disabilities into society. The research results showed that every other citizen learned something new about children with disabilities. Every fourth citizen changed his/her attitude towards the children with disabilities as a result of the campaign. The percentage of citizens who believe that children with disabilities are equally valuable members of society has increased by almost 20%. The Convention on the Rights of Persons with Disabilities is presented on the CD — audio format, enlarged text and sign language alphabet.

102. The project 'Inclusive Education Support Network' was implemented in cooperation with the UNICEF Office in Podgorica within which trainings of school management, pedagogical and psychological services, teachers' conferences and defectologists from 8 regular schools with special classes were being conducted. The resource (professional) team is formed in order to provide schools with instructive and advisory support.

103. The Ministry for Human and Minority Rights with partners from Civil Society and NGOs conducted a widespread media campaign on anti-discriminatory behavior (1,045 broadcasted video clips, newspaper adverts, leaflets, the promotional message related to people with disabilities as reads: "No one shall be at the margin").

104. Every system in Montenegro (educational, health care and social and child protection) keeps records on different indicators of children with disabilities. In the part relating to education through MEIS web application data from schools are recorded, based on several criteria: difficulties in the development, individual development and educational program (IDEP), the decision on orientation. Also, data are updated on the basis of Commission proposals for guiding children with special educational needs.

105. Social Card is introduced in the area of social and child protection, which also records all data on children with disabilities (the rights and services which they exercise, individual work plans).

106. The Government of Montenegro adopted the Strategy for Integration of Persons with Disabilities in Montenegro for the period 2008 to 2016. It covers the following areas: health care protection, social welfare and pension and disability insurance, education, vocational training and employment, accessibility, culture, sports and recreation, the position of organizations of persons with disabilities with measures and actions to improve the situation of persons with disabilities. In order to operationalize the implementation of the Strategy, three Action plans were adopted for its implementation over the period 2008-2009, 2010-2011 and 2012-2013.

107. In order to protect and promote the rights of persons with disabilities, the Council for care of persons with disabilities is established, as an expert advisory body of the Government. It consists of representatives of the Ministry of Education, the Ministry of Health, the Ministry of Justice, the Ministry of Sustainable Development and Tourism, the Ministry for Human and Minority Rights, the Ministry of Transport, the Ministry of Labor and Social Welfare, the Ministry of Finance, a representative of the Secretariat for Legislation and the Director of the Employment Agency and 5 representatives of NGO sectors dealing with the rights of persons with disabilities. The Council is chaired by the Minister of Labor and Social Welfare.

108. Through the Law on Social and Child Protection in order to overcome the difficulties, people with disabilities may exercise the rights to basic and other financial support from social and child protection and rights to certain services of social and child protection. The Law envisages services of support for community living, including activities which support the stay of beneficiaries in the family or the immediate environment. Services of support for community living are: daily stay, home care, supported housing, shelter, personal assistance, interpretation and translation to sign language and other support services for community living. The beneficiary, in accordance with this Law, is entitled to participate in the assessment of his/her situation and needs and in deciding whether to accept the service, as well as to receive timely all information which are needed to do this, including the description, purpose and benefits of proposed services as well as information on available alternative services and other information relevant to the provision of services. In the area of social and child protection, services intended for children with disabilities are: assessment and planning, support for community living (daily stay, home care, supported housing, shelter, personal assistance, interpretation and translation to sign language and other support services for community living); counseling-therapy and social-educational services, placement (beneficiary's stay in: family placement-foster care, an institution, in a shelter — shelter and other types of placement, such as a small group community); immediate interventions, other services. Children with disabilities use day care services at the local level in the following municipalities: Bijelo Polje, Nikšić,

Herceg Novi, Plav, Ulcinj, Cetinje, Berane, Podgorica. The activities are intensified on the opening of day centers in Bar and Budva.

109. Establishing the service of a small group home for children with severe intellectual disabilities in Bijelo Polje is in its final stage.

110. Specialization in child psychiatry has been approved in the health care system and speech pathologists, psychologists, social workers are employed at primary health care centers.

111. In 2011 the Institution of Ombudsman conducted a survey and promoted the publication "Guide for children with special educational needs", which contains the comparative legal analysis of international and national laws relating to the education of children with special educational needs, examples of good practices and helpful tips for children and parents.

6.2 Recommendation 50 — Health and health services

112. In the reform of the health care system chosen doctors are the agents of health care at the primary level and of the primary health care system-for adults (general practitioner), children (pediatrician), and women (gynaecologist) and thus enabling equal accessibility to health care services. Health care, at the primary level, is provided to children by chosen doctors for children (who can only be pediatricians). At the level of primary health care (in 18 primary health care centers, for 23 municipalities), 90 pediatricians and 138 nurses have been systemized (on average one team of chosen doctors for children to 1,600 children). Health care is provided for children in 7 centers for children with special needs where pediatricians, speech pathologists, defectologists, psychologists, physiotherapists and nurses have been working. Home care nurses are included in the provision of health care to children who are systematized on 267 workplaces at 18 primary health care centers. Legal framework for primary health care (PHC) has been revised by the new Law on Health Care and additional conditions for the further development of PHC have been created.

113. The existing legislation provides for every child the right to the enjoyment of the highest attainable standard of health care and to the means for treatment and rehabilitation, while respecting the principle of non-discrimination, best interests of the child and the right to life and development to the highest possible extent.

114. All children from 0 to 18 years of age have universal health care service (the right to complete health care service at the expense of the compulsory health care insurance).

115. The Ministry of Health in cooperation with health care institutions has been continuously working on the improvement of premises intended for children and specially taking care of equipment and hygiene of sanitary facilities.

116. Recommendations and Plan of Action have been developed for improving the quality of perinatal care based on analysis of Assessment of the safety and quality of hospital care for mothers and newborn babies in Montenegro, made by foreign consultants and national team of doctors, with the support of UNICEF. In order to improve the quality of health care, the National strategy for improving health care quality and safety of patients was adopted in 2012 with the Plan of Action 2012-2017. The Strategy has enabled to provide health care support for optimal psycho-physical development of each child.

