



THE GOVERNMENT OF MONTENEGRO

Report

**to the Committee of the Parties on the measures taken to improve the implementation of the Council of Europe
Convention on Preventing and Combating Violence against Women and Domestic Violence**

Podgorica, 31 January 2022

Having in mind the statements in the document of the GREVIO Committee relating to Montenegro, which states the following:

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;

Having regard to the purposes of the Convention to protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence; to contribute to the elimination of all forms of discrimination against women and promote substantive equality between women and men, including by empowering women; to design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence against women and domestic violence; to promote international co-operation with a view to eliminating violence against women and domestic violence; and to provide support and assistance to organisations and law enforcement agencies to effectively co-operate in order to adopt an integrated approach to eliminating violence against women and domestic violence;

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, (hereinafter referred to as “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 examined 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 11 May 2018;

Considering the overarching priorities set out in Chapter I of the Convention (purposes and scope of the Convention, definitions, equality and non-discrimination, due diligence and gender-sensitive policies);

Bearing in mind the primordial importance of the provisions set out in Chapter II of the Convention, in particular the obligations to (1) ensure a holistic response to violence against women by devising a set of comprehensive and co-ordinated policies implemented by way of effective multi-agency cooperation; (2) institutionalise and fully mandate one or more co-ordinating bodies as required by Article 10 of the Convention; (3) adequately resource policies, measures and mandates introduced to prevent and combat all forms of violence against women, including government and nongovernmental specialist support services; and (4) to collect relevant statistical data disaggregated, at a minimum, by sex, age, type of violence, relationship of the perpetrator to the victim and geographic location;

Welcoming the measures taken by the Montenegrin authorities in implementing the Convention and noting in particular:

- the on-going efforts to build a solid legislative, policy and institutional framework to prevent and combat violence against women adapted to international standards;
- comprehensive legislative changes, in particular in the area of criminal law, which have led to the criminalisation of a wide range of conduct as required by the Convention and the introduction of emergency barring and restraining orders for domestic violence victims and their right to legal aid;
- the increased efforts made at addressing violence against women and domestic violence as a form of gender-based violence;
- the adoption of important policy documents such as the Action Plan for Gender Equality (2017- 2021) and the Strategy for Protection from Domestic Violence (2016-2020);
- the efforts made at introducing multi-agency co-operation among different agencies and actors to ensure a comprehensive and co-ordinated response to domestic violence;
- the setting up of vital services such as a national telephone helpline for victims of domestic violence and an additional domestic violence shelter to level out geographic disparities in service provision;
- the legal provisions made to ensure asylum claims are considered with due regard to gender identity, sex, and experiences of physical, psychological or sexual violence as acts of persecution.

A. Recommends in light of the considerations indicated in the preamble above, that the Government of Montenegro take the following measures identified in GREVIO's report¹ for immediate action to:

1. ensure that measures taken in accordance with the Istanbul Convention address all forms of violence against women in a holistic and comprehensive manner with due regard for their gendered nature (paragraph 10);
2. eliminate discrimination faced by Roma and Egyptian women, disabled women and women living in rural zones when seeking protection from violence, and hence ensure in this regard the access of all women - on an equal basis - to specialist support services (paragraph 21);
3. develop a long-term co-ordinated plan/strategy which places the rights of victims at the centre of all measures, giving due importance to all forms of violence against women and to its co-ordinated implementation (paragraph 29);

4. ensure 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 (paragraph 35);
5. to ensure appropriate funding through suitable funding opportunities such as long-term grants based on transparent procurement procedures to ensure sustainable funding levels for women's NGOs which run specialist support services for women victims of all forms of violence (paragraph 43);
6. maintain their efforts in ensuring an independent role for women's NGOs in providing essential services such as counselling, shelter accommodation, advocacy etc. to women victims of domestic violence irrespective of referrals made by Centres for Social Work (paragraph 44);
7. fully institutionalise the "Co-ordinating Board for the co-ordination, implementation, monitoring and evaluation of policies and measures to prevent and combat all forms of violence covered by the Istanbul Convention" as the co-ordinating body required by Article 10 of the Istanbul Convention and to ensure continuity in human and financial resources beyond government mandates, and set 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 polices (paragraph 48);
8. pursue their efforts to introduce harmonised data categories such as sex, age, type of violence and type of relationship of the perpetrator with the victim to be collected at regular intervals by all sectors of the administration, including the law enforcement agencies, the judiciary, the relevant social services, the public health sector and other relevant public services (paragraph 58);
9. ensure that training for all professional groups that come in contact with victims, in particular law enforcement officials, prosecutors, judges, social workers, teachers and health professionals, include:
 - a. systematic and compulsory initial training on the different manifestations of violence against women, their detection and root causes, as well as the prevention of secondary victimisation;
 - b. regular in-service training that is mandatory and based on protocols and guidelines for intervention in cases of all forms of violence against women (paragraph 89);
10. expedite work on the national plan for the improvement of specialist support services for victims of violence against women and to ensure counselling and support exists throughout the country and in relation to all forms of violence covered by the Istanbul Convention (paragraph 125);

11. set up rape crisis and/or sexual violence referral centres, ensuring a sensitive response by trained and specialised staff, in sufficient numbers, recalling that one such centre should be available per 200 000 inhabitants and that their geographic spread should make them accessible to victims in rural areas as much as in cities (paragraph 137);
12. ensure, through all available means such as protocols, training of professionals and legislative change, more operational clarity between the misdemeanour offence of domestic violence and that of a criminal law nature and to ensure more dissuasive sanctions for the misdemeanour offence of domestic violence (paragraph 178);
13. ensure the swift and impartial response of all law enforcement officials to cases of domestic and other forms of violence against women on the basis of full respect for women's right to life and physical integrity and to take practical steps such as on-the-job training and mentoring schemes to actively overcome persisting attitudes, beliefs and practices that stand in the way of a law enforcement response to domestic violence which focuses on the victim's safety, the collection of evidence and the full accountability of the perpetrator (paragraph 214);
14. make protection orders available for immediate protection to all victims of domestic violence, irrespective of charging decisions by prosecution services or the institution of misdemeanour proceedings by victims (paragraph 233);
15. ensure access to free legal aid for victims of all forms of violence against women as provided for in the Law on Free Legal Aid, in particular by taking active measures to ensure victims' awareness of this right (paragraph 248).

Requests the Government of Montenegro to report to the Committee of the Parties on the measures taken to improve the implementation of the Convention in the above-mentioned areas by 30 January 2022.

In accordance with Article 68, paragraph 12, of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, the Committee of the Parties adopts, on the basis of the report and conclusions of GREVIO, recommendations addressed to state parties concerning the measures to be taken to implement the conclusions of GREVIO.

The applicable procedure for issuing recommendations was settled by the Committee of the Parties at its 4th meeting and is described in document IC-CP(2018)6. In accordance with this procedure, the recommendations call upon state parties to implement all the proposals and suggestions set out in GREVIO's baseline evaluation report. However, the obligation to report on measures taken is

limited to those specifically outlined in section A of the recommendation, namely: a) all the proposals and suggestions formulated by GREVIO throughout the report which require immediate action – these are qualified by the use of the verb “urge”, and b) the proposals and suggestions related to Chapters I and II of the convention which require taking remedial action in the near future and are qualified by the use of the expression “strongly encourage”. According to the agreed procedure, state parties are given a period of three years to implement the recommendations of the Committee of the Parties and report back to the Committee.

To facilitate this reporting, state parties are requested to use this questionnaire to report on the implementation of recommendations issued by the Committee of the Parties. Recommendations not issued in relation to Montenegro do not need to be reported on. As a result, the Montenegrin authorities are not required to answer the following questions in the reporting form: 2, 19; 20; 22 to 24; 26; 28 and 30.

NOTE:

As an appendix to the report, in accordance with the obligations under Article 11 of the Istanbul Convention, we submit statistical data from 2019, 2020 and 2021. Please note that data from 2021 are being collected and are not complete.

Pursuant to the Law on Protection against Domestic Violence from 2010, Article 34 states that: “records on reported cases of violence, victims, perpetrators of violence, imposed protective measures, as well as other measures of protection and assistance shall be kept by bodies and institutions referred to in Article 5 paragraph 1 of this law, in accordance with their competencies and submitted to the ministry responsible for the protection of human and minority rights.

In this regard, the Ministry of Justice, Human and Minority Rights collects relevant data from the relevant institutions and consolidates it in a single document.

Fundamental rights, equality, and non-discrimination (Article 4)

1	Have your authorities taken measures to ensure that the provisions of the Istanbul Convention are implemented without discrimination on any grounds listed in Article 4, paragraph 3, of the convention, including in terms of the availability of services and the protection by law enforcement agencies?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
1.1	<p>If yes, please specify:</p> <p>In cooperation with the UNDP Office in Montenegro and the Ministry of Justice, Human and Minority Rights, under the auspices of the Government of Austria - Gender Map has been prepared - an electronic platform with gender-based statistics. On the homepage of the Gender Map one can get to know and be informed about the demographic structure of Montenegro. Link to the Gender Map: https://www.rodnamapa.me/</p> <p>The homepage provides key information on the social and economic situation of men and women, gender statistics, key indicators of the gender equality index. The homepage is designed to provide information that is key to tracking and improving gender issues. The guides point to priority areas related to politics, economics and gender-based violence, where women continue to be discriminated against and do not have equal opportunities. By selecting the area, we proceed to a new map with statistics, key indicators and other useful materials necessary for analysis in the given areas.</p> <p>The thematic gender map for the field of gender-based violence shows statistics of relevant institutions and non-governmental organizations that monitor cases of violence within their competence.</p> <p>It contains information on the actions of all relevant actors and precise data on the number of cases classified by municipalities. By clicking on a specific municipality, you get important phone numbers that victims can turn to for help. The Gender Map provides insight into the legally prescribed steps for dealing with cases of violence as well as practical instructions and advice for all those in situations of violence. For all who are interested in a more detailed analysis of the existing available data on the map, you can find numerous cross-sections of the situation that allow you to create a more detailed insight into the gender-based violence in Montenegro. Through this application, victims were given the opportunity to report violence.</p> <p>The UNDP Office in Montenegro, in cooperation with the Government, has developed a digital solution for emergency responses in</p>		

	<p>cases of violence, i.e. mobile application "Be safe" which is available for Android and iOS system. The application allows victims of violence to send a request via SMS to national SOS helplines, or other confidential organizations / persons on the basis of a personal request.</p> <p>In addition to the above, the "Be Safe" application, which works on the principle of one click, sends an automatic message to the national SOS telephone line identifying the phone number from which the call was made and the exact location of the victim, thus achieving multidisciplinary cooperation between the state and NGOs.</p> <p>A survey conducted by UNDP and the Directorate for Gender Equality in the Ministry of Human Rights and Social Welfare, on the perception of violence published in 2019, showed that a significant majority believes that violence is a big problem in the society. At the same time, almost two thirds of citizens believe that not enough attention is paid to this issue. However, compared to three years ago, the share of citizens who think that enough attention is paid to this topic is increasing. The research shows that in the period from 2016 to 2019, the number of those who believe that domestic violence is very widespread in Montenegro increased, as well as the number of those who successfully recognize various forms of violent behavior. Also, respondents clearly recognize that the victims are mostly women and children and believe that it is necessary to report violence to the authorities.</p> <p>The impact of the COVID-19 pandemic on domestic violence, 2020. Forms of violence covered: psychological, verbal, violence and violence on the Internet.</p> <p>- Violence against women in politics, 2021. Forms of violence covered: domestic violence, economic and psychological violence.</p>		
1.2	[Optional question: if not, please specify the reasons]:		
2	Have your authorities taken measures contributing to prevent and combat violence against women who are or might be exposed to intersectional discrimination?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2.1	If yes, please specify:		
2.2	[Optional question: if not, please specify the reasons]:		

