



Committee of the Parties

Council of Europe Convention
on preventing and combating violence
against women and domestic violence
(Istanbul Convention)

**Implementation report submitted
by Montenegro on the conclusions adopted
by the Committee of the Parties
on 8 June 2022**

IC-CP/Inf(2024)8

Published on 26 June 2024



**Ministry of
Labor and
Social Welfare**

Address: Rimski trg, br.46
81000 Podgorica, Montenegro
tel: +382 20 482 148
fax: +382 20 234 227
www.mrs.gov.me

REPORT

ON THE IMPLEMENTATION OF THE CONCLUSIONS ON THE IMPLEMENTATION OF RECOMMENDATIONS IN RESPECT OF MONTENEGRO ADOPTED BY THE COMMITTEE OF THE PARTIES

June, 2024.

The Committee of the Parties to the Convention on Preventing and Combating Violence against Women and Domestic Violence (hereinafter referred to as “the Convention”), acting under the terms of Article 68(12) of the Convention and Rule 1(2b) of the Committee of the Parties’ Rules of Procedure;

Bearing in mind the provisions of Article 66(1) of the Convention concerning the monitoring role of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO);

Having regard to the Rules of Procedure of the Committee of the Parties;

Having regard to the instrument of ratification deposited by Montenegro on 22 April 2013;

Having regard to the Baseline Evaluation Report concerning the implementation of the Convention by Montenegro adopted by GREVIO at its 14th meeting (25 – 27 June 2018), as well as the comments of the Government received on 14 September 2018;

Having regard to the recommendation on the implementation of the Convention addressed to Montenegro by the Committee of the Parties, published on 28 January 2019;

Bearing in mind the adoption, at its 9th meeting on 15 December 2020, of a reporting form which focuses on a maximum of ten areas of the Convention and which states are required to use to report back to the Committee of the Parties on measures taken to implement the recommendations addressed to their authorities;

Having examined the information provided by Montenegro on the implementation of the recommendation addressed to its authorities, through the reporting form provided for that purpose;

- A. Encouraged the Government of Montenegro to take further measures to implement the recommendations addressed to its authorities, in particular by:
1. pursuing its efforts to ensure equal access of all victims of violence against women, including Roma and Egyptian women, women with disabilities and women living in rural zones, to specialist support services when seeking protection from violence, including by further expanding the number of available shelters;
 2. further institutionalizing the national coordinating body beyond the duration of government mandates in order to enable it to effectively exercise its functions, including by setting up separate bodies for, on the one hand, the co-ordination and implementation of policies and measures, and on the other hand for their monitoring and evaluation, in order to ensure objectivity in the evaluation of policies;
 3. ensuring appropriate human and financial resources for any policies, measures and legislation aimed at preventing and combating violence against women and the institutions and entities mandated for their implementation beyond the provision of specialist support services such as shelters;

4. making protection orders available for immediate protection to all victims of domestic violence, irrespective of charging decisions by prosecution services or the institution of misdemeanor proceedings by victims;
5. pursuing its efforts to ensure the systematic and compulsory initial training and more regular in-service mandatory training for all professional groups that come in contact with victims, in particular law enforcement officials, including on the basis of the measures set out in the Protocol on Action in Cases of Gender-Based Violence adopted in 2018;
6. setting up rape crisis and/or sexual violence referral centres in sufficient numbers in order to ensure a sensitive response by trained and specialized staff;

Following the adoption by the Committee of the Parties, on 8 June 2022, of Conclusions on the implementation of Recommendations in respect of Montenegro, under the baseline evaluation procedure, the Government of Montenegro was invited to report back on any measures taken in response.

In the following, we submit a report on the implementation of all six recommendations, that is, we submit the measures taken by Montenegro in order to fulfill the obligations from the Conclusions.