117. The Ministry of Health has been intensively working on meeting Millennium Development Goals (MDG), four of which are directly related to children's health: eradication of extreme poverty and hunger, reducing child mortality, improving maternal health and combating HIV/AIDS, malaria and other diseases. The report for 2012 stated that the overall poverty rate increased from 6.6% in 2010 to 9.3% in 2011 with large variations across regions. Following the trend of movement of indicator values for the monitoring of indicators related to immunization coverage, we can expect reaching the set value until 2015.

118. According to the information of the Ministry of Health, there is no discrimination in the health care system in relation to any characteristic of the beneficiary. All health care

institutions in late 2010 appointed protectors of the rights of patients, who started their work in 2011. Total number of complaints in 2014 which referred to the Public Health Care Institutions in Montenegro is 963. Out of this number, 123 complaints were filed with the Ministry of Health, and 840 to the protectors of the rights of patients in health care institutions.

119. The Ministry of Health also participated in drafting the National Plan of Action for Children 2013-2017 (NPAC). Section 5 of this document health care protection and welfare and strategic objective 5: to provide health care support for optimal psycho-physical development of each child, defining the measures to be implemented in order to achieve better health care for children in our country. Nursing college in Berane is the postgraduate High School for Nurses who are studying health care.

120. In the area of access to public health care institutions for persons with disabilities in 2013, works were completed on the reconstruction and adaptation of the Polyclinic of the Clinical Center of Montenegro. An access ramp is made at the entrance to the building where Clinic for Neurology is located.

121. An elevator is installed in primary health care center Tivat.

122. Specialized rehabilitation, according to the Regulations on indications and method of use of medical rehabilitation in health care institutions dealing with specialized rehabilitation, is used as well in internationally recognized health care institution "Dr Simo Milošević" in Igalo.

123. The implementation of the third two-year agreement between the Ministry of Health and the World Health Organization is in progress, which is partly dedicated to social determinants of health and health care inequalities.

124. The Government of Montenegro in June 2013 adopted the Strategy for the conservation and improvement of reproductive and sexual health in Montenegro 2013-2020 with an Action Plan 2014-2015 in order to improve health care services relating to the quality of reproductive and sexual health. The Strategy is based on priorities, namely: protecting the health of mothers and newborns, malignant diseases of the reproductive organs, family planning including infertility treatment, prevention of spreading sexually transmitted infections including HIV, promoting sexual health and reproductive rights, continuous education in the field of reproductive health, as well as the role of NGOs. Representatives of NGOs who are authentic representatives of the Roma participated in its drafting. Clinical guidebooks in perinatal care, health care during child delivery, neonatal jaundice and routine post-natal care of woman and her baby were made. Gynecological health care for women, including period of pregnancy and after child delivery, is realized with 34 chosen doctor for women (gynecologists) with the assistance of 48 nurses/technicians.

125. Counseling centers for reproductive health have been established within the Center for Prevention in all primary health care centers. In addition to the adult population, work is carried out as well with a population of youth and adolescents in order to improve reproductive and sexual health. The programs are implemented by chosen gynecologists, pediatricians and physical therapists, through workshops, interactive lectures, conferences and exercises. In Counseling centers programs are regularly conducted on the topic:

- Protection against pregnancy and sexually transmitted diseases;
- Information related to pregnancy and childbirth;
- Promotion of healthy parenting through "School for pregnant women", which includes preparatory exercises for painless delivery;
- Breastfeeding as the best method of feeding babies;
- Care and hygiene of a mother and newborn;
- Tips for successful parenting and;
- Other programs providing women the basic knowledge needed during pregnancy and after childbirth.

126. Health and educational activities on the themes of reproductive health, including preventive activities regarding teenage pregnancies. Pregnant women who are at risk of leaving a child may obtain necessary information during the visit to chosen gynecologist or in counseling centers. Coverage of women at childbirth by health assistance is almost complete. The implementation of the third two-year agreements between the Ministry of Health and the World Health Organization is in progress.

127. Studies have been done in cooperation with UNICEF aimed at improving the safety and quality of hospital care for mothers and newborns and several guidebooks related to perinatal and postnatal health care were completed and distributed in order to raise awareness of health care workers on the prevention of early child abandonment, early development and growth (programs of deinstitutionalization for children under 3 years of age).

6.3 Recommendation 52 — Breastfeeding

128. The Government prepared a new Action Plan for nutrition and food safety in Montenegro for 2015-2016 which envisages the promotion of breastfeeding, the promotion of the Codex prohibiting advertising of breast milk substitutes, development of the guidebooks for providing hygienic preparation and storage of food for infants and breast milk substitutes. The Ministry of Health is undertaking activities aimed at adapting hospitals into “Baby Friendly Hospitals”. In General hospital (GH) Cetinje, the first breast milk bank in Montenegro was opened. The Ministry of Health in cooperation with UNICEF, is conducting campaigns to promote exclusive breastfeeding, and in cooperation with NGOs a guidebook on breastfeeding is written and published, which can be used by health care workers and mothers.

6.4 Recommendation 54 — Adolescent health

129. The Ministry of Health designed Youth-friendly health services in 2011.

130. Data on the number of abortions among teenage girls are not reliable because the Institute of Public Health of Montenegro keeps statistics on young girls aged 15-20. The subject “Healthy Lifestyles” is taught as an optional subject in the final grades of primary school and first grade of secondary school, and it also covers the reproductive health. Educational activity of adolescents takes place through preventive health care programs within the counseling center for adolescents and young people and the counseling center for reproductive health which are organized within primary health care centers. Through the work of aforesaid counseling centers, the activities of the Government’s strategy and programs are implemented in order to protect and improve the health of children and young people. Counseling centers for adolescents and young people were formed in 2009 and since 2010 they have been working at full capacity in all 18 primary health care centers in Montenegro. According to the adopted standards and unified methodology, programs based on health promotion and disease prevention are implemented through topics of particular interest to this population.

131. Cooperation between health care institutions and NGOs takes place through joint projects to support vulnerable groups (children with disabilities, children at risk of substance abuse, victims of child abuse and neglect, Roma etc.) in order to promote the prevention of HIV/AIDS and other blood and sexually transmitted diseases. In the work of the National Commission for HIV/AIDS and the National Coordination Body for projects supported by the Global Fund to Fight HIV, TB and malaria, through the Ministry of Health, several NGOs are included. A number of NGOs participated in educational projects on the communication mode of health care workers with children with disabilities and their parents, as well as in research. NGOs with the support of UNICEF organized training for: pediatricians, psychologists, defectologists, physiotherapists, occupational therapists and pedagogues from the primary health care center, unit of the Centre for children with disabilities, day care center and schools to identify interference/disability and adequately informing parents about interferences/disabilities. The training of health care workers was conducted on testing children and development of individual plans and programs on the basis of which the individual work with children and youth with disabilities was organized.