3	In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 4, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:		
I. Comprehensive and co-ordinated policies implemented under the responsibility of an adequately mandated and resourced co-ordinating body (Articles 7 and 10)			
4	<p>Have your authorities developed a long-term plan/strategy to prevent and combat violence against women?</p> <p>Based on the evaluation of the 2016-2020 Domestic Violence Strategy, a number of recommendations have been given, including the necessity to work on the next strategy using the same or similar methods of involving a wider range of stakeholders, but with very serious consideration of lessons learned while planning and conducting activities under the above mentioned strategy;</p> <p>The new strategic document needs to clearly set out both operational objectives and activities and indicators in accordance with them (quantitative and qualitative); It is necessary (in accordance with the Istanbul Convention) to recognize, encourage and support at all levels the work of civil society organizations in combating violence against women and establish more effective cooperation with women's organizations that have been working in this field for 25 years; the action plan of the new strategic document requires clear planning of financial resources in the budget of the competent ministry - especially in the segment of financing specialized services that have undergone the licensing process in accordance with the Law on Social and Child Protection;</p> <p>In addition, in order to draft a new, more comprehensive document, in accordance with the recommendations of GREVIO, UN, and OSCE, a Drafting Working Group has been established, consisting of representatives of national authorities and a representative of the non-governmental sector. Namely, pursuant to Article 8, paragraph 1 of the Decree on the Election of Representatives of Non-Governmental</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A (a plan/strategy was already developed at the time of GREVIO's baseline evaluation) <input type="checkbox"/>

	<p>Organizations to Working Bodies of Public Administration Bodies and Conducting Public Consultation in the Preparation of Laws and Strategies (Official Gazette of Montenegro, No. 41/18), and in accordance with the Public Invitation for a representative of non-governmental organizations to the working group in charge of drafting the National Plan for the Implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), the Ministry of Labor and Social Welfare issued a public invitation to non-governmental organizations to nominate a candidate for a member of the working group for the drafting of this document, which ensures transparency of the process and enables representatives of civil society to contribute to the drafting of the document. The process of drafting a new document was conducted in accordance with the Decree of the Government of Montenegro which defines the manner and procedure of drafting, harmonizing and monitoring the implementation of strategic documents, as well as the Methodology of policy development, drafting and monitoring the implementation of strategic documents.</p> <p>At the end of 2021, the National Plan for the Implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) was adopted.</p>		
4.1	[Optional question: if not, please specify the reasons]:		

5

Which forms of violence against women covered by the Istanbul Convention are addressed by the plan/strategy? Please offer a brief description specifically indicating the forms of violence not previously addressed in plans or strategies at national level.

- psychological violence,
- stalking,
- physical violence,
- sexual violence, including rape,
- forced marriage,
- female genital mutilation,
- forced abortion and forced sterilization,
- sexual harassment and any kind of aiding, abetting or attempted violence against women

The previous 2016-2020 Domestic Violence Strategy considered exclusively physical and psychological violence against women in the context of domestic violence. The Strategy itself is focused on achieving five main goals, namely: Improved legal framework for protection against domestic violence; Strengthened administrative and professional capacities and multidisciplinary approach in the implementation of regulations in the field of protection against domestic violence; Increased public awareness of violence against women and domestic violence; Improved system of institutional protection against domestic violence; Improved access to justice and legal protection against domestic violence.

The analysis of the effectiveness of the above mentioned strategy found that the strategy itself was not burdened by a large number of measures, i.e. activities. A total of 24 activities for one five-year strategy is not a difficult task, neither for implementation nor for monitoring. However, a significant number of indicators set have not been in line with the activities, and many of them represent much more serious tasks than the activity itself, meaning that they required additional, often expensive research.

Unfortunately, the Strategy itself was without a planned financial framework, clearly planned funds for its implementation, but this process was approached spontaneously.

When it comes to the implementation of activities, we must emphasize that there are activities that require additional interventions from

the institutions responsible for these activities, as well as activities that could not be implemented solely due to lack of funds.

Also, there were activities that have not been fully implemented, they have been partially implemented, so it is extremely important to pay special attention to them during the development of a new strategy, to consider their relevance and the need for their improvement.

On the other hand, the activities that have been successfully implemented do not necessarily mean that they should not be foreseen for the next period in order to improve the position of key target groups identified under the strategy.

Therefore, the new strategic document covered a much broader issue of gender-based violence

6	Was specific attention given to place the rights of women victims at the centre of all measures planned?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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6.1

If yes, please specify how:

The National Plan has seven operational objectives and each is aimed at protecting women from violence. The operational objectives are: To ensure the promotion and protection of the right of every person, especially women, to live free from violence in both the public and private spheres in accordance with the principles of equality and non-discrimination; Effective, comprehensive and coordinated policies across the country supported by all necessary institutional, financial and organizational structures; Achieving gender equality and preventing violence against women through changing the social and cultural behavior of women and men, eradicating prejudice and gender stereotypes, adequate training of all professionals, and programs for perpetrators of violence to prevent further victimization of victims of gender-based violence; Establish and strengthen legislative or other measures, in accordance with international law, to provide 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 safety; Creating the necessary legislative framework to prevent violence against women, to protect victims from further victimization and to ensure strong intervention and prosecution by law enforcement agencies; Create conditions for investigations and trials to be conducted without undue delay with a view to understanding gender-based violence, to ensure effective investigation and prosecution of all offenses covered by this Convention and to ensure the practical application of Article 52 of the Foreigners Act, allowing migrant women who are victims of gender-based violence to obtain, for humanitarian reasons, an autonomous residence permit, and develop gender-sensitive guidelines aimed at raising awareness of relevant actors about the special protection needs of women asylum seekers who are victims or at risk of gender-based violence. Through these operational objectives, a number of activities have been envisaged, such as: implementation of the concept of gender-based violence in all laws and bylaws; to ensure adequate human and financial resources for all policies, measures and legislation aimed at preventing and combating violence against women; licensed service providers should be independent in their work; to provide a large number of trainings for all experts from all institutions; to develop programs for perpetrators of violence, etc.

Within each operational objective, a number of activities have been set out in order to fully meet the main objectives of the Convention:

- A. Protection of women against all forms of violence, and prevention, prosecution and elimination of violence against women and domestic violence.
- B. Contribution to combating all forms of discrimination against women and promoting essential equality between women and men, including the empowerment of women.
- C. Developing a comprehensive framework, policies and measures to protect and assist all victims of violence against women and domestic violence.
- D. Improving international cooperation in eliminating violence against women and domestic violence.

	<p>E. Support and assist organizations and law enforcement agencies in effective cooperation to adopt a comprehensive approach to eliminating violence against women and domestic violence.</p> <p>Regarding the 2021-2025 National Gender Equality Strategy it should be noted that the document did not address in detail all forms of violence against women, but focused on protection against gender-based discrimination and sexual harassment in the workplace through Operational Objective 3, Measure 3.3, which will raise the level of prevention and protection against gender-based discrimination, sexual harassment, gender-based violence and multiple discrimination in the workplace. However, the NGES is in line with the 2020-2025 European Union Gender Equality Strategy.</p> <p>As a candidate country for EU membership, Montenegro has committed itself to achieving the goals of implementing the principles of "zero tolerance" towards violence against women and domestic violence, which are set out in legislative and strategic documents adopted by the European Commission and the Council of Europe.</p> <p>The 2020-2025 European Union Gender Equality Strategy sets five goals, including ending gender-based violence.</p> <p>The National Document is also in line with the CEDAW Convention on the Elimination of All Forms of Discrimination Against Women. The Convention emphasizes the principles that the state must guarantee the enjoyment of human rights and fundamental freedoms, as well as ensure equal opportunities for women to advance in all fields.</p>		
6.2	[Optional question: if not, please specify the reasons]:		
7	Do the plan/strategy and the measures contained therein involve all relevant actors, such as government agencies, the national, regional and local parliaments and authorities, national human rights institutions and civil society organisations?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
7.1	<p>Please specify the actors involved:</p> <p>Ministry of Finance and Social Welfare, Ministry of Justice, Human and Minority Rights, Ministry of the Interior, Ministry of Health, Supreme Public Prosecutor's Office, Police Directorate, Ombudsman, women's NGOs,</p>		
7.2	[Optional question: if not, please specify the reasons]:		

8	Have the authorities assigned the role of co-ordinating body to one or more fully institutionalised entities?	Yes <input type="checkbox"/>	No <input type="checkbox"/> N/A (a co-ordinating body was already established at the time of GREVIO's baseline evaluation) <input type="checkbox"/>
8.1	[Optional question: if not, please specify the reasons]:		
9	<p>Please specify the mandate, powers, and competences, as well as the composition, of the co-ordinating body/bodies:</p> <p>The Coordination Committee for Coordination, Implementation, Monitoring and Evaluation of Policies and Measures to Prevent and Combat All Forms of Violence Covered by the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence was established by the Government of Montenegro on July 30, 2021. The Coordination Committee was established for a period of 4 years, for the period of the mandate of the Government of Montenegro. The competencies and powers of the Coordination Committee are prescribed by Article 10 of the Istanbul Convention. The Coordination Committee is headed by the Minister of Finance and Social Welfare. Members of the Coordination Committee are representatives of the Cabinet of the Prime Minister of Montenegro, the Cabinet of the Deputy Prime Minister of Montenegro, the Ministry of Finance and Social Welfare, the Ministry of the Interior, the Ministry of Justice, Human and Minority Rights, the Directorate for Inspection Affairs, the Basic Public Prosecutor's Office, the Supreme Court of Montenegro, the Union of Municipalities and the Ministry of Health.</p> <p>In addition to the Coordination Committee, the Ministry of the Interior has formed an Operational Team to Combat Domestic Violence and Violence against Women. In addition to MoI officers, the Committee includes representatives of the Police Directorate, the Ministry of Finance and Social Welfare, the Ministry of Health, the Public Prosecutor's Office, the Supreme Court and the High Court of Misdemeanors, including the Council for Civil Control of Police and specialized NGOs that support victims of violence.</p> <p>The task of the Operational Team is to, based on the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) and national legislation, review overall practice and, through analysis of representative cases and relevant reports, information and opinions, work on further guidelines and initiatives for</p>		

	<p>meaningful changes in public policies and institutional practices in the field of prevention and protection against all forms of domestic violence and violence against women, covered by the Convention, including cases of contracted child marriages, with special, primary focus on the conduct and work of the Police Directorate. The team operates on the principle of strengthening coordination and establishing a unified practice, and the intention is to target weak links in the chain of acting institutions and to influence and initiate changes through their actions.</p>		
9.1	<p>In particular, please indicate whether the co-ordinating body/bodies is/are responsible for:</p>		
	<p>Co-ordination of policies and measures to prevent and combat violence against women</p>	<p>Yes <input checked="" type="checkbox"/></p> <p>The co-ordination body responsible is: the Coordination Committee for Coordination, Implementation, Monitoring and Evaluation of Policies and Measures to Prevent and Combat All Forms of Violence Covered by the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence</p>	<p>No <input type="checkbox"/></p>
	<p>Implementation of policies and measures to prevent and combat violence against women</p>	<p>Yes <input checked="" type="checkbox"/></p> <p>The co-ordination body responsible</p>	<p>No <input type="checkbox"/></p>

		<p>is: the Coordination Committee for Coordination, Implementation, Monitoring and Evaluation of Policies and Measures to Prevent and Combat All Forms of Violence Covered by the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence</p>	
	<p>Monitoring and evaluation of policies and measures to prevent and combat violence against women</p>	<p>Yes <input checked="" type="checkbox"/></p> <p>The co-ordination body responsible is: the Coordination Committee for Coordination, Implementation, Monitoring and Evaluation of Policies and Measures to Prevent and Combat All Forms of Violence</p>	<p>No <input type="checkbox"/></p>

		Covered by the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence	
	Co-ordination of the collection of data, analysis and dissemination of its results	Yes <input checked="" type="checkbox"/> The co-ordination body responsible is: the Coordination Committee for Coordination, Implementation, Monitoring and Evaluation of Policies and Measures to Prevent and Combat All Forms of Violence Covered by the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence	No <input type="checkbox"/>
10	Please specify the human and financial resources allocated to the co-ordinating body / bodies: The Coordination Committee for Coordination, Implementation, Monitoring and Evaluation of Policies and Measures to Prevent and		