1. In June 2023, Montenegro adopted the National Plan for the Implementation of The Council of Europe Convention on Preventing and Combating violence against women and domestic Violence. The goal of the National Plan for the Implementation The Council of Europe Convention on preventing and combating violence against women and domestic violence is, above all, to promote and protect the right of everyone, especially women, to live free from violence in both the public and private spheres in accordance with the principles of equality and non-discrimination. This document aims to achieve gender equality and prevent violence against women through changing the social and cultural behavior of women and men, eradicating prejudices and gender stereotypes, adequate training of all experts, as well as programs for perpetrators of violence in order to prevent further victimization of victims of gender-based violence. It is also a priority to establish and strengthen legislative or other measures, in accordance with international law, in providing protection and support to victims and witnesses of all forms of violence covered by the Convention, based on an understanding of violence against women and domestic violence from a gender perspective focused on human rights and the safety of the victim. It places special emphasis on the empowerment of women and girls who have experienced violence, with a focus on women with disabilities, members of the LGBTQ +, that is, women and persons of different gender identities, Roma and Egyptian women, and women living in rural areas. The National plan foresees the opening of the Crisis Center for victims of sexual violence in accordance with the recommendations of the Istanbul Convention. Also, one of the basic measures is the creation of conditions for the establishment of a support service for victims of arranged marriages. In addition to other activities, it is planned to organize educational workshops for the Roma and Egyptian population on the causes, prevalence and consequences of violence, the rights of victims and institutions that provide protection. Also for the IV quarter of 2027, the establishment of a shelter for victims of child arranged marriage is planned, with respect for the context

from which Roma girls come. The Strategy for the development of the social and child protection system 2024-2028, which will be adopted by the end of the year, envisages that all shelters and all centers for social work will be adapted for persons with disabilities in terms of physical accessibility, delivery of accessible information and provision of procedural adaptations. The same Strategy provides for the procurement of cars that are adapted for people with disabilities for the needs of shelters. The Strategy for deinstitutionalization 2024-2028 foresees activities to support users from rural areas.

When it comes to existing shelters, they are: NGO SOS telephone for women and children victims of violence Nikšić, NGO Safe women's house, NGO SOS telephone for women and children victims of violence Podgorica, NGO Action for women's and children's rights, NGO Sistem and NGO Lea Bar. Public institution Child and Family Support Center is in the north. The capacity of these shelters is 78 places, which is 16 places more than required by the Istanbul Convention, which foresees 62 accommodation capacities. A shelter for victims of sexual exploitation as a form of human trafficking is also licensed in Nikšić with a capacity of three places.

2. We are fully aware of the fact that, as a state, we were obliged to establish a Coordinating Body for monitoring policies and measures aimed at combating gender-based violence and domestic violence. Until now, two such bodies have been established at the level of the Government of Montenegro, however, this method was not appropriate considering that the work of the Coordination Body ends with the end of the Government, so we were looking for a way to establish this body. First, we had a meeting with the General Secretariat of the Government to have that body within the Secretariat, that is, with some National Council of the Government of Montenegro, however, this topic is very serious and requires a more detailed approach. We also asked for help from member countries of the Istanbul Convention. We also have the publication by GREVIO at the end of 2023, which is a significant guide in which direction we supposed to go. We believe that we must have a team of experts at the level of the Government of Montenegro who are fully familiar with the Istanbul Convention and have a defined path along which we should move, and which can monitor all institutions dealing with protection against violence against women and domestic violence. Currently, the Division for Protection from Gender-Based Violence and Domestic Violence at the Ministry of Labor and Social Welfare is dealing with it and is also monitoring the implementation of the National Plan. As a country, we received praise from the European Commission for the establishment of this Division, but we also received a recommendation that we must raise its capacities and invest in the work of the Division.
3. The shelter service providers were funded on two bases. The first was in accordance with the Law on Non-Governmental Organizations in the way that a public tender was announced for the financing of NGO projects. 440.000,00 euros were spent in two years. However, that method was not adequate. On the one hand, it did not guarantee financial security to the already licensed shelters because they depended on independent evaluators who evaluated the projects, while on the other hand we did not have new NGOs that were licensed to provide shelter services, but spent money on campaigns, round tables, some innovative services, etc. The second basis of funding is a public call for financing shelter services for victims of domestic violence, and the first such call was in 2022, and 200.000,00 euros were allocated. However, that year,

half was spent because the public call was announced in the middle of the year. In the 2023, 100.000,00 euros was also spent, while in 2024, 200.000,00 euros was spent. In addition to shelters, the state also finances the National SOS telephone hotline for women and children victims of violence, for which 80,000 euros have been allocated for 2023 and 2024. The state also finances a shelter for victims of sexual exploitation, for which 50,000 euros have been allocated in 2024. The Ministry has decided that in 2024, through public tenders, in accordance with the Law on Non-Governmental Organizations, will finance the NGO projects related to the counseling of women with disabilities, LBTIQ, Roma women and women from rural areas who are victims of violence and 150.000,00 euros will be allocated for this. The state still does not have a price for the counseling service, however, the Strategy for the Development of the Social and Child Protection System, which will be adopted by the end of the current year, stipulates that the cost price of the counseling service will be determined by the end of 2025, and the state will finance this service as well.