132. Special attention is paid to mental health of children and young people as an important component of overall health. The Law on Amendments to the Law on Protection and Exercise of the Rights of Mentally ill Persons was adopted (2013). The Ministry of Health, in cooperation with the EU Delegation in Montenegro, implemented the project “Strengthening capacities in the field of mental health in Montenegro”, during which the education of health care workers providing services of mental health was carried out. In accordance with the Action Plan for the Promotion of Mental Health in Montenegro 2011-2014, the European School Survey Project on Alcohol and other Drugs (ESPAD) was conducted among secondary school pupils (under 16 years of age) in 2008 and 2011, and started in 2015. The Government adopted a new Action Plan for the year 2015-2016 which envisages activities on promotion of mental health, and in the Special Psychiatric Hospital in Kotor (Dobrota) was founded the Center for promotion of mental health and international cooperation. In order to systematically approach the problem of alcohol and drug abuse, inter alia, by the children, the Government of Montenegro at the proposal of MH adopted two national strategies: National Strategy for the prevention of harmful alcohol use and alcohol-related disorders in Montenegro 2013-2020 and the Strategy of Montenegro for Prevention of Drug Abuse 2013-2020. In the counseling centers for young people, smoking cessation program is actively being conducted, as well as other health and educational programs /topics: health, promotion and preservation of health, the responsibility for health, healthy lifestyles, violence as a risk factor for health, human rights, children’s rights, nutrition and health, substance abuse, sexuality and young people, free time etc. Programs are conducted by a team made up of a chosen medical doctor-pediatrician and a nurse.

133. Through the games of chance, the state allocates significant funds for NGOs and health care institutions in order to solve the phenomenon of the use of drug, alcohol and tobacco among children.

6.5 Recommendation 56 — HIV/AIDS

134. The Government adopted a new National strategic response to HIV/AIDS 2015-2020, which is a continuation of the previous two strategies and which defines the political framework in the fight against this and other sexually transmitted diseases. In all strategies prevention activities are defined, which include the health education and raising the level of knowledge about HIV/AIDS among vulnerable groups. The goal of the National Strategy is to maintain the status of a country with a low prevalence of HIV/AIDS infection.

135. Counseling centers for voluntary confidential testing (VCT) on HIV/AIDS are established, which form a network of counseling centers in the territory of the country (there are eight). Testing in counseling centers in the past few years significantly improved, which contributes to greater confidence in their work, expressed through the increase number of interested parties. GLOBAL Fund has financed the activities of representatives of the NGO sector in raising awareness on HIV/AIDS, especially among Roma girls.

6.6 Recommendation 58 — Standard of living

136. The Government of Montenegro in the process of taking the necessary actions to improve the social and economic situation of citizens, especially people who are in need of services and support in the field of social and child protection, adopted a Strategy for social and child protection development, for the period 2013-2017. The social and child protection system will be developed through the following strategic directions: defining development policies for social and child protection associated with other systems and activities in society and harmonized with international regulations and standards, aimed at preventing social problems, decentralization of social and child protection system, participation of citizens and beneficiaries in decision-making on ways and means to meet the needs, more efficient financial support in the social and child protection and the provision of quality services in the social and child protection.

137. Law on Social and Child Protection stipulates the basic material support in social protection: financial support; personal disability allowance; care and support allowance; health protection; funeral costs; one-off financial assistance, as well as the basic material support of children protection, namely: benefit for a newborn child; child allowance; costs of nutrition in preschool institutions; assistance for upbringing and education of children

and young people with special educational needs; reimbursement of salary compensation and salary compensation for maternity or parental leave; the maternity leave pay; reimbursement of salary compensation and salary compensation for half-time work. The state may also provide other material support from the child protection system, in accordance with financial possibilities. The right to one-off financial assistance under the aforesaid law may accomplish an individual, i.e. family due to specific circumstances affecting their housing, financial and health status.

138. Law on Social Housing stipulates that social housing shall be provided for individuals or households who cannot resolve the issue of housing due to the social, economic and other reasons. The right to social housing may achieve natural persons who do not have the house, i.e. other housing facility, or persons whose residential building is not of an appropriate standard and whose income is insufficient to provide housing facility. Priority in exercising rights to social housing, in accordance with this Law, in particular have: single parents, i.e. legal guardians, persons with disabilities, persons over 67 years of age, young people who were children without parental care, families with children with disabilities, members of the Roma and Egyptian (RE population), IDPs, internally displaced persons from Kosovo residing in Montenegro, a foreigner with permanent or temporary residence who had a recognized status of a displaced person and internally displaced person and victims of domestic violence. Construction of housing units in Konik — IPA project officially started on 08/09/2014. During the first phase 51 housing units will be built out of 90, as it was planned. In order to create better conditions for residents of Konik camp, the European Commission has allocated funds amounting to € 52,000.00 for the construction of a multipurpose center (project offices, space for working with children and youth). The deadline for the construction of a multipurpose center was in March 2015. Within the Regional housing program began the construction of 62 housing units in Nikšić. The construction of 120 housing units is envisaged at Konik Camp. The third project within the Regional Housing Program is a “Project of construction of the Home for the elderly” in Pljevlja. The Project of construction of 94 flats in Berane was approved by the Assembly of Donors in November.

7. Education, leisure and cultural activities (Art. 28, 29 and 31 of the Convention)

7.1 Recommendation 60

139. National Council for Education determined the changes of the subject curricula for primary and high school. In order to fully implement in primary schools defined objectives and orient towards active teaching methods is realized the counseling for teachers (1014 teachers covered). We did the instructions in order to achieve the anticipated results.

140. Education in Montenegro is free of charge in a way that there are no fees involved. The Constitution and the Law on General and the Law on Primary Education stipulate that the primary education is compulsory for all children from the age of 6 to 15.