	<p>Combat All Forms of Violence Covered by the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence has 15 members, a president, two consultants and 12 members. No funds are allocated for financing.</p> <p>The Operational Team for Combating Domestic Violence and Violence against Women has 20 members, including a manager, five representatives of NGOs and 14 members. No funds are allocated for financing.</p>		
11	<p>In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Articles 7 and 10, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:</p>		
<p>III. Financial resources (Article 8)</p>			
12	Have your authorities allocated specific funds at the		
	- national	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- and/or regional	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- and/or local	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	levels of government for activities to prevent and combat all forms of violence against women covered by the Istanbul Convention?		
12.1	<p>If yes, what is the annual amount of these funds? If possible, please specify the percentage of the total national state budget that the amount represents.</p> <p>The financial resources allocated annually relate primarily to the financing of projects and programs of non-governmental organizations in accordance with the Law on Non-Governmental Organizations. The two ministries in focus are the Ministry of Finance and Social Welfare and the Ministry of Justice, Human and Minority Rights. These two Ministries have allocated 1,147,000 euros for 2019, 2020 and 2021.</p> <p>Among the projects of non-governmental organizations, combating violence against women and domestic violence and gender equality are listed as priority areas.</p> <p>Since 2019, the Ministry of Finance and Social Welfare has been allocating EUR 250.00 per victim of violence who is placed in a shelter.</p>		

By years, the following funds were allocated:

YEAR		
2019	2020	2021
8,200.86	19,754.06	25,547.51

12.2 [Optional question: if not, please specify the reasons]:

13 Have these funds increased since the publication of GREVIO's baseline evaluation report?

Yes

No

If yes, by what amount::

The amount cannot be determined due to the fact that we do not have the initial value, i.e. information at the end of 2017. But taking into account the fact that the state has developed a

		larger number of services, and that the state budget has been increasing every year, we can certainly say that the funds are higher.	
14	Have your authorities taken measures to foster long-term and sustainable financial support for non-governmental organisations working to support victims and prevent violence?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
14.1	<p>If Yes, please specify:</p> <p>The Draft Law on Budget for 2022 proposes 200,000 euros for stable financing of licensed providers of specialized services, primarily shelters.</p> <p>Pursuant to Article 32z of the Law on Non-Governmental Organizations ("Official Gazette of Montenegro", No. 39/11 and 37/17), in connection with the Public Competition "Protection from Violence against Women and Domestic Violence", in the decision-making process on the allocation of funding for the projects and programs of non-governmental organizations in 2019 in the field of protection against violence against women and domestic violence, the Commission for Allocation of Funds for Financing Projects and Programs of Non-Governmental Organizations of the Ministry of Labor and Social Welfare, decided to finance projects of 6 NGOs worth 85,000 euros.</p> <p>Pursuant to Article 32z of the Law on Non-Governmental Organizations ("Official Gazette of Montenegro", No. 39/11 and 37/17), in connection with the Public Competition "Protection from Violence against Women and Domestic Violence", in the decision-making process on the allocation of funding for projects and programs of non-governmental organizations in 2020 in the field of protection against violence against women and domestic violence, the Commission for Allocation of Funds for Financing Projects and Programs of Non-Governmental Organizations of the Ministry of Labor and Social Welfare, decided to finance projects of 7 NGOs worth 100,000 euros.</p> <p>Pursuant to Article 32z of the Law on Non-Governmental Organizations ("Official Gazette of Montenegro", No. 39/11 and 37/17), in</p>		

	<p>connection with the Public Competition "Protection from Violence against Women and Domestic Violence", in the decision-making process on the allocation of funding for projects and programs of non-governmental organizations in 2021 in the field of protection against violence against women and domestic violence, the Commission for Allocation of Funds for financing projects and programs of non-governmental organizations of the Ministry of Labor and Social Welfare, decided to finance NGO projects in the amount of 140,000 euros.</p> <p>In addition to the above, the Ministry of Finance and Social Welfare allocates EUR 250.00 per user, that is, victim of violence, who is placed in a shelter by a decision of the competent center for social work.</p> <p>Since 2018, when the provisions of the Law on Non-Governmental Organizations from 2017 began to be applied, the Ministry of Justice, Human and Minority Rights has been conducting a competition for financing projects of non-governmental organizations in the field of gender equality. Through four public competitions for the allocation of funds to non-governmental organizations for the implementation of 72 projects in the field of gender equality: "For Gender Balance in Montenegro", "The key is in the hands of women", "For a stronger society in terms of gender equality synergies", the Ministry of Justice, Human and Minority Rights in 2018, 2019 and 2020 and 2021, allocated €171,000.00, €290,000.00, €171,000.00, €250,000.00 (amounts by years 2018, 2019 , 2020, 2021) or a total of € 822,000. Among the approved projects are projects related to activities in the prevention and protection against violence against women.</p>			
14.2	[Optional question: if not, please specify the reasons]:			
15	In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 8, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:			
<p>IV. Non-governmental organisations and civil society (Article 9)</p>				
16	<table border="1"> <tr> <td data-bbox="226 1271 1318 1377">Have your authorities taken measures contributing to further recognise, encourage and support the work of relevant non-governmental organisations and of civil society active in combating all forms of violence against women covered by the Istanbul Convention, including</td> <td data-bbox="1318 1271 1558 1377">Yes <input checked="" type="checkbox"/></td> <td data-bbox="1558 1271 1858 1377">No <input type="checkbox"/></td> </tr> </table>	Have your authorities taken measures contributing to further recognise, encourage and support the work of relevant non-governmental organisations and of civil society active in combating all forms of violence against women covered by the Istanbul Convention, including	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Have your authorities taken measures contributing to further recognise, encourage and support the work of relevant non-governmental organisations and of civil society active in combating all forms of violence against women covered by the Istanbul Convention, including	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>		

	n terms of funding and co-operation?		
16.1	<p>If Yes, please specify:</p> <p>Under the provisions of the Istanbul Convention, States have an obligation to allow the opening of appropriate, easily accessible shelters in sufficient numbers. The purpose of shelters is to ensure immediate, preferably around-the-clock access to safe accommodation for victims, especially women and children when they are no longer safe at home (Explanatory Memorandum, 2011; para. 133).</p> <p>It was pointed out that the types of general purpose accommodation (e.g. homeless shelter, etc.) are not sufficient and do not provide support and empowerment in accordance with this Convention (para. 133). Given that victims face multiple, interrelated problems that affect their health, safety, financial situation and the well-being of their children, specialized women’s shelters are best equipped to address these problems, because their functions go beyond providing a safe place to stay (WAVE, 2011; 2014; Kelly & Dubois, 2008) and is reflected in a range of interrelated services that enable women to cope with traumatic experiences, leave violent relationships, regain self-esteem and lay the foundations for independent living. In addition, shelters have a central role in networking, cooperation between different services and raising awareness of violence against women, especially in the local community.</p> <p>The primary goal of shelters is to provide physical security to victims of violence, and in this sense certain factors such as location secrecy and practical security measures regarding the rules on permitted visitors and situations where the safety of users and staff is compromised, are important for fulfilling this basic function of shelters. In order to achieve the safety and security of women and children in shelters (also staff, but also persons living / working / moving in the immediate vicinity of the shelters), it is necessary to apply certain standards such as:</p> <ul style="list-style-type: none"> • assessment of the security situation of each woman; • development of an individual security plan based on a previous security assessment; • technical security of the building; • effective co-operation with the police on security issues is needed. <p>Shelters should be in sufficient numbers to adequately meet the accommodation needs of all victims of violence, while shelter staff need adequate training to provide adequate support and protection to victims. It is recommended that shelters be available in each region of the</p>		

	<p>country and that one family place (1 adult plus 1 to 2 places for children) be available for every 10,000 inhabitants, noting that the actual number of beds should be based on real needs.</p> <p>In 2019, three shelters for victims of domestic violence received a license to operate. These are: NGO Safe Women's House, NGO SOS hotline for women and children victims of violence Nikšić and the Center for Support of Children and Families Bijelo Polje. As shelters have licenses, the state participates in their financing per user, with 250 euros per victim of violence. The Ministry of Finance and Social Welfare has allocated a significant amount of money from the budget for 2022 to enable long-term, fixed financing of licensed providers of specialized services, especially shelters for victims of violence. The Draft Law on Budget for 2022 proposes 200,000 euros for stable financing of licensed providers of specialized services, primarily shelters. The amount set aside is 200,000 euros.</p> <p>The WAVE report from 2017 provides quantitative and qualitative information on specialized services for victims of violence in 46 countries, including Montenegro. Their research also assesses whether and to what extent States meet the standards of the Istanbul Convention on national telephone lines and shelters for victims of violence.</p> <p>According to the mentioned standards, considering that Montenegro has a little more than 622 thousand people, at least 62 beds are needed in shelters for victims of gender-based violence/violence against women.</p> <p>The report of the GREVIO Committee for Montenegro (2018) identifies three shelters with a total of 38 beds, and recommends a minimum of 25 new beds for the care of victims of violence against women and domestic violence. The report particularly highlights the difficulties that members of minorities, primarily Roma and Egyptian, face in finding safe accommodation.</p> <p>According to the data, the establishment of at least one shelter in the south of the country is the first step towards achieving the standards of the Istanbul Convention, so that each region is covered.</p> <p>In 2019, 2020 and 2021, through sector analyzes, 325,000 euros were allocated to finance NGO projects that provide psychological counseling for victims of domestic violence and accommodation services for victims of domestic violence. This project financing is done in accordance with the Law on Non-Governmental Organizations.</p> <p>Today we have 11 NGOs and one institution that provide various specialized services in accordance with the Istanbul Convention. These services are shelter, counseling, therapy, SOS telephone services.</p>
16.2	[Optional question: if not, please specify the reasons]:

I. Data collection and research (Article 11)			
17	In implementation of the recommendation addressed to your authorities, have new sectors of the administration started the collection of data in accordance with the requirements of Article 11, paragraph 1?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
17.1	<p>If yes, please specify which sectors:</p> <p>This recommendation has been partially met. A single database linked the Police Directorate and social work centers, while the PRIS information system imported judicial authorities.</p>		
17.2	[Optional question: if not, please specify the reasons]:		
18	In implementation of the recommendation addressed to your authorities, have sectors of the administration improved their data collection?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
18.1	<p>If yes, please specify which sectors and how, in particular whether new data categories were added:</p> <p>The Protocol on Action in Cases of Gender-Based Violence from 2018 has a significant strategic impact on the institutional approach and case management, as well as on achieving certain standards in Chapter 23 of the <i>acquis communautaire</i>, related to data collection and databases and implementation of the Istanbul Convention.</p> <p>The protocol was signed by all relevant government departments, the prosecutor's office, the Protector and NGOs. The main objectives of the Protocol are: application of the Istanbul Convention in the daily practice of institutions in order to provide effective and rapid protection to victims of violence; exchange of data and information through information systems between relevant institutions and harmonization of data collection methodology with relevant institutions in order to form a single database.</p> <p>The database for domestic violence, as an integral part of the capital project Social Card - Integrated Social Welfare Information System (SWIS), has been functioning smoothly since May 23, 2019, when it was put into operation.</p> <p>Since then, reports of domestic violence from the Centers for Social Work (MFSS) and notifications from the Police Directorate (Mol) have been exchanged in a unified and automated manner, with a prescribed set of data and information.</p>		