4. Protection measures and the issue of protection measures are prescribed by the Law on domestic violence protection. Protection orders are issued to prevent and suppress violence, remove its consequences and take efficient measures to reform abuser and eliminate circumstances that may make him susceptible to or encourage reoffending. A protection order may be issued either in addition to a sanction or as a sanction in itself. A misdemeanor body may issue one or several protection orders to abuser provided pre-requisites for such orders as set by the Law. Petition for grant of order of protection may be filed by victim or his representative, social work centre, or other social and child care institution, police or public prosecutor. A protection order may be granted by a misdemeanor body ex officio. If a misdemeanor body finds it necessary to immediately protect victim, it may grant a protection order before and during the proceeding, within maximum 48 hours of the receipt of petition. If the petition is filed before the proceeding starts and the petitioner does not file application to initiate the proceeding within five days, the misdemeanor body shall suspend the protection order granted. With the amendments to the Law on domestic violence protection, this deadline will be 8 days. This Law is currently submitted to the European Commission, which must give an opinion on the law in order to be adopted. A protection order granted before and during the proceeding may last for as long as the reasons for which it was granted are present, limited by the end of proceeding. Before the proceeding ends, a misdemeanor body may replace the protection order granted before and during the proceeding with another protection order. In order to eliminate risk to victim's physical integrity, police officer may order abuser to leave residence or other premises or prohibit his return to residence or other premises. The order is issued for maximum three days.
5. We continue our efforts to provide systematic and mandatory initial training and more regular mandatory training at the workplace for all professional groups that come into contact with victims, especially for law enforcement officials, during the previous period, trainings were held for employees of the judiciary and prosecution, social workers and police officers. During 2021. ten training were held, attended by 24 participants. In addition to the above, a total of 40 participants participated in the trainings, in which one of the topics was dedicated to the Istanbul Convention. In 2022, 18 participants participated in these trainings, and a total of 59 judges participated in

the trainings in which one topic was dedicated to the Istanbul Convention. In 2023, eight trainings were held, attended by 127 participants mainly judges.

Also, 11 accredited trainings of the Institute for Social and Child Protection were conducted, and 235 participants attended these trainings. In 2023 in the Institute 6 training were held related to protection from violence and raising the capacity of professional workers. A total of 233 participants participated. In the coming period, the Institute for Social and Child Protection will develop a basic and specialized training modules for officials who work in social work centers and social and child protection institutions, which also relate to gender-based violence. This activity is foreseen by the National Plan for the Implementation of the Istanbul Convention.

Directorate for training and professional development in the Police Department, with NGOs, held two trainings related to domestic violence in 2023 and 25 police officers attended.

6. National Plan for the Implementation of the Istanbul Convention provides the establishment of a Crisis center for victims of sexual violence/rape is planned. This service is an integrated service, which means that it is a joint service of the Ministry of Labor and Social Welfare and the Ministry of Health. The Police Directorate and the Ministry of Justice also play a significant role. What needs to be done first of all is to recognize rape victims in all relevant laws and by-laws, as well as the crisis center service. After that, adopt standards for the provision of the service, rulebook on the provision of this service, protocol on handling cases of sexual violence/rape and train staff to work in the crisis center. We need adequately trained gynecologists, social workers, psychologists in order to provide a good service. We will have to consult the countries where these crisis centers exist in terms of keeping forensic material, training experts, how to deal with a victim who does not want to be examined, how the evidence will be valid in court, etc. All this is a serious and long-term process, but we are ready to work on it together. For beginning, it is important for us to have one crisis center, but in accordance with the standards we must have three. As this issue is very sensitive, the state will consider in the coming period what is the best way of functioning of the crisis center. Given that here we have a series of procedures that must be followed in terms of collecting materials, taking statements, psychological support, keeping evidence, etc. The experiences of the countries of the region are important to us, but even better of the EU countries because the experiences are different, which is the best model. In addition to the aforementioned, the Growth Plan for the Western Balkans envisages the establishment of three crisis centers, which is a binding document for Montenegro.

Montenegro continues to take measures to implement the Istanbul Convention, particularly on the basis of the conclusions of GREVIO's baseline evaluation report, but also expecting the new GREVIO report by the end of this month.