141. RE children are included in regular preschool educational activities. In addition, the activities of preparatory kindergartens are realized. The target group are the children of RE communities that are eligible for enrollment in primary school, the school year 2013/2014 and which were not covered by any system form or educational program. There was a training organized by the Bureau for Educational Services on the basis of the Plan and program for preparatory kindergarten and the accompanying Handbook. Bureau for Educational Services for the implementation of preparatory kindergartens supported the engagement RE mediators. The Ministry of Education from the school year 2008/2009 has realized the activities of involving these children in six primary schools. Every year free textbooks and transportation are provided.

142. Children at risk of school leaving are regularly monitored, measures to overcome the problems are proposed, families visit and have direct contact with them (teachers, professional assistants of city schools). The form of children at risk of school leaving is completed and thus the records by head teachers, and are summed by school coordinators for education of RE pupils (pedagogues/psychologists). At the regular monthly meetings of

the school coordinators, representatives of the Ministry of Education, Bureau for Educational Services, local partners (Centre for Social Welfare, Red Cross of Montenegro) are analyzed internal school activities in this direction, and/or are proposed the measures in cooperation with partners. Six RE mediators shall ensure that children regularly attend the school, collaborate with teachers and professional services in schools for the purpose of their success.

143. Through MEIS (Montenegrin Education Information System), the data for each employee and each pupil are collected throughout the entire education system to higher education. Each school employee shall be trained to use MEIS application in the field of his/her responsibility. It is created the portal for grades through which parents can have insight into the grades, absences, behavior, etc. of their children. There are currently 9.000 operators and around 100.000 users of this information system.

144. Within the subject Healthy Lifestyles are treated the topics related to prevention of violence, abuse of psycho-active substances, acquiring skills of non-violent conflict resolving etc. Program School Without Violence is predominantly focused on the prevention of bullying. In cooperation with the United Nations Office of Drugs and Crime — UNODC it was implemented the project “Prevention of drug abuse, HIV/AIDS and crime among young persons through the programs of family skills” in order to be continued through the “Program of strengthening families” in 10 schools. The General Law on Education, Article 9b prescribes School mediation. The first generation of school mediators was trained in 2008/2009, then 2010/2011 and then in 2013.

145. Preschool education includes children up to the age of 6 (i.e. up to the beginning of the primary school). Preschool education in Montenegro is implemented in preschool institutions (PI), which can be state (public) and private. In Montenegro in the school year 2014/2015 there were 21 public preschool institutions, with a network of 103 educational units, within which are organized 515 educational groups. Private preschool institutions (14 licensed) comprise about 3% of the total number of children and implement programs as public preschool institutions.

146. UNICEF and the Ministry of Education conducted a research-Study on investment in early education of children in Montenegro with the aim of increasing the coverage of children by early learning. Based on the study and additional Analysis, in order to achieve universal coverage it is recommended the introduction of preparatory preschool program (PPP) which lasts three hours. Pilot project “Interactive services for early and preschool education” is implemented in three municipalities. It was implemented a campaign to raise awareness of parents and the wider community, particularly in the north of Montenegro, in order to increase the coverage of children in preschool education.

8. Special protection measures

8.1 Recommendation 62 — Children asylum seekers and children refugees / displaced persons

147. Law on Asylum prescribes the principles, conditions and procedures for granting asylum, the recognizing of refugee status and approval of additional and temporary protection, the authorities responsible for decision-making, rights and obligations of asylum seekers, who are recognized as refugees and granted additional or temporary protection, and the reasons for termination and revocation of refugee status and additional protection and termination of temporary protection in Montenegro.

148. Upon submitted applications for asylum, Directorate for asylum carries out the procedure and makes decisions, a separate organizational unit of the Ministry of Interior of Montenegro. The procedure on appeals lodged against first-instance decisions is conducted by the State Commission for the resolution of appeals for asylum. Since the implementation of the law as of 10/09/2015 9.216 applications for asylum in Montenegro were submitted. Refugee status received seven people, while seven persons also received additional protection. Currently 8 persons are residing in Montenegro, 3 with recognized refugee status and five persons with approved additional protection.

149. The care of persons from the asylum system includes the provision of accommodation and adequate standard of living and help in the realization of the right to education, health care, social protection, employment etc. From February, 20th 2014 began to work newly built Center for accommodation of asylum seekers. Officials of the Centre (psychologist, social workers and medical personnel) are trained to work with members of vulnerable groups. Continuous trainings of the officers of the Centre are carried out, in order to work efficiently in the field of reception conditions with particular emphasis on vulnerable groups, and the provision of reception conditions adequate to the needs of vulnerable groups. It is important to note that to unaccompanied juveniles is assigned a guardian by the competent Center for Social Work. Until now it was 1 case of birth of the child in Montenegro.

150. The adoption of the new Law on Asylum is planned for the fourth quarter of 2015 and for this purpose was formed Interagency Working Group for the drafting new law, regulations as well as making Analysis the impact of the new law on administrative and technical capacity of the relevant authorities involved in the asylum system.

151. Government of Montenegro seeks to regulate for legal status all persons, including the children. The Ministry of Interior issued a public call to persons residing in Montenegro and have no access to citizenship of any country or cannot prove they have it, to contact the nearest unit of the Ministry in order to provide data. To the public call responded and completed the questionnaires total of 486 persons. Following the public call, it was made the analysis and was found that of the total number of 486 persons most persons who at the time of the public call had the status of internally displaced persons are from Kosovo in Montenegro (240 persons), while 221 person has no registered residence in Montenegro. Also, 5 persons at the time of the public call had the status of displaced persons from Bosnia and Herzegovina or the Croatian, 13 persons registered permanent residence, while 7 persons still have the temporary residence.