	<p>In this way, the automatic creation of the date of the document and their sending by the representatives of both departments is provided, and the managers in the Centers for Social Work automatically receive an e-mail notification about each report of violence.</p> <p>Domestic violence is a special part of the Social Card application, and case managers engaged in cases of domestic violence in Centers for Social Work can easily monitor these cases, measures taken and activities. This special SWIS module, SWIS BI (Business Intelligence) also provided managers in Centers for Social Work with a quick and easy way to obtain a large set of data relevant to case monitoring (e.g. cases of repeated domestic violence, cases with children in the family, including the age of the children, the degree of risk, the type of violence, etc.). With the help of the best IT experts, we will try to import courts, the prosecutor's office, but also licensed NGOs.</p> <p>During 2020, the Ministry of Justice created a centralized judicial web portal that integrates the portals of judicial and prosecutorial institutions into a single unit. The ICT sub-system for courts is expected to be fully operational by the end of 2022 at the earliest. Until the introduction of the new system, the current PRIS judicial information system is used by all courts to monitor cases, certain aspects of case management and interaction with parties. PRIS allows us to monitor one court case from start to finish, and provides us with detailed statistical reports on various indicators, including: total number of pending cases, number of completed and unfinished cases, type of decision (convicting, acquitting and dismissing) and the type and amount of the sanction when it comes to convicting decisions.</p>												
18.2	[Optional question: if not, please specify the reasons]:												
19	Does statistical data collection by law-enforcement agencies and the judiciary enable cases of violence against women to be tracked in order to indicate:												
	<table border="1"> <tr> <td data-bbox="226 954 1318 1019">- Conviction rates</td> <td data-bbox="1318 954 1560 1019">Yes <input checked="" type="checkbox"/></td> <td data-bbox="1560 954 1858 1019">No <input type="checkbox"/></td> </tr> <tr> <td data-bbox="226 1019 1318 1084">- Types of sentences</td> <td data-bbox="1318 1019 1560 1084">Yes <input checked="" type="checkbox"/></td> <td data-bbox="1560 1019 1858 1084">No <input type="checkbox"/></td> </tr> <tr> <td data-bbox="226 1084 1318 1157">- Attrition rates</td> <td data-bbox="1318 1084 1560 1157">Yes <input checked="" type="checkbox"/></td> <td data-bbox="1560 1084 1858 1157">No <input type="checkbox"/></td> </tr> <tr> <td data-bbox="226 1157 1318 1295">- Time-barred proceedings</td> <td data-bbox="1318 1157 1560 1295">Yes <input checked="" type="checkbox"/></td> <td data-bbox="1560 1157 1858 1295">No <input type="checkbox"/> N/A <input type="checkbox"/></td> </tr> </table>	- Conviction rates	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	- Types of sentences	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	- Attrition rates	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	- Time-barred proceedings	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A <input type="checkbox"/>
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- Types of sentences	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>											
- Attrition rates	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>											
- Time-barred proceedings	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A <input type="checkbox"/>											
20	As regards population-based surveys, please indicate any survey conducted since the publication of GREVIO's baseline evaluation report, while specifying the forms of violence covered:												

21	In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 11, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:		
VI.Custody, visitation rights and safety (Article 31)			
22	Have your authorities taken measures contributing to ensure that incidents of violence covered by the scope of the Istanbul Convention are taken into account in the determination of custody and visitation rights of children, notably by judicial authorities?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
22.1	If yes, please specify how this has been done (by legislative amendments or other means)		
22.2	If yes, please specify how the above obligation is implemented in practice, including by providing data indicating to what extent judicial authorities consider all issues related to violence against women in their decisions on custody and visitation rights:		
22.3	[Optional question: if not, please specify the reasons]:		
23	Have your authorities taken measures contributing to ensure that visitation rights do not jeopardise the rights and safety of the victim or children?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
23.1	If yes, please specify:		
23.2	[Optional question: if not, please specify the reasons]:		
24	In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 31,		

	which were not covered by the questions above, please report on these measures [word limit: 1000 words]:		
I. Immediate response, prevention, and protection (Article 50)			
25	Have your authorities taken measures contributing to improve the prompt and appropriate response of law enforcement agencies, in particular by:		
	- Enhancing training of law enforcement officials on the gendered nature of violence against women and its consequences	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- Ensuring a sufficient number of female police officers	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- Setting up premises designed to establish a relationship of trust between the victim and the law enforcement personnel	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- Ensuring the efficient collection of evidence so that the reliance on the victim's testimony is lessened	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
25.1	<p>If yes, please specify:</p> <p>According to the Interior Ministry, the number of women in the police force is 13%. There are none in senior management positions, in a smaller number they are represented in middle or lower management positions.</p> <p>In 2020, we started a project of arranging the premises in the police security centers, in order to provide a safe environment and establish a relationship of trust between the victims and the police. One room in Security Center Podgorica (Capital) has been arranged, and the arrangement of rooms in Security Center Bar, Security Center Nikšić and Security Center Bijelo Polje is in progress.</p> <p>The Ministry of Justice, Human and Minority Rights - Directorate for Gender Equality in cooperation with UNDP within the IPA project "Support to Anti-Discrimination and Gender Equality Policies" within the Training Program for the Implementation of the Protocol on Gender-Based Violence in 2019-2020 ensured the application of a new approach in everyday work and the exchange of information. The first phase of the training targeted 100 police officers, who were trained to use new software and provide data exchange with Centers for Social Work, while the second phase, which targeted representatives of Centers for Social Work and other relevant</p>		

	<p>institutions and organizations in the target group for the application of the new approach, gathered 120 experts and was implemented with the support of two non-governmental organizations - SOS Nikšić and the Shelter for Women and Children Victims of Violence.</p> <p>Organized by the Directorate for Gender Equality of the Ministry of Human Rights and Social Welfare and the Institute for Education, in June 2020, a workshop was organized for teachers on the topic: Respect for gender equality as an instrument of greater security in education, for 20 participants. In the framework of this topic, the Law on Protection against Domestic Violence and the Law on Misdemeanors were analyzed in particular</p>		
25.2	[Optional question: if not, please specify the reasons]:		
26	Have your authorities taken measures contributing to enable the identification and careful analysis of any failure of protection?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
26.1	<p>If yes, please specify what kind of measures, and if further preventive measures were adopted to remedy this situation:</p> <p>Measures for the identification and analysis of omissions in protection, in relation to police conduct, are based on the Criminal Code, the Law of the Interior, and relate to the responsibility of police officers, both criminal and disciplinary. Also, control mechanisms have been established through civil society (Council for Civil Control of Police Work) and internal (Internal Control).</p> <p>The new Ministry of the Interior, with the new Law on Internal Affairs, from June this year, again prescribes that proceedings for serious breaches of official duty are conducted by the Disciplinary Commission formed by the Minister of the Interior, and not as before by a government commission set up to conduct proceedings against all civil servants and employees.</p>		
26.2	[Optional question: if not, please specify the reasons]:		
27	In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 50, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:		
VIII. Emergency barring, restraining or protection orders (Articles 52 and 53)			

28	<p>As regards emergency barring orders, have your authorities taken measures contributing to ensure that the competent authorities are granted the power to order, in situations of immediate danger, a perpetrator of domestic violence to vacate the residence of the victim or person at risk, and to prohibit the perpetrator from entering the residence of or contacting the victim or person at risk.</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
28.1	<p>If yes, please indicate which authorities have the power to issue emergency barring orders:</p> <p>Pursuant to the Law on Protection against Domestic Violence, an emergency ban issued by the police (Order for exclusion from an apartment or other living space) refers to exclusion from the common living space, not the exclusion from the residence or banning the perpetrator from entering the victim's residence. It applies only to misdemeanor proceedings and may last for a maximum of three days.</p> <p>In misdemeanor proceedings, the police may propose to the misdemeanor court any of the five protective measures prescribed by law. These measures can also be proposed by the victim or her representative, the center for social work, the public prosecutor, or ex-officio misdemeanor court. The Misdemeanor Court is competent to determine protective measures under the Law on Protection against Domestic Violence.</p> <p>There are no protective measures in criminal proceedings, but at the proposal of the prosecutor or the injured party, the court may impose one or more supervision measures on the defendant (Article 166 of the Criminal Code).</p> <p>Violation of the Order for exclusion from an apartment or other living space, which is pronounced by the police, prescribes misdemeanor liability (Article 38 of the Law on Protection against Domestic Violence).</p> <p>Violation of protective measures determined by the misdemeanor court is subject to criminal liability (Article 220, paragraph 5 of the Criminal Code).</p>		

28.2	<p>If yes, please indicate the length of time for which emergency barring orders may remain in force:</p> <p>Protective measures under the Law on Protection against Domestic Violence can last from thirty days to one year. Supervision measures under the Code of Criminal Procedure may last until the verdict becomes final, when security measures could enter into force if they are imposed under a sentence.</p>																								
28.3	<p>[Optional question: if not, please specify the reasons]:</p>																								
29	<p>Have your authorities taken measures contributing to ensure the availability of restraining or protection orders to victims of the following forms of violence against women?</p>																								
	<table border="1"> <tr> <td data-bbox="235 581 1318 646">- Domestic violence</td> <td data-bbox="1327 581 1558 646">Yes <input checked="" type="checkbox"/></td> <td data-bbox="1566 581 1860 646">No <input type="checkbox"/></td> </tr> <tr> <td data-bbox="235 646 1318 711">- Stalking</td> <td data-bbox="1327 646 1558 711">Yes <input checked="" type="checkbox"/></td> <td data-bbox="1566 646 1860 711">No <input type="checkbox"/></td> </tr> <tr> <td data-bbox="235 711 1318 776">- Sexual violence</td> <td data-bbox="1327 711 1558 776">Yes <input checked="" type="checkbox"/></td> <td data-bbox="1566 711 1860 776">No <input type="checkbox"/></td> </tr> <tr> <td data-bbox="235 776 1318 841">- Sexual harassment</td> <td data-bbox="1327 776 1558 841">Yes <input checked="" type="checkbox"/></td> <td data-bbox="1566 776 1860 841">No <input type="checkbox"/></td> </tr> <tr> <td data-bbox="235 841 1318 906">- Forced marriage</td> <td data-bbox="1327 841 1558 906">Yes <input checked="" type="checkbox"/></td> <td data-bbox="1566 841 1860 906">No <input type="checkbox"/></td> </tr> <tr> <td data-bbox="235 906 1318 971">- Female genital mutilation</td> <td data-bbox="1327 906 1558 971">Yes <input checked="" type="checkbox"/></td> <td data-bbox="1566 906 1860 971">No <input type="checkbox"/></td> </tr> <tr> <td data-bbox="235 971 1318 1036">- Forced abortion</td> <td data-bbox="1327 971 1558 1036">Yes <input checked="" type="checkbox"/></td> <td data-bbox="1566 971 1860 1036">No <input type="checkbox"/></td> </tr> <tr> <td data-bbox="235 1036 1318 1127">- Forced sterilisation</td> <td data-bbox="1327 1036 1558 1127">Yes <input checked="" type="checkbox"/></td> <td data-bbox="1566 1036 1860 1127">No <input type="checkbox"/></td> </tr> </table>	- Domestic violence	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	- Stalking	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	- Sexual violence	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	- Sexual harassment	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	- Forced marriage	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	- Female genital mutilation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	- Forced abortion	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	- Forced sterilisation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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- Forced sterilisation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>																							
29.1	<p>If yes, please specify:</p> <p>All these forms of violence against women are recognized under the Criminal Code and the Law on Protection against Domestic Violence.</p> <p>The Criminal Code prescribes:</p> <p>(1) Whoever uses gross violence to violate bodily or mental integrity of his family member or member of a family community shall be</p>																								

punished by a fine or a prison sentence for a term not exceeding two years.

(2) Where the offence set forth in paragraph 1 of this Article was committed by means of weapons, dangerous tools or other instruments suitable for inflicting serious bodily injury or seriously impairing one's health the perpetrator shall be punished by a prison sentence for a term from three months to three years.

(3) Where an offence set forth in paragraphs 1 and 2 of this Article resulted in a serious bodily injury or serious impairment of health or where they are committed against a minor, the perpetrator shall be punished by a prison sentence for a term from one to five years.

(4) Where an offence set forth in paragraphs 1, 2 and 3 of this Article results in the death of a member of a family or family community, the perpetrator shall be punished by a prison sentence for a term from three to twelve years.

(5) Whoever violates the protection measures against domestic violence imposed on him by court or another state authority under law shall be punished by a fine or a prison sentence for a term not exceeding one year.

Article 150 of the Criminal Code prescribes:

(1) Whoever, in violation of the regulations governing the termination of pregnancy, carries out an abortion with the pregnant woman's consent, starts carrying out an abortion or assists a pregnant woman in terminating her pregnancy shall be punished by a prison sentence for a term from three months to three years.

(2) Whoever carries out or starts carrying out an abortion without the consent of a pregnant woman and, where she is younger than eighteen, without her consent or a written approval of her parent, adoptive parent or guardian shall be punished by a prison sentence for a term from one to eight years.

(3) Where, due to an offence set forth in paragraphs 1 and 2 of this Article, the woman subjected to abortion dies or her health is heavily impaired or another serious bodily injury is inflicted upon her, the perpetrator shall be punished for the offence set forth in paragraph 1 of this Article by a prison sentence for a term from six months to six years and for the offence set forth in paragraph 2 of this Article by a prison sentence for a term from two to twelve years.

Article 151a of the Criminal Code stipulates that whoever mutilates the external parts of the female genitalia shall be punished by imprisonment for a term from one to eight years.