152. Memorandum of Cooperation between the Ministry of Interior, Ministry of Labor and Social Welfare and UNHCR was signed in Podgorica on March, 6th 2014 and contains set of measures and activities to be undertaken in order to finally resolve the legal status of displaced persons and internally displaced persons in Montenegro. In order to monitor implementation of the measures and activities referred to in Article 1 of the Memorandum Operational Team was created in which the Contracting Parties delegated their representatives. As the result of cooperation the Ministry of Interior of Montenegro, Ministry of Interior of Kosovo, UNHCR and the NGO "Legal Center" helped intensively refugees from Kosovo to regulate the legal status in Montenegro in 2014. Through the processes of identification and verification before biometric mobile teams in the field passed a total of 1.500 persons, of which a considerable number upon obtaining basic documents submitted the application for obtaining the status of foreigners in Montenegro. Mobile teams of the Ministry of Interior of Kosovo interviewed 1.000 IDPs, prepared and delivered 477 birth certificates, 84 identity cards and 157 passports. Ministry of Interior of Montenegro adopted the decision to allow the submission of applications for obtaining legal status of DP and IDP persons residing in Montenegro solely on the basis of legitimation. If these persons subsequently obtain and submit an ID card of the state of origin, they shall, in accordance with the Law on foreigners get temporary residence up to 3 years. If they obtain travel document of state of origin they will exercise their right — the legal status of foreigners with permanent residence in Montenegro.

8.2 Recommendations 64 and 66 — Economic exploitation including child labor and children in street situations

153. Montenegro has made progress in resolving the worst forms of child labor, through amendments to the Criminal Code and Labor Law. Also, Montenegro has concluded for the first time the Decent Work Program (DWP), where the parties in the Program are MLSW, representative social partners and the ILO. DWP identifies strategic priorities and outcomes to be achieved during the period 2015-2017 by joint activities of the Government of Montenegro and the social partners, on the one hand, and the ILO, on the other. Its goal is to promote decent work through coordinated policy approach that is implemented through a series of priorities and outcomes. This DWP takes into account the priorities of the

constituents of the ILO, identified in the consultation held with them. In relation to that, DWP is planned ratification of the relevant conventions within the stipulated period (CO 171 on the night work) and will also be analyzed the activities related to implementation of the Convention 182 on the worst forms of child labor and drafting a list of the worst forms of the child labor. The priority was also given to activities on formalizing the informal economy where the part has child labor.

154. Montenegro regularly reports to the ILO on the implementation of ratified Conventions, including Convention 138 and 182. Labor Law stipulates “An employment contract can be concluded with the person younger than 18 years of age with written consent of parents, adopter or guardian, provided that such work does not endanger his/her health, moral and education, i.e. if such work is not prohibited by law” and “based on the findings of the competent medical authority which determines his/her ability to perform activities for which the employment contract is concluded and if such activities are not harmful for his/her health “. It also prescribes the minimum age of at least 15 years of age, as general condition for concluding the employment contract. Labor inspection, which operates within the Administration for Inspection Affairs, has no particularly determined labor inspectors who monitor child labor. During the inspection supervision within its regular activities during 2014, as well as increased inspection supervision during the summer tourist season (from May, 15th until September, 12th 2014) the labor inspection recorded 11 cases of labor engagement of children in informal work, of which 5 males and 6 females, aged 15-18.

155. Inspectors have taken measures within its competence in a way that the employers are sanctioned with the fines prescribed by the Labor Law, because of non-conclusion of employment contracts with them and ordered the obtaining of necessary documents, in order to meet legal requirements for the work of these persons. There were 11 fines by misdemeanor warrant on the spot, usually in the amount of 200 euros, and there were fines of 530 euros for legal and responsible person within the subject of inspection pursuant to the penal provisions of the Labor Law. It should be noted that children are not found on difficult and dangerous jobs, nor are recorded cases that could be treated as the worst forms of labor engagement of children in any activity, but these are the jobs of the seller or auxiliary workers in commercial facility, points of sale and stalls for the sale of fruit, toys, jewelry, ice creams. It should also be mentioned the Montenegrin tradition to protect children from hard work, and even from easier work, while they are regularly educated, particularly until the age of maturity.

156. As for children under the age of 15, there were not officially such cases, because in our legislation are not foreseen sanctions for the work of children of this age. However, in the field sporadically occurs a case, mainly in the commercial business facilities located within residential building of entrepreneur, i.e. or person engaged in certain business activities and these children are members of their family household (usually in the facility they shortly stay helping their parents). In such cases, labor inspectors warned that in the premises children under the age of 15 cannot have labor engagement, which is followed by controlled entities and the children immediately move away.

8.3 Recommendation 65 — Children in street situations

157. To increase the resistance of RE children which we recognized as particularly vulnerable population in relation to human trafficking, continuously are conducted peer education on trafficking in persons/children with the focus on the problem of the worst forms of child labor and the conclusion of prohibited marriages.

158. Amendments to the Criminal Code it was amended the Article 444 in the part of introduction of “the conclusion of prohibited marriage” as the form of execution of this CO (criminal offense), thus reducing the possibility of the existence of elements of CO Trafficking in persons and for the conclusion of arranged marriages among RE population.

159. Ministry of Interior — Police Directorate continuously carries out the actions Beggar and Trafficking in all cities of Montenegro. At the end of December 2014 Police Directorate — Security Center Podgorica formed Team for support the RE population,

whose actions are aimed at suppressing the conclusion of arranged early marriages and begging.

8.4 Recommendation 66

160. Children found begging, committing criminal offences or in the condition of social need are provided with accommodation in the Shelter of PI Center for children and youth “Ljubović”, the only institution of social and child protection, which provides accommodation for children with behavioral problems. The Shelter within the Center is organized as hotline that takes care of children and youth in condition of social need. Staying in the shelter is short, no longer than 30 days, and all juveniles from the Shelter are returned to their families. It is important to note that these children are not considered nor treated as offenders.

161. During the child’s stay in the Center it is conducted multidisciplinary and highly individualized approach, which is focused on the child and based on the rights of children, nurturing family integrity and the integrity of the child in the local community.

162. Center for Social Work, within its competence, apart from placing children in the Shelter of Center “Ljubović” files misdemeanor charges against the parents of juveniles found begging, on suspicion of child neglect in accordance with the Law on Protection from Domestic Violence. Also, the professionals from the center for social work provide parents with appropriate forms of assistance and support and take necessary measures to protect the rights and best interests of the child.

163. According to the evaluations of professional workers, whenever conditions exist, children stay with their families, which proved to be efficient, because the family is an important partner, not only in the success of the treatment, but also as the most important factor of postinstitutional treatment. The signing of the Memorandum of cooperation between PHI Primary Health Care Center Podgorica and PI Center “Ljubović” Podgorica, it is provided the professional and advisory support of psychiatrist, both for children and their parents, in order to establish functional family relationships and prevent re-abandonment of the family. In cooperation with the Ministry of Education and with the consent of the parents and the relevant centers for social work, the procedures for direction into the appropriate educational program of children who are accommodated in this institution are initiated, in order to prevent school leaving and provide individualized support in education. The direction process for these children is of great importance, because they have the appropriate professional support, according to the individual plan of support, both in schools and in institution of social and child protection. The research on child begging in Montenegro, conducted by the Institution of the Ombudsman, among other things, indicated that children who live and work on the street and are engaged in begging, are often victims of sexual exploitation and abuse, and thus are at risk of becoming victims of human trafficking. This information encouraged the Institution of Ombudsman to actively participate in the implementation of the project relating to the Protection of children from sexual exploitation, whose implementation started at the end of 2011.

164. Children living on the street are not considered or treated as offenders. Criminal legislation of Montenegro does not prescribe criminal offenses which would treat children living on the street as offenders, nor they can be considered criminally or misdemeanorly responsible.

8.5 Recommendation 68 — Sexual exploitation and abuse

165. Montenegro signed the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) on 18/06/2009, ratified on 25/11/2010 and the date of entry into force was 01/03/2011.

166. The Government of Montenegro in February 2014 adopted the Report on the Implementation of the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. Creating this report approached the fulfillment of international obligations arising from the ratification of this Convention (reporting obligation). The content of the Report is the response to the questionnaires, on questions related to sexual abuse and sexual exploitation of children, i.e. the way in which this area is

regulated in the legal system of Montenegro, the results of the application of regulations, strategic documents, etc., as well as future activities that will contribute further harmonization with the provisions of the Convention.

167. Implementation of the Council of Europe Campaign to stop sexual violence against children known as “One in Five” in Montenegro commenced in February 2012. The campaign aims to raise awareness of the actual extent of sexual violence against children and the ways to fight against this problem. In March 2012 it was constituted the National Team of Campaign “One in Five”. National Plan of activities of “Campaign One in Five” was adopted in April 2012. All the activities envisaged in the National Plan are regularly implemented.

168. Criminal offenses regulating the protection of children from sexual abuse and sexual exploitation are provided in Chapter XVIII of the Criminal Code, which includes a group of criminal offenses against sexual freedom as follows: Rape (Article 204), Sexual intercourse with a helpless person (Article 205), Sexual intercourse with a child (Article 206), Sexual intercourse by abuse of position (Article 207), Prohibited sexual acts (Article 208), Pimping and enable having a sexual intercourse (Article 209), Mediation in prostitution (Article 210), Child pornography (Article 211), Instigating juvenile to attend the commission of criminal offenses against sexual freedom (Article 211a) and Enticement of child for the purpose of committing criminal offenses against sexual freedom (Article 211b). Child age plays very important role when it comes to the criminal offenses relating to sexual abuse of children and in those cases it concerns qualified forms of criminal offenses. Also, when it comes to sentencing the perpetrator of such criminal offenses, the court, in accordance with the rules of the sentencing takes into account all the circumstances that affect the weighing up of penalties, especially the motives for the offense, to whom the criminal offense was committed, his/her attitude towards the victim etc. Amendments to the Criminal Code in 2013 introduced new type of criminal offense mediation in prostitution (Article 210). It is incriminated the use of sexual services of a juvenile (paragraph 3). This new form is related mainly to the situation of use of sexual services of juveniles (persons from fourteen to eighteen years of age), because if it was a child (a person under the age of 14, who is also covered by the term “juvenile”), there would be, as a rule, serious criminal offense under Article 206 or Article 208 of the Criminal Code. Also, it was amended the criminal offense of displaying pornographic material to children and the production and possession of child pornography (Article 211) in accordance with relevant international standards, all in order to achieve greater protection of children. In the Criminal Code was introduced new criminal offense of enticement of a child for the purpose of committing criminal offenses against sexual freedom (Article 211b). The reason for the introduction of this criminal offense is the obligation of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Article 23 of the Convention — enticement of children for sexual purposes). For all criminal offenses that regulate the protection of children against sexual abuse and sexual exploitation in accordance with the Convention, the Criminal Code stipulates the imprisonment.

169. The right to free legal aid in accordance with the Law on Free Legal Aid have the children who are victims of criminal offense of violence in the family or family community and human trafficking.

170. According to Constitution of Montenegro, human life is inviolable. It guarantees the dignity and security of the person and prohibits all forms of trafficking in persons, i.e. children. Criminal offenses regulating the protection of children from sexual abuse and sexual exploitation are stipulated in Chapter XVIII of the Criminal Code of Montenegro. The provisions of the Criminal Code are in compliance with the Optional Protocol to the Convention on the Rights of the Child, Child Prostitution and Pornography and the Council of Europe Convention on sexual exploitation and sexual abuse of children. In addition to these regulations, the Family Law, the Law on Protection from Domestic Violence and the Law on Social and Child Welfare regulate the issues of prevention, assistance and protection of children from sexual exploitation and child abuse.

171. Montenegro adopted National Plan of Action for Children 2013-2017 and the Strategy for Combating Trafficking in Human Beings for the period 2012-2018 and established the working groups to monitor their implementation.

172. Ombudsman conducted a research of sexual exploitation of children in Montenegro (2012) principally, in order to determine the level of understanding of the concept of sexual exploitation of children by the competent services and bodies as well as the understanding of the trends in this field. Conducted research indicated that a number of children victims of sexual exploitation, abuse and harassment, the first contact with the perpetrator established via the Internet or via modern information technologies. With this in mind the Institution of Ombudsman decided to participate in the third phase of the project and to conduct the research on child abuse via the Internet (2013). Results of the conducted research are published with the recommendation of the Ombudsman in the Report and promoted to professional and general public. In addition, within the official website of Protector of the Human Rights and Freedoms, is formed the section with information on the safe use of the Internet and Brave Inbox as another way of addressing children.

173. Ministry for Information Society and Telecommunications, the Ministry of Education, company Telenor, the Office of Ombudsman and NGO Parents conduct joint campaign “Safe Internet”. The campaign is conducted to raise awareness of children and their parents about the safe ways of using the Internet as well protections mechanisms against abuse via the Internet. The campaign was accompanied by media promotion, flyers and brochures.

174. Ministry for Information Society and Telecommunications in 2014 opened the electronic line for reporting illegal content which, in any way, via the Internet, endangers the rights of children.