Article 151b stipulates that whoever, by force or threat, sterilizes another person in order to prevent his reproduction, shall be

	<p>punished by imprisonment for a term from three months to five years.</p> <p>Chapter 18 of the Criminal Code deals with crimes against sexual freedom. In 2021, this chapter has been amended in the same way that the penal policy has been amended. Namely, the Amendment to the Criminal Code corrected the penal policy for all criminal offenses against sexual freedoms, which concern the protection of minors and the infirm. For the criminal offenses of rape, adultery against an incapacitated person, adultery with a child and adultery with abuse of office, the law prescribes that the perpetrator be punished by long-term imprisonment of up to 40 years. There will be no mitigating circumstances for each of them, the state authorities will have control over these persons at all times and they will be sanctioned in every segment of life.</p> <p>With regard to the Law on Protection against Domestic Violence, it prescribed forms of violence under Article 8, and further determined the manner of treatment and protective measures.</p> <p>In addition to the above, in the field of combating gender-based violence, Montenegro's activities were mainly focused on capacity building for the implementation of the Protocol on Action and the development of a standardized interoperable national database.</p> <p>The Protocol on Action in Cases of Gender-Based Violence from 2018 has a significant strategic impact on the institutional approach and case management, as well as on achieving certain standards in Chapter 23 of the <i>acquis communautaire</i>, related to data collection and databases and implementation of the Istanbul Convention.</p> <p>The Protocol was signed by all relevant government departments, the prosecutor's office, the Protector and NGOs. The main objectives of the Protocol are: application of the Istanbul Convention in the daily practice of institutions in order to provide effective and rapid protection to victims of violence; exchange of data and information through information systems between relevant institutions and harmonization of data collection methodology with relevant institutions in order to form a single database.</p> <p>In 2019, an amended Ordinance on closer conditions for the provision and use, norms and minimum standards of accommodation services in the shelter was adopted, thus improving the standards for accommodation service providers</p>		
29.2	[Optional question: if not, please specify the reasons]:		
30	Have your authorities taken measures contributing to ensure the effective enforcement of barring, restraining or protection orders?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
30.1	If yes, please specify:		

30.2	[Optional question: if not, please specify the reasons]:
31	In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Articles 52 and 53, which were not covered by the questions above, in particular in relation to the collection of data on the number of orders issued and their violations, please report on these measures [word limit: 1000 words]:

Specific recommendations	
32	<p>Please report on measures taken by your authorities contributing to the implementation of the recommendation to ensure that training for all professional groups that come in contact with victims, in particular law enforcement officials, prosecutors, judges, social workers, teachers and health professionals, include:</p> <ul style="list-style-type: none"> a. systematic and compulsory initial training on the different manifestations of violence against women, their detection and root causes, as well as the prevention of secondary victimisation; b. regular in-service training that is mandatory and based on protocols and guidelines for intervention in cases of all forms of violence against women (Recommendation A.9, IC-CP/Inf(2019)1). <p>These measures have not been taken in the police, i.e. at the Police Academy, participants in basic police training (future police officers) have certain classes where they study the topic of domestic violence, but there is no systematic and mandatory training, which would be continuously conducted in two levels, regular (for all police officers who may come into contact with a victim or perpetrator of domestic violence or violence against women) and specialized (for police inspectors, specially trained to work on combating this type of violence).</p> <p>According to the data available to the Department for Human Resources, Training and Professional Development of Police Officers, during 2018, four trainings on the topic of "Domestic Violence" were organized, which were attended by 80 police officers.</p>

In the period from January 1 to December 31, 2019, the following were organized:

- One training on the topic "Protocol on dealing with cases of domestic violence" for a total of 9 officers (at the Police Academy) and
- Four trainings on "Gender-Based Violence - Application of Protocols" which were attended by a total of 54 police officers (in cooperation with the NGO Safe Women's House and SOS telephone).

In 2020, there were no trainings on the subject through the Department for Human Resources, Training and Professional Development of Police Officers, while this year the course "Combating Domestic Violence", which is organized in cooperation with the Police Directorate and TIKE, is underway (29/11-03/12/2021), attended by 13 police officers. "

In Montenegro, training in judicial bodies is conducted within the Judicial and Public Prosecutor's Training Center, which has existed as an independent organization with legal personality since the entry into force of the Law on Judicial and Public Prosecutor's Training Center on October 17, 2015.

Training for judges and state prosecutors is organized and conducted as initial and continuous.

According to the law, judges and public prosecutors have the right and obligation to improve their skills.

Special training days dedicated to this topic have been introduced in the Initial Training Program for Candidates for Judges and Candidates for Public Prosecutors, and in particular in the Initial Training Program for Candidates for Misdemeanour Judges. The professional training program for judges and prosecutors with four years of work experience includes a six-day module covering domestic violence (application of provisions setting out domestic violence as a misdemeanour versus domestic violence as a criminal offense, protection measures, taking statements from victims, domestic violence and Istanbul Convention, etc.). [1] Also, domestic violence is part of the initial training program for judges and prosecutors.

The financial resources of the Training Center in the Judiciary and the Public Prosecutor's Office from own resources for the period from April 2018 to 2021 (including 2021) amount to € 3,450.

It is important to note that the Center cooperates with international and non-governmental organizations in conducting trainings on violence against women, which largely (mostly) finance joint trainings.

The Institute for Social and Child Protection has accredited numerous trainings related to gender-based violence, as follows: Basic training program for professionals, professional associates and members of multidisciplinary teams for protection against domestic violence and violence against children, Basic training for protection from domestic violence and violence against children, Invisible

	<p>witnesses and double victims: The link between violence against women and child abuse, Assessment and management of security risks in situations of violence in partnerships and domestic violence, Basic training in applying case management methods in social protection, Participation of beneficiaries with experience of violence and risk assessment in cases of domestic violence against women and children, Alienation of children as a form of domestic violence, Training program to support women with experience of domestic violence in accordance with the principles of due diligence, Coordinated action in prevention and protection from domestic violence, Basic training of professionals in the centers for social work for the prevention, detection and protection of victims of child trafficking, Domestic violence and institutional protection, Training program for telephone counseling, Training program for staff in specialized help and support services - shelters for women and children victims of violence, Program of training of staff in specialized help and support services - SOS helpline for women and children victims of violence, Training program for leading educational and experience groups for women victims of violence, Basic training program: Concept and basic knowledge for organizing SOS helpline for women with disabilities who have experienced violence, Advanced training program: Skills and knowledge for providing SOS helpline services for women with disabilities who have experienced violence, Assessment of parental capacity for the needs of the child entrustment process;</p>
33	<p>Please report on measures taken by your authorities contributing to the implementation of the recommendation to set up rape crisis and/or sexual violence referral centres, ensuring a sensitive response by trained and specialised staff, in sufficient numbers, recalling that one such centre should be available per 200 000 inhabitants and that their geographic spread should make them accessible to victims in rural areas as much as in cities (Recommendation A.11, IC-CP/Inf(2019)1).</p> <p>Montenegro does not have a crisis center for victims of sexual violence. In the next period, in 2022, Montenegro will pass a new Law on Social and Child Protection, which will recognize victims of sexual violence as a category. Once these victims are recognized in the law, the three Ministries, namely the Ministry of Finance and Social Welfare, the Ministry of Health and the Ministry of Interior, can adopt more detailed conditions for the implementation of this service. It will depend on the ministries how the service will be implemented, who will provide the service and whether there is a need to amend the legislation. After closer conditions are determined, the accreditation of the training program for all experts in the chain, from professional workers, doctors, gynecologists, to the police, will follow.</p>

*Data on cases of violence against women and domestic violence
from various sources for 2019, 2020 and 2021*

Podgorica, January 2022

INTRODUCTION

The Law on Protection against Domestic Violence from 2010, Article 34, states that: “records on reported cases of violence, victims, perpetrators of violence, imposed protective measures, as well as other measures of protection and assistance, are kept by bodies and institutions referred to under Article 5 paragraph 1 of this Law, in accordance with their competencies, and submitted to the ministry responsible for the protection of human and minority rights.”

In this regard, the Ministry of Justice, Human and Minority Rights collects relevant data from the relevant institutions and consolidates them in a single document.

In addition, we submit statistics of the national SOS helpline for victims of violence against women and domestic violence, administered by the NGO "SOS Helpline for Women and Children Victims of Violence Nikšić" and data from the Protector of Human Rights and Freedoms on gender discrimination cases, in relation to the cases of gender-based violence and cases of discrimination based on sexual orientation and gender identity.

OVERVIEW OF CASES OF DOMESTIC VIOLENCE FOR 2019 FROM DIFFERENT SOURCES

Data submitted by the Police Directorate for 2019

The Crime Police Sector monitors and analyzes the situation and trends in cases of domestic violence in Montenegro; prepares the work plan and program, organizes, manages and provides timely information on the implementation of planned activities, the situation and trends with these crimes; improves the functioning of the line of work in the field of prevention and control; monitors and analyzes the application of laws and bylaws.

Pursuant to Article 44 of the Law on Internal Affairs, which prescribes the records kept by the police on the collected, processed and used data, **281 criminal offenses were committed in the territory of Montenegro in 2019**, prescribed under Article 220 of the Criminal Code Code of Montenegro and **41** criminal offenses in connection with domestic violence, qualified differently (2 x Art. 143; 3 x Art. 144; 1 x Art. 152; 13 x Art. 216; 4 x Art. 217; 4 x Art. 168; 1 x Art .176; 1 x Art.206; 1 x Art.208; 6 x Art.221; 5 x Art.403). **305 criminal complaints** were filed for above stated offenses. These offenses have been committed by **329 perpetrators**, of which **273 are** males (of which **two** minors) and **56** females (of which **two** minors). During this period, there were **40** recidivists in committing crimes of domestic violence. Of all the committed criminal offenses under Article 220 of the Criminal Code of Montenegro, one third has been executed in the territory of jurisdiction of the Security Center Podgorica.

The victims of committed crimes of domestic violence are **340** people, of which **104** men and **223** women. Out of the total number of victims, **70** are minors (**21** males and **49** females).

In 2019, the Police Directorate filed **1,548** misdemeanor charges for 1,819 **violations** of the Law on Protection against Domestic Violence. The stated number of offenses was committed by **1,676** perpetrators, of which **1,310** male (of which **24** minors) and **366** female (of which **four** minors). **265 recidivists** have been registered in the commission of misdemeanors in accordance with the Law on Protection against Domestic Violence.

The victims of the committed offenses are **1,843** persons, of which **702** male and **1,141** female. Of the total number of victims of misdemeanors, **297** are minors (**154** males and **143** females).

In 2019, police officers, in accordance with Article 28 of the Law on Protection against Domestic Violence, in **57** cases ordered the perpetrator of violence to be excluded or banned from returning to an apartment or other living space, of which 47 cases in the Security Center Nikšić; four cases in the Security Center Bar; two cases in the Security Center Berane; and one case in the Security Center Podgorica, Security Center Budva, Security Center Herceg Novi and Security Department Ulcinj, each.

Also, officers of the Police Directorate, in accordance with Article 37 of the Law on Protection against Domestic Violence, filed **169** reports of neglect, 77 in Security Center Podgorica, 63 in Security Center Nikšić, 19 in Security Center Budva, 7 in Security Center Berane, 2 in Security Department Ulcinj and one in Security Department Kotor.

In one case, the use of a cold weapon-knife was registered.

During 2019, five cases with a fatal consequence were recorded, namely: in Cetinje, two criminal offenses of Aggravated Murder under Article 144 (in one case a brother killed his brother-foreign nationals; in the other a son killed his mother); in Rožaje, one criminal offense of Aggravated Murder under Article 144 (ex-wife set fire to a house as a result of which her ex-husband and his partner were killed); in Nikšić, one criminal offense of Murder under Article 143 (a son murdered his mother, after which he committed suicide) and in Bar (a wife murdered a husband, both citizens of Kazakhstan), one criminal offense of Murder under Article 143.