175. Initiative “Protection of children against sexual abuse of children on the Internet” is implemented within UNICEF Global Program for capacity building in the fight against sexual abuse of children on the Internet. Montenegro is one of 17 countries in the world that is part of this Global Program, whose funds allocated UK Government. Implementation of this initiative will last until the end of 2016 and includes three components:

- Analysis of national legislation when it comes to the protection of children against sexual abuse of children on the Internet and its compliance with international standards. The objective of this component is based on provided expertise to give the best recommendations for change/amendment of current legislation in this area.
- Strengthening the capacity of Specialized unit for cybercrime in the Police Directorate. The main objective of this component is to provide inspectors for cybercrime specialized training including the provision of software that allows the identification of victims of sexual abuse of children on the Internet, creating the database that will be compatible with database of INTERPOL.
- Strengthening awareness, especially of young people about the dangers of sexual abuse of children on the Internet. Within this component is planned the development of application for mobile phones and computers that will provide young people, parents and citizens the possibility to be informed about the forms of sexual abuse of children on the Internet and how to report them to authorities. It is anticipated the promotion in primary and secondary schools with the aim to present to teachers, children and parents the risks of sexual abuse of children on the Internet.

8.6 Recommendation 70 — Sale, trafficking and abduction

176. Government Office for Fight against Trafficking in Persons is continuously implementing designed and targeted campaigns aimed at raising awareness of the general public about the phenomenon of trafficking in persons/children, especially risk groups. Given that children are recognized as particularly vulnerable category when human trafficking is concerned, the Office for Fight against Trafficking in Persons, in cooperation with the Ministry of Education and with the support of UNICEF implemented the project “Raising awareness about child trafficking through the educational system” in which the significant number of teachers of civic education is trained on the theme “Trafficking in Persons/Children” and is made the manual on the best methods of transmitting the knowledge to children on this theme. From the beginning of the school year 2014/15, “Trafficking in Persons/Children” was introduced as a theme within the subject “Civic Education”.

177. Government Office for Fight against Trafficking in Human Beings fully finances the functioning of the Shelter for victims of trafficking in persons and children, which 24h provides all the necessary assistance to victims of human trafficking — ranging from that is necessary for basic survival, such as food, clothing and footwear, to professional legal, psychosocial and medical assistance provided by the Office in cooperation with the competent authorities, which is regulated by the revised Agreement on mutual cooperation in the area of fight against human trafficking, signed in 2013 between the state and non-governmental organizations that closely deal with human trafficking in Montenegro.

178. In order to intensify bilateral cooperation with countries of the region in preventing, identifying victims of human trafficking and prosecute traffickers, Government Office for Fight against Trafficking in Human Beings initiated the signing of the Protocol on cooperation in the fight against human trafficking with the countries of the region. National Coordinators for fight against human trafficking of Montenegro and Kosovo on 24/04/2014 signed a Protocol on Cooperation between the Government of the Republic of Kosovo and the Government of Montenegro in the fight against human trafficking and improving the identification, reporting, referral, cooperation in criminal proceedings and the voluntary return of victims and potential victims of trafficking. This Protocol in particular manner regulates the issues relating to the identification of victims and potential victims of human trafficking and persons who were forced to work, especially during the construction and tourist season, cooperation in criminal proceedings and the process of voluntary return of victims and potential victims of trafficking. On December, 8th 2014, National Coordinators of Montenegro and the Republic of Albania in Tirana signed the Protocol on strengthening cooperation in the fight against human trafficking and improved identification, reporting, referral and voluntary assisted return of victims/potential victims of trafficking. The drafting of the Protocol on cooperation in the fight against human trafficking with the Republic of Serbia is in progress.

179. Ministry of Culture provided broadcasting of audio-visual content on the compliance with professional contents in the field of human trafficking in RTCG (hereinafter: Radio and Television of Montenegro) and local public broadcasting centers.

8.7 Recommendation 71 — SOS phones

180. The citizens of Montenegro have access to the SOS line for the victims of human trafficking (116666) through which freely and anonymously can obtain all necessary advice and information of educational type of the human trafficking phenomenon and report any suspicion of committing this criminal offense. The line is available 24 hours a day and calls are free and anonymous.

181. In accordance with the Law on Social and Child Protection was adopted the Rulebook on detailed conditions for the provision and use, norms and the minimum standards of advisory-therapeutic and socio-educational services.

182. Within the project “Continuation of the reform of system of social and child protection,” after conducted procedure Ministry of Labor and Social Welfare, UNDP and NGO SOS phone for women and children victims of domestic violence Nikšić established free national SOS phone line for support victims of domestic violence. The implementation of the media campaign whose main objectives are informing citizens about the availability of free, national SOS line for victims of domestic violence, then motivating citizens to use the line for help and raise confidence in the system access of state authorities in the segment of provision of protective measures is in progress.

183. It is created the plan of transformation of the Children’s Center “Mladost” in Bijela. The plan, among other things, provides the introduction of service National children telephone line. The service is intended for children and young people living on the territory of Montenegro. The service provides anonymity, confidentiality, availability and competence, as well as prevention of violence. The aim of service is to provide opportunity for every child and young person to completely anonymously talk about their problems, fears, doubts and dilemmas. The phone call is free for the user. Target group are all children and young people who need to communicate with experts, as well as adults who are concerned about children.

8.8 Recommendation 74 — administration of juvenile justice

184. Law on Treatment of Juveniles in Criminal Proceedings was adopted in December 2011 ("Official Gazette of Montenegro no. 64/11 of 29/12/2011), entered into force on January, 6th 2012 and it applies from September, 1st 2012. The Law united the material, process and executive provisions that regulate the treatment of juveniles in conflict with the law and the protection of juveniles as participants in criminal proceedings. The Law on Treatment of Juveniles in Criminal Proceedings is complied with the following international documents:

- European Convention for the Protection of Fundamental Human Rights and Fundamental Freedoms (ETS No. 5)
- Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS No. 126)
- UN Convention on the Rights of the Child
- United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines)
- UN Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules)
- UN Rules for the Protection of Juveniles Deprived of Liberty (Hawaiian Rules)
- Standard Minimum Rules for Non-custodial measures (Tokyo Rules)
- Recommendation CM/Rec (2003) 20 of the Committee of Ministers CE on new ways of dealing with problem of juvenile delinquency
- Recommendation CM/Rec (2008) 11 of the Committee of Ministers CE on European rules for juvenile offenders subject to sanctions or measures

185. Law on Treatment of Juveniles in Criminal Proceedings is fully implemented and successfully conducted. All bylaws are adopted: Rulebook on the execution of institutional measure of referral to institution of non-institutional type (open type), Rulebook on house rules for execution of prison sentence for juveniles within the Department for juveniles in the Institute for Execution of Criminal Sanctions, Instruction on the treatment of juveniles by police and Instruction for the treatment of custodial bodies in criminal proceedings.

186. It is established reformed system of juvenile justice through a series of conducted activities:

- Professional services are established to assist the courts and state prosecutors in the treatment of juvenile offenders in the higher courts and the Supreme Public Prosecutor's Office. Activities in the professional services are performed by professionals of various specialized professions (social workers, psychologists, pedagogues, special education teachers etc.) that can provide expert opinions, information and other help in the treatment of juvenile offender in accordance with the law. Professional service in the performance of the duties cooperates with the competent institutions of social and child protection, as well as educational institutions which are obliged to the request to submit reports and opinions. All courts have specialized judges for the treatment of juveniles. In the competent Montenegrin courts there are total 22 judges for juveniles and 18 in basic courts and four judges in two higher courts. Application of procedures of hearings adjusted to children are provided through the purchase of necessary audio-visual equipment for the prosecutors' offices (9) and the courts (5); Special premises for the hearing of juveniles exist in two higher Courts and in Basic Courts in Kotor and Rožaje, while in Basic Court in Bar started adaptation of office for this purpose. In other courts there are no special premises for the hearing of the juveniles, but the courts use the premises of higher courts or prosecutors' offices in the area.
- Provided specialized training to work with children, witnesses and victims of criminal offenses in accordance with UN Guidelines for justice in matters involving child victims and witnesses of criminal offenses.

- Education of professional staff in the educational-correctional institution dealing with juveniles in conflict with the law.
- Organized regular working meetings in order to promote the alternatives to criminal prosecution-application of corrective orders.
- It is updated data collection system for juvenile justice through the methodology consisting of internationally recognized indicators for juvenile justice, in accordance with the standards developed within the framework of the UN agencies UNODC (UN Office on Drugs and Crime) and UNICEF.
- The indicators integrated into the Judicial Information System (JIS) and the database of the Ministry of Justice relating to the execution of criminal sanctions.

187. Training on data collection and analysis in accordance with innovative methodology, provided for professionals employed in Judicial Council, Ministry of Justice (Department for Execution of Criminal Sanctions), judges, prosecutors, Police Directorate (55 persons).

188. 35 judges for juveniles and 38 prosecutors for juveniles have gone through specialized trainings on novelties of adopted legislation and international standards as well as specific techniques and methods of conduct needed to work with children.

189. Law on Treatment of Juveniles stipulates that the penalty of juvenile imprisonment senior juveniles shall serve in separate organizational unit for the juveniles of authority responsible for the execution of criminal sanctions, in which they are allowed to stay by the age of 23. If the penalty by that time is not completed, they will be sent to the department in which adults serve their prison penalty. Exceptionally, a person is allowed to stay in the department for juveniles after having completed the age 23 if it is necessary in order to complete his/her education or professional training, but not after the age of 25. The law stipulates that juvenile in detention shall be separated from adults. Exceptionally, the judge for juveniles may order a juvenile to be detained together with adult person who would not be of harmful influence to him/her, so that solitary confinement of juvenile would not have harmful effects to the development of his/her personality.

190. The reform of the juvenile justice is related to the creating the conditions for avoiding of traditional criminal proceedings against juveniles and criminal justice through the criminal sanctions which must be based on the specialization of officials who act against juveniles, non-discrimination on any grounds, respecting human rights, which should never be lower in relation to the rights of adult persons, respecting the best interests of the juveniles, avoiding of detention and obligation of its substitution with other measures, as well as giving preponderance to alternative measures and avoiding of traditional criminal proceedings and the application of criminal sanctions, especially juvenile imprisonment. Important novelty of law are alternative measures, warnings and corrective orders as measures sui generis. In this way, using the warning and corrective orders (as a type of “parasanction”), through the application of the principle of conditional opportunity, in the criminal offenses that fall under the “middle crime” and, possibly, in serious criminal offences, it is intended to apply alternative measures, provide diversion from traditional criminal proceedings, i.e. provide its suspension. In this respect, conflict resolution is possible before the criminal proceedings are initiated against a juvenile, as well as during the proceedings.

191. More than 200 professionals: judges, prosecutors, professional associates, social workers, police officers, lawyers, representatives of the Center for Mediation, the Center for Children and Youth “Ljubović” and the Institute for Execution of Criminal Sanctions completed basic trainings on international standards in field of juvenile justice. Training of professionals who work with children are continuously carried out.

192. Independent monitoring of conditions of detention is performed by Protector of Human Rights and Freedoms, as well as civil sector (NGOs). Protector may, without notice, inspect all facilities in prisons and other places where persons are deprived of liberty. Protector is entitled to talk to persons deprived of liberty without the presence of officials. Persons deprived of liberty are entitled to submit the complaint in the sealed envelope.

9. Glossary

EC	European Commission
ILO	International Labour Organization
CRC	Council for the Rights of the Child
NPAC	National Plan of Action for Children
MONSTAT	Statistical Office of Montenegro
IPA	Instrument for Pre-accession Assistance
UNDP	United Nations Development Programme
IISSC	Integral Information System of Social Care
JIS	Judicial Information System
UNHCRUN	High Commissioner for Refugees
NGO	Non-Governmental Organizations
IDEP	Individual Development and Education Program
PHC	Primary Health Care
MDGs	Millennium Development Goals
NPAC	National Plan of Action for Children 2013-2017
OSCE	Organization for Security and Co-Operation in Europe
MEIS	Montenegrin Education Information System
UNODC	United Nations Office of Drugs and Crime
MLSW	Ministry of Labour and Social Welfare
MOI	Ministry of Interior
PDW	Program for Decent Work
RTCG	Radio and Television of Montenegro
TAIEX	Technical Assistance Information Exchange