Tabular overview of the number of proposed protective measures and the type of measure by police officers:

Table 1:

Security Center / Security Department	Proposed protective measures				
	Exclusion from the apartment	Restraining order	Non-molestation order and stalking protection order	Mandatory treatment for addiction	Mandatory psychosocial treatment
Podgorica	17	34	26	3	12
Cetinje	0	0	0	0	0
Danilovgrad	-	-	-	-	-
Kolašin	0	0	0	0	0
Budva	10	29	16	1	0
Herceg Novi	-	-	-	-	-

Kotor	0	30	10	0	0
Tivat	-	-	-	-	-
Bar	4	5	1	4	-
Ulcinj	0	0	0	0	0
Nikšić	15	18	9	0	0
Šavnik	0	0	0	0	0
Plužine	0	0	0	0	0
Bijelo Polje	0	0	0	4	4
Mojkovac	1	1	0	1	0
Berane	-	-	-	-	-
Andrijevica	0	0	0	0	0
Plav	0	0	0	0	0
Rožaje	1	1	21	0	1
Pljevlja	0	0	0	0	0
Žabljak	0	0	0	0	0
TOTAL	48	118	83	13	17

Note: The fields in the table above, marked "-" instead of numbers, indicate that it is unknown exactly how many measures have been proposed, given the uneven practice in security centers/departments, where a protective measure is proposed orally at the hearing (no records were kept), or the imposition of an adequate protective measure is requested, without specifying a specific measure.

Tabular overview of the number of imposed protective measures and the type of measure, for the execution of which, according to Article 33, paragraph 2 of the Law on Protection against Domestic Violence, the police are competent:

Table 2:

Security Center/ Security Department	Monitoring imposed protective measures		
	Exclusion from the apartment	Restraining order	Non-molestation order and stalking protection order

Podgorica	41	45	65
Cetinje	0	0	0
Danilovgrad	0	0	0
Kolašin	0	0	0
Budva	11	26	15
Herceg Novi	5	6	23
Kotor	4	5	7
Tivat	1	1	6
Bar	1	4	0
Ulcinj	0	0	0
Nikšić	15	18	9
Šavnik	0	0	0
Plužine	0	0	0
Bijelo Polje	0	1	1
Mojkovac	0	0	0
Berane	1	1	10
Andrijevisa	0	0	0
Plav	0	0	0
Rožaje	1	0	21
Pljevlja	2	6	0
Žabljak	1	0	0
TOTAL	83	113	157

During the past year, police officers sent 27 victims to shelters, while 19 minors were sent to the shelter with their victims.

The Police Directorate continuously cooperates with all social entities involved in the prevention, control and suppression of domestic violence, through the participation of police officers in multidisciplinary teams also, so in 2019 in Montenegro, eleven multidisciplinary teams held 35 meetings.

Seven complaints of citizens against police officers working on combating domestic violence were recorded, one of which resulted in the initiation of disciplinary proceedings, the outcome of which is still unknown.

Data from the Supreme Court

Review of cases under Article 220, Domestic Violence for 2019

Table 1:

Article of the Criminal Code	Undisposed	Received	Total number of cases pending	Number of disposed cases	Types of first-degree decisions by persons		Number of final decisions in 2019	Type of final decision by persons	
					Conviction	Acquittal		Conviction	Acquittal
220	55	198	253	183	181	5	166	162	4

Table 2:

FINAL SENTENCES IN 2019	
TYPE OF SENTENCE	NUMBER OF SENTENCES
HOME CONFINEMENT	4
FINE	2
OBLIGATORY TREATMENT OF ALCOHOLICS AND DRUG ADDICTS	9
MANDATORY TREATMENT OF ALCOHOLICS	4
MANDATORY TREATMENT OF DRUG ADDICTS	1
OBLIGATORY PSYCHOLOGICAL TREATMENT AT HOME	3
OBLIGATORY PSYCHOLOGICAL TREATMENT IN HEALTHCARE INSTITUTION	1
WEAPON SEIZURE	1
SEIZURE OF OTHER ITEMS	3
OTHER	4
ENHANCED SUPERVISION BY SOCIAL WELFARE AUTHORITIES	1
COMMUNITY SERVICE	15
SUSPENDED SENTENCE	79
PRISON SENTENCE	59
RESTRAINING ORDER	1
TOTAL	187

Annual report on the work of misdemeanor courts in cases related to the Law on the Protection against Domestic Violence for 2019

1. Aggregate data on the number of cases and the manner of disposal

In 2019, the Misdemeanor Courts had a total of 2,059 cases pending under the Law on Protection against Domestic Violence, of which 1,220 the Misdemeanor Court in Podgorica, 485 the Misdemeanor Court in Budva, and 354 cases the Misdemeanor Court in Bijelo Polje.

A total of 1,487 cases or 72.22% were completed, of which 814 in the Misdemeanor Court in Podgorica, 402 in the Misdemeanor Court in Budva and 271 in the Misdemeanor Court in Bijelo Polje.

The above cases were disposed as follows:

- fines 534,
- prison sentence 121,
- suspended sentence 238,
- warning 109,
- corrective measures 15,
- in 13 cases the complaint was rejected,
- in 51 cases the proceedings were suspended,
- acquittal in 360 cases,
- while 46 cases were resolved in another way.

Also, a total of 438 protective measures were imposed, as follows:

- exclusion from an apartment or other living space 69
- restraining order 134
- prohibition of molestation and stalking 175
- mandatory treatment for addiction 31 (in 26 cases of alcohol and 5 cases of psychoactive substances)
- mandatory psychiatric treatment 22,
- mandatory psychosocial treatment 4, and
- referral to a non-institutional type of correctional institution 3.

A comparative analysis of these data with data from the Annual Work Report of Misdemeanor Courts in cases related to the Law on Protection against Domestic Violence for 2018, SU II No. 23/19 of 24 January 2019, reveals that the number of cases in progress in 2019 increased compared to 2018 from 1,972 to 2,059, or by 4.41%. Also, despite the increase in the number of cases in progress, 1,487 or 72.22% of cases were disposed.

Regarding the manner of resolving disposed cases, a comparative analysis of data for 2019 and 2018 shows that the percentage of fines imposed increased in 2019 from 33.34% to 35.91%. The percentage of imprisonment sentences decreased from 10.56% to 8.14%, while the percentage of suspended sentences remained at almost the same level. The percentage of suspensions fell from 6.52% to 3.43%. The percentage of acquittals increased slightly from 23.54% to 24.21%.

Regarding the imposed protective measures, it is concluded that in 2019 a total of 438 measures were imposed, while in 2018 there were 308.

An overview of the work of misdemeanor courts in cases within the scope of the Law on Protection against Domestic Violence in 2019 is given in the following tables.

2. Summary tabular overview of data for all misdemeanor courts

Table 1. Aggregate data

Court	Number of cases in progress	Number of disposed cases	Victim of violence				Bully				Bully profile (according to available data)					
			Adult		Minor		Adult		Minor		Employment status			Degree of education		
			M	F	M	F	M	F	M	F	Unemployed	Employed	Retired	Primary education	Secondary education	College or university degree
Podgorica	1,220	814 66,72%	224	537	61	49	706	43	12	3	462	262	7	217	177	33
Budva	485	402 82,89%	155	309	19	29	389	132	16	-	205	206	41	76	314	27
Bijelo Polje	354	271 76,55%	113	186	5	10	283	31	2	-	191	48	25	51	178	11
Total	2,059	1,487 72.22%	492	1,032	85	88	1,378	206	30	3	858	516	73	344	669	71

Table 2. Aggregate data on the method of disposal

Court	Fine	Imprisonment	Suspended sentence	Warning	Suspension	Corrective	Dismissal	Acquittal	In another way
Podgorica	236 28.99%	83 10.20%	173 21.25%	54 6.63%	33 4.05%	7 0.86%	6 0.74%	192 23.59%	30 3.69%
Budva	165 41.04%	15 3.73%	61 15.17%	40 9.95%	10 2.49%	6 1.49%	7 1.74%	89 22.14%	9 2.24%
Bijelo Polje	133 49.08%	23 8.49%	4 1.48%	15 5.54%	8 2.95%	2 0.74%	-	79 29.15%	7 2.57%
Total	534 35.91%	121 8.14%	238 16%	109 7.33%	51 3.43%	15 1.01%	13 0.87%	360 24.21%	46 3.09%

Special tabular overview of data by courts

3.1. Misdemeanor Court in Podgorica

Table 3.

Court	Number of cases in progress	Number of disposed cases	Victim of violence				Bully				Bully profile (according to available data)					
			Adult		Minor		Adult		Minor		Employment status			Degree of education		
			M	F	M	F	M	F	M	F	Unemployed	Employed	Retired	Primary education	Secondary education	College or university degree
Podgorica	813	563	167	375	46	29	479	22	8	1	260	218	-	36	406	32
Danilovgrad	27	21	11	7	-	3	19	3	-	-	17	1	3	6	14	1
Nikšić	357	217	41	145	15	17	195	16	4	2	175	42	-	168	49	-
Cetinje	23	13	5	10	-	-	13	2	-	-	10	1	4	7	8	-
Total at court level	1,220	814	224	537	61	49	706	43	12	3	462	262	7	217	177	33

Table 4.

Court	Fine	Imprisonment	Suspended sentence	Warning	Suspension	Corrective	Dismissal	Acquittal	In another way
The seat of the Misdemeanor Court in Podgorica	125	63	150	32	23	5	6	132	27
Department in Danilovgrad	15	1	-	-	1	-	-	4	-
Department in Nikšić	88	19	21	22	9	2	-	53	3
Department in the Capital of Cetinje	8	-	2	-	-	-	-	3	-
Total at court level	236	83	173	54	33	7	6	192	30

Table 5.

Type of protective measure imposed	Number of protective measures imposed
Restraining order	78
Exclusion from the apartment	51
Mandatory treatment in a health institution	10
Non-molestation order and stalking prohibition order	92
Mandatory treatment at liberty	5
Treatment for alcohol dependence	19
Mandatory psychosocial treatment	1
Psychiatric treatment	3
TOTAL	259

3.2. Misdemeanor Court of Budva

Table 6.

Court	Number of cases in progress	Number of disposed cases	Victim of violence				Bully				Bully profile (according to available data)					
			Adult		Minor		Adult		Minor		Employment status			Degree of education		
			M	f	M	F	M	F	M	F	Unemployed	Employed	Retired	Primary education	Secondary education	College or university degree
The seat of the Court	84	71	16	39	13	19	60	40	-	-	22	56	4	2	37	6
Department in Kotor	104	84	17	83	3	1	90	6	8	-	42	62	-	16	86	2
Department in Herceg Novi	110	104	41	69	1	7	80	29	4	-	36	48	21	18	78	9
Department in Bar	134	95	61	85	2	2	122	42	3	-	71	26	11	29	74	7
Department in Ulcinj	53	48	20	33	-	-	37	15	1	-	34	14	5	11	39	3
Total at court level	485	402	155	309	19	29	389	132	16	-	205	206	41	76	314	27

Table 7.

Court	Fine	Imprisonment	Suspended sentence	Warning	Suspension	Corrective	Dismissal	Acquittal	In another way
The seat of the Court	36	4	5	16	1	-	-	8	1
Department in Kotor	24	3	25	6	2	3	2	18	1
Department in Herceg Novi	40	3	30	11	1	2	4	12	1
Department in Bar	43	3	-	5	1	-	1	40	2
Department in Ulcinj	22	2	1	2	5	1	-	11	4
Total at court level	165	15	61	40	10	6	7	89	9

Table 8.

Type of protective measure imposed	Number of protective measures imposed
Exclusion from the apartment	15
Restraining order	44
Non-molestation order and stalking prohibition order	57
Mandatory treatment of alcoholics for addiction	2
Mandatory treatment of drug addicts	5
Mandatory treatment in a health institution	1
TOTAL	124

3.3. Bijelo Polje Misdemeanor Court

Table 9.

Court	Number of cases in progress	Number of disposed cases	Victim of violence				Bully				Bully profile (according to available data)					
			Adult		Minor		Adult		Minor		Employment status			Degree of education		
			M	F	M	F	M	F	M	F	Unemployed	Employed	Retired	Primary education	Secondary education	College or university degree
Bijelo Polje	112	90	43	46	1	2	80	7	-	-	79	9	2	6	82	2
Berane	62	38	13	32	-	4	35	6	-	-	27	6	5	12	23	5
Pljevlja	56	47	9	36	1	1	45	1	1	-	23	16	8	19	28	-
Kolašin	28	17	10	16	-	-	28	5	-	-	15	2	3	-	-	-
Rožaje	30	29	9	18	1	2	26	4	-	-	24	3	3	7	20	3
Mojkovac	44	32	24	25	1	1	44	8	-	-	17	3	1	3	16	1
Žabljak	21	17	4	12	1	-	24	-	-	-	5	9	3	4	8	-
Plav	1	1	1	1	-	-	1	-	-	-	1	-	-	-	1	-
Total at court level	354	271	113	186	5	10	283	31	2	-	191	48	25	51	178	11

Table 10.

Court	Fine	Imprisonment	Suspended sentence	Warning	Suspension	Corrective	Dismissal	Acquittal	In another way
Bijelo Polje	27	11	-	4	2	-	-	44	2
Berane	26	2	-	3	1	-	-	6	-
Pljevlja	30	7	-	-	-	2	-	6	2
Kolašin	10	-	2	-	1	-	-	4	-
Rožaje	23	1	1	-	2	-	-	-	2
Mojkovac	9	1	1	4	2	-	-	14	1
Žabljak	8	-	-	4	-	-	-	5	-
Plav	-	1	-	-	-	-	-	-	-
Total at court level	133	23	4	15	8	2	-	79	7

Table 11.

Type of protective measure imposed	Number of protective measures imposed
Mandatory psychiatric treatment and custody	1
Mandatory psychiatric treatment at liberty	1
Mandatory treatment of alcoholics from addiction	5
Non-molestation order and stalking prohibition order	26
Restraining order	12
Exclusion from the apartment	3
Mandatory psychosocial treatment	3
Referral to a non-institutional type of corrective institution	3
Mandatory psychiatric treatment	1
TOTAL	55

4. Number of bullies

In 1,487 disposed cases, proceedings were conducted against 1,617 perpetrators, of which 1,584 were adults and 33 minors. Adult perpetrators by gender were 1,378 men and 206 women, while juvenile perpetrators by gender were 30 men and 3 females.

4.1. Profile of the perpetrator according to available data on employment status and level of education

According to available data, on a sample of 1,447 perpetrators, i.e. 89.49% of the total number of perpetrators in disposed cases, 858 or 59.29% are unemployed.

In the sample of 1,084 bullies or 67.03% of the total number of bullies, 344 or 31.73% have primary education, 669 or 61.72% secondary education, while 71 or 6.55% have a university degree or higher.

5. Victims of violence

In 1,487 disposed cases, there were a total of 1,697 victims of violence, of which 1,524 or 89.81% were adults and 173 or 10.19% were minors. Out of a total of 1,524 adult victims of violence, 1,032 or 67.71% were women and 492 men. Out of a total of 173 juvenile victims of violence, 85 were male and 88 female.

6. Appeal proceedings

During 2019, the High Court of Misdemeanor of Montenegro had a total of 140 cases related to the Law on Protection against Domestic Violence, of which 122 second-instance misdemeanour proceedings, 4 cases for imposition of a supervision measure and a request for the imposition of a protective measure, 6 enforcement misdemeanour proceedings and 8 cases for postponement of execution.

An overview of the work on these cases is presented in Table 12.

Table 12.

Ordinal no.	Case type	Number of cases in progress	Disposed						In progress
			Appeal dismissed	Upheld	Overtured	Reversed	Disposed in other	Adm. returned	
1	Second-instance misdemeanour proceedings	122	-	83	21	12	1	5	-
2	Imposition of a supervision measure and a request for the imposition of a protective measure	4	-	3	1	-	-	-	-
3	Enforcement misdemeanour proceedings	6	-	6	-	-	-	-	-
4	Postponement of execution	8	-	4	-	-	4	-	-
Total		140		96	22	12	5	5	-

Out of a total of 122 second-instance misdemeanour proceedings in this area, 118 were new and 4 were administratively returned from 2018. 83 cases were upheld. 21 second-instance misdemeanour proceedings were overturned, of which 17 due to significant violations of the provisions of the misdemeanor procedure, three due to incompletely established facts and one due to incorrect assessment of evidence. 12 second-instance misdemeanour proceedings were reversed: two cases in terms of legal qualification, one in terms of costs, in two cases the prison sentence was reduced, in one case the fine was reversed to acquittal, in two cases the proceedings were dismissed due to statute of limitations, in one case the sentence was reduced, in one case the reprimand was reversed to a fine, in one case the acquittal was reversed to a fine, while in one case the suspended sentence was reversed to the sentence of imprisonment.

The duration of the proceedings in 64 cases was up to one month, in 27 from one to two months, in 25 from two to four months and in one case over four months.

In 88 second-instance misdemeanour proceedings the appellants were accused (of which in 47 cases through defense counsel), in 12 cases the Police Directorate was the appellant, in two cases a natural person was the appellant, in one case Basic Prosecutors Office was the appellant, in four cases defendants and injured parties, and in 15 cases injured parties.

Four cases for imposition of a supervision measure and a request for the imposition of a protective measure were disposed so that three cases were upheld and one was dismissed due to incompletely established facts. In these cases, the defendants filed appeals (in two cases through defense counsel). In all four cases, the proceedings lasted up to one month.

In six enforcement misdemeanour proceedings, the appeal was filed by convicts. All enforcement misdemeanour proceedings have been upheld. The proceedings in four cases lasted up to one month, while in two cases they lasted from one to two months.

As for the eight postponement of execution cases, four were on appeal against a decision refusing to postpone execution, three on a request for disqualification of the president of the first instance court and one on a request for resolving a conflict of local jurisdiction. In four cases the first instance decision was upheld, in three cases the request for exemption was rejected as unfounded and one case was resolved in another way.

In seven postponement of execution cases, the proceedings lasted up to one month and in one case from one to two months.

Data from the Supreme Public Prosecutor's Office

During 2019, due to the commission of the criminal offense of domestic violence under Article 220 of the Criminal Code of Montenegro, 306 persons were charged, therefore, with unresolved complaints from the previous period against 28 persons, there were 334 reports pending.

Public prosecutors rejected criminal charges against 107 persons, an indictment was filed against 198 persons, charges against 7 persons were transferred, while at the end of the reporting period, 22 charges remained unresolved.

In addition to the unresolved charges from the previous period against 62 people, charges against 261 people were pending before the court. A conviction was handed down against 178 persons (against one person on the basis of a plea agreement), of which 73 persons were sentenced to imprisonment (of which one is a prison sentence served in residential premises), 84 persons were given a suspended sentence, 18 persons were imposed community service, 2 persons were fined, and the court imposed a protective measure against 1 person. In addition to criminal sanctions, the court imposed 15 protective measures, namely: mandatory psychiatric treatment and custody in a health institution for one person, mandatory treatment of drug addicts for 3 people, mandatory treatment of alcoholics for 2 people, confiscation of items for 4 people, restraining order for 5 people and exclusion from the apartment against one person.

At the end of 2019, 81 charges remained unresolved.

Public prosecutors appealed the court's decision against 22 people due to the sentencing decision, so with unresolved appeals from the previous period due to the sentencing decision against 4 people, there were a total of 26 appeals pending. Deciding on the appeals, the court upheld the appeals against 4 persons against the sentence, and dismissed 14 appeals against the sentencing decision, while 2 appeals were dismissed for other reasons and 2 appeals upheld, and 4 appeals remained undisposed during the reporting period.

Table 1.

Article 220 CC	Article of the Criminal Code of Montenegro
28	Unresolved complaints from the previous period
306	Registered in 2019.
334	Total complaints in progress
107	Dismissal
198	Indictment
	Immediate indictment
7	Submitted complaint
	Investigation order
291	Preliminary investigation
22	Unresolved at the end of 2019.
	Unresolved investigation from an earlier period
	Investigation of another prosecution
	Total investigations in progress
	Termination of the investigation
	Assigned investigation
	Suspension of the investigation
	Resolved investigation
	Unresolved investigation at the end of 2019.
62	Unresolved indictment from an earlier period
197	Accused in 2019.
2	Indictments received from another prosecutor's office
261	Total charges
180	Resolved charges
81	Unresolved indictment the end of 2019.
	Indictment control

Statistical data for 2019 from the centers for social work

Statistical data from the centers for social work for 2019 on reported cases of domestic violence:

CENTER FOR SOCIAL WORK	A CHILD AS A VICTIM OF VIOLENCE	A WOMAN AS A VICTIM OF VIOLENCE	A MAN AS A VICTIM OF VIOLENCE	ELDERLY AS A VICTIM OF VIOLENCE	TOTAL
BUDVA	21	75	24	5	125
TIVAT	4	2	/	/	6
KOTOR	33	32	7	3	75
ROŽAJE	6	8	/	2	16
ŽABLJAK	/	/	/	/	/
PLJEVLJA	23	40	11	3	77
PLAV	1	2	/	/	3
GUSINJE	/	/	/	/	/
PODGORICA GOLUBOVCI TUZI	88	271	130	13	502
NIK ŠIĆ	52	98	66	20	236
PLUŽINE	2	/	/	1	3
ŠAVNIK	/	/	/	/	/
HERCEG NOVI	72	73	20	13	178
DANILOVGRAD	12	4	/	/	16
CETINJE	5	15	3	2	25
ULCINJ	2	3	4	1	10
BAR	3	15	/	5	23
BIJELO POLJE	27	20	13	2	62
KOLAŠIN	5	11	1	/	17
MOJKOVAC	2	14	13	/	29
BERANE	108	65	11	9	193
ANDRIJEVICA	10	1	/	/	11
PETNJICA	8	5	/	2	15
TOTAL	484	754	303	81	1622

ANNEX I:

Statistics of the national SOS helpline for victims of violence against women and domestic violence

Statistics for the period
from 01/01/2019 until 31/12/2019

Table 1: - Victims of domestic violence in 2019

Victims	Number	%
Women	328	89.86
Kids	27	7.40
Men	10	2.74
Total	365	100

Table 2: Number of services provided by the National SOS helpline in 2019

Type of service	Number
Information	<u>1833</u>
Confidential conversations/emotional support	<u>1211</u>
Psychological counseling	162
Mediation towards institutions and emergency interventions	138
Another	112
Request for accommodation	29
Legal advice	12
Referral	4
Total	3503

ANNEX II:

Data from the Protector of Human Rights and Freedoms (in the field of gender discrimination)¹

In the reporting year, the Protector had a number of complaints based on discrimination, but no discrimination was found in any of the cases, which suggests that a significant number of citizens do not recognize the phenomenon of discrimination, especially if born in mind the fact that the research and practice of the Protector have shown that the rights of women and girls are grossly violated in certain areas.

When it comes to the procedure before the Protector, in the reporting period there were no cases pending due to discrimination based on sexual orientation and gender identity. In 2018, the Protector had one (1) case of inequality based on gender identity, in which discrimination was established, and recommendations were given, and one (1) case based on sexual orientation, which ended in suspension, because after complaint filing a court proceedings were initiated. A relatively small number of complaints were filed in 2016 and 2017, respectively, three (3) cases were pending on this basis. This situation indicates that LGBT people are increasingly opting for protection before the courts.

¹Work Report for 2019 of the Protector of Human Rights and Freedoms of Montenegro - link:
http://www.ombudsman.co.me/docs/1590478014_www-final---05---izvjestaj-o-radu-za-2019.pdf

OVERVIEW OF CASES OF DOMESTIC VIOLENCE FOR 2020 FROM DIFFERENT SOURCES

Data submitted by the Police Directorate for 2020

The Crime Police Sector monitors and analyzes the situation and trends in domestic violence in Montenegro; prepares the work plan and program, organizes, manages and provides timely information on the implementation of planned activities, the situation and trends with this crime; improves the functioning of the line of work in the field of prevention and control; monitors and analyzes the application of laws and bylaws.

Pursuant to Article 44 of the Law on Internal Affairs, which prescribes the records kept by the police on the collected, processed and used data, **265 criminal offenses were committed in the territory of Montenegro in 2020** under Article 220 of the Criminal Code Code of Montenegro and **260 criminal complaints** were filed. These offenses were committed by **277 perpetrators**, of which **246** were males (of which **6** minors) and **32** females. During this period, **45** persons were recidivists in committing crimes of domestic violence. Of all the committed criminal offenses under Article 220 of the Criminal Code of Montenegro, almost one third was committed in the jurisdiction of Security Center Podgorica.

The victims of committed crimes of domestic violence were **300** people, **83** men and **217** women. Out of the total number of victims, **57** were minors (**23** males and **34** females).

55 criminal offenses were recorded in connection with domestic violence, qualified differently (1 x Art . 217; 1 x Art. 233; 1 x Art. 162; 1 x Art. 395; 1 x Art. 384; 1 x Art. 327; 2x Art .143/20; 2 x Art.280; 2 x Art.144; 3 x Art .152; 6 x Art.403, 6 x Art.168, 7x Art.444, 12 xArt.221 and 12x Art. 216).

In 2020, the Police Directorate filed **1,474** misdemeanor charges for 1,505 **violations** of the Law on Protection against Domestic Violence. The stated number of offenses was committed by **1,601** perpetrators, of which **1,200** male (of which **20** minors) and **401** female (of which **nine** minors). **245 recidivists** were registered in the commission of misdemeanors in accordance with the Law on Protection against Domestic Violence.

The victims of the committed offenses were **1,772** persons, of which **706** male and **1,066** female. Of the total number of victims of misdemeanors, **273** were minors (**151** males and **122** females).

In the past year, police officers, in accordance with Article 28 of the Law on Protection against Domestic Violence, in **56** cases ordered the perpetrator of violence to be excluded or banned from returning to an apartment or other living space, of which 44 cases in Security Center Nikšić; four cases in Security Center Berane and Security Department Kotor; three cases in Security Center Budva and one case in Security Center Bar.

Also, officers of the Police Directorate, in accordance with Article 37 of the Law on Protection against Domestic Violence, filed **140** reports of neglect.

In two cases, the use of firearms was registered and both resulted in death (two criminal offenses under Article 144 of the Criminal Code of Montenegro, in one uncle and aunt of the perpetrator were killed, while in the other a wife was killed by a husband), while in one case the use of a cold weapon-knife was registered (criminal offense under Article 143/20 of the Criminal Code of Montenegro, the brother is the victim of the brother).

Tabular overview of the number of proposed protective measures and the type of measure by police officers:

Security Center/ Security Department	Proposed protective measures				
	Exclusion from the apartment	Restraining order	Non-molestation order and stalking prohibition order	Mandatory treatment for addiction	Mandatory psychosoc. treatment
Podgorica	8	11	7	6	3
Cetinje	0	0	0	0	0
Danilovgrad	-	-	-	-	-
Kolašin	0	0	0	0	0
Budva	12	23	22	0	0
H. Novi	-	-	-	-	-
Kotor	0	25	20	0	3
Tivat	-	-	-	-	-
Bar	0	9	2	0	0
Ulcinj	0	1	1	0	0
Nikšić	16	29	16	0	0
B. Polje	1	1	0	8	2
Mojkovac	6	3	0	6	1
Berane	-	-	-	-	-
Plav	0	0	0	0	0
Rožaje	1	2	17	0	0
Pljevlja	2	2	0	0	0
Žabljak	1	1	0	0	0
TOTAL	47	107	85	20	9

Note: The fields in the table above, marked "-" instead of numbers, indicate that it is unknown exactly how many measures have been proposed, given the uneven practice in security centers/departments, where a protective measure is proposed orally at the hearing (no records were kept) or the imposition of an adequate protective measure is requested, without specifying a specific measure.

Tabular overview of the number of imposed protective measures and the type of measure, for the execution of which, according to Article 33, paragraph 2 of the Law on Protection against Domestic Violence, the police are competent:

Security Center / Security Department	Monitoring of imposed protective measures		
	Exclusion from the apartment	Restraining order	Non-molestation order and stalking prohibition order
Podgorica	18	24	28
Cetinje	0	0	0
Danilovgrad	0	0	0
Kolašin	0	0	0
Budva	7	12	25
H. Novi	6	6	25
Kotor	8	8	12
Tivat	1	0	1
Bar	1	9	0
Ulcinj	0	0	0
Nikšić	16	29	16
B. Polje	1	0	0
Mojkovac	3	2	0
Berane	0	0	8
Plav	0	0	0

Rožaje	1	2	17
Pljevlja	0	3	0
Žabljak	1	0	0
TOTAL	63	95	132

During the past year, police officers sent 30 victims to shelters, and 21 minors were sent to the shelter with their victims.

The Police Directorate continuously cooperates with all social entities that participate in the prevention, control and suppression of domestic violence, through the participation of police officers in multidisciplinary teams also, so in 2020 in Montenegro, eleven multidisciplinary teams held 22 meetings.

Eight complaints of citizens about the work of police officers concerning cases of domestic violence were recorded, one of which resulted in the initiation of disciplinary proceedings, the outcome is still unknown, while in one case a sentence was imposed for a serious violation of disciplinary responsibility.

Data from the Supreme Public Prosecutor's Office

During 2020, due to the commission of the criminal offense of domestic violence under Article 220 of the Criminal Code of Montenegro, 271 persons were reported, so with unresolved complaints from the previous period against 22 persons, there were 293 complaints.

Public prosecutors dismissed complaints against 90 people, indictments were filed against 181 people, direct indictments were filed against one person, 4 complaints were transferred, while at the end of the reporting period, 17 complaints remained unresolved.

In addition to the unresolved indictments from the previous period against 72 persons, the court had a total of 255 indictments pending. A conviction was handed down against 165 persons, of which 77 persons were sentenced to imprisonment, 67 persons were given suspended sentences, 10 persons were sentenced to community service, 6 persons were fined, and 1 person was reprimanded by court, while the court imposed a protective measure against 4 persons of obligatory psychiatric treatment and stay in a health institution. In addition to criminal sanctions, the court imposed 15 protective measures, namely: mandatory psychiatric treatment at liberty for one person, mandatory treatment of drug addicts for one

person, mandatory treatment of alcoholics for one person, confiscation of items for 2 persons, restraining order for 6 persons and exclusion from apartment for 4 people.

At the end of 2020, there were 78 unresolved indictments in court, while 4 indictments were transferred, acquittal was issued against 4 persons, and a dismissal verdict was passed against 3 persons.

Public prosecutors appealed against 18 court decisions due to the decision, so with unresolved appeals from the previous period due to 2 sentencing decisions, there were a total of 20 appeals pending, of which 17 due to the sentencing decision and 3 for other reasons. Deciding on the appeals, the court upheld the appeals against 4 persons due to the sentencing decision, and dismissed the appeals against 13 persons due to the sentencing decision, and at the end of the reporting period 3 appeals remained undisposed.

Article 220 CC	Article of the Criminal Code of Montenegro
22	Unresolved complaints from the previous
271	Registered in 2019.
293	Total complaints in progress
90	Dismissal
181	Indictment
1	Immediate indictment
4	Submitted complaint
	Investigation order
269	Preliminary investigation
17	Unresolved at the end of 2019.
	Unresolved investigation from an earlier period
	Investigation of another prosecution
	Total investigations in progress
	Termination of the investigation
	Assigned investigation
	Suspension of the investigation
	Resolved investigation
	Unresolved investigation at the end of 2019.
72	Unresolved indictment from an earlier period
182	Accused in 2019.
1	Indictments received from another prosecutor's office
255	Total charges
177	Resolved charges
78	Unresolved indictment at the end of 2019.
	Indictment control

Data from the Higher Misdemeanor Court

3. Aggregate data on the number of cases and the manner of disposal

During 2020, the misdemeanor courts had a total of 2,133 cases related to the Law on Protection against Domestic Violence, of which 1,299 were in the Misdemeanor Court in Podgorica, 450 in the Misdemeanor Court in Budva and 384 cases in the Misdemeanor Court in Bijelo Polje.

A total of 1,449 cases or 67.93% were disposed, of which 784 in the Misdemeanor Court in Podgorica, 382 in the Misdemeanor Court in Budva and 283 in the Misdemeanor Court in Bijelo Polje.

The above cases were disposed as follows:

- 485 fines,
- 83 prison sentences,
- 239 suspended sentences,
- 126 warnings,
- 17 corrective measures,
- in 12 cases the complaint was dismissed,
- in 71 cases the proceedings were suspended,
- acquittal in 361 cases,
- while 55 cases were resolved in another way.

Also, a total of 408 protective measures were imposed, as follows:

- exclusion from an apartment or other living space 54;
- restraining order 111;
- non-molestation order and stalking prohibition order 185;
- mandatory treatment for addiction 16;
- mandatory psychiatric treatment 31, and
- compulsory psychosocial treatment 11.

2. Summary tabular overview of data for all misdemeanor courts

Court	Number of cases in progress	Number of disposed subjects	Victim of violence				Bully				Bully profile (according to available data)					
			Adult		Minor		Adult		Minor		Employment status			Degree of education		
			M	F	M	F	M	F	M	F	Unemployed	Employed	Retired	Primary education	Secondary education	College and university degree
Podgorica	1,299	784 60,35%	208	533	80	53	672	157	2	2	407	311	6	215	207	27
Budva	450	382 84,89%	144	226	9	9	280	112	15	3	164	196	36	43	291	17
Bijelo Polje	384	283 73,70%	119	214	35	29	324	87	5		224	65	44	84	148	14
Total	2,133	1,449 67,93%	471	973	124	91	1,276	356	22	5	795	572	86	342	646	58

Table 2. Aggregate data on the method of disposal

Court	Fine	Imprisonment	Suspended sentence	Warning	Suspension	Corrective	Dismissal	Acquittal	In another way
Podgorica	199	56	174	57	51	1	4	204	38
Budva	158	7	62	40	9	13	4	81	8
Bijelo Polje	128	20	3	29	11	3	4	76	9
Total	485 33,47%	83 5.73%	239 16.49%	126 8.70%	71 4.90%	17 1.17%	12 0.83%	361 24.91%	55 3.78%

3. Special tabular overview of data by courts

3.1. Misdemeanor Court in Podgorica

Table 3.

Court	Number of cases in progress	Number of disposed cases	Victim of violence				Bully				Bully profile (according to available data)					
			Adult		Minor		Adult		Minor		Employment status			Degree of education		
			M	F	M	F	M	F	M	F	Unemployed	Employed	Retired	Primary education	Secondary education	College and university degree
Podgorica	827	490	135	334	47	33	418	88	2	2	219	187	-	21	80	26
Danilovgrad	19	14	5	15	-	-	13	8	-	-	16	1	2	8	15	-
Nikšić	425	268	56	164	33	20	219	49	-	-	151	117	-	182	86	-
Cetinje	28	12	12	20	-	-	22	12	-	-	21	6	4	4	26	1
Total at court level	1,299	784	208	533	80	53	672	157	2	2	407	311	6	215	207	27

Table 4.

Court	Fine	Imprisonment	Suspended sentence	Warning	Suspension	Corrective	Dismissal	Acquittal	In another way
Podgorica	102	38	149	16	37	1	4	110	33
Danilovgrad	10	1	-	1	1	-	-	1	
Nikšić	80	17	25	39	13	-	-	90	4
Cetinje	7	-	-	1	-	-	-	3	1
Total at court level	199	56	174	57	51	1	4	204	38

Table 5.

Type of protective measure imposed	Number of protective measures imposed
Restraining order	59
Exclusion from the apartment	35
Mandatory treatment in a health institution	11
Non-molestation order and stalking prohibition order	78
Mandatory treatment at liberty	7
Treatment of alcohol dependence	5
Mandatory psychosocial treatment	2
Psychiatric treatment	5
Drug treatment	2
TOTAL	204

3.2. Misdemeanor Court of Budva

Table 6.

Court	Number of cases in progress	Number of disposed cases	Victim of violence				Bully				Bully profile (according to available data)					
			Adult		Minor		Adult		Minor		Employment status			Degree of education		
			M	F	M	F	M	F	M	F	Unemployed	Employed	Retired	Primary education	Secondary education	College and university degree
The seat of the Court in Budva	88	75	7	18	-	2	64	24	1	1	30	25	14	3	36	2
Department in Kotor	126	95	47	76	1	2	74	42	9	1	34	92	6	11	106	3
Department in Herceg Novi	81	78	29	64	3	-	68	19	5	1	36	48	9	4	80	9
Department in Bar	120	101	46	48	5	5	47	19	-	-	47	16	4	13	49	-
Department in Ulcinj	35	33	15	20	-	-	27	8	-	-	17	15	3	12	20	3
Total at court level	450	382	144	226	9	9	280	112	15	3	164	196	36	43	291	17

Table 7.

Court	Fine	Imprisonment	Suspended sentence	Warning	Suspension	Corrective	Dismissal	Acquittal	In another way
The seat of the court in Budva	43	1	5	13	3	1	-	8	1
Department in Kotor	22	2	26	11	-	5	3	24	2
Department in Herceg Novi	25	2	29	6	2	4	-	9	1
Department in Bar	51	2	1	1	4	3	1	34	4
Department in Ulcinj	17	-	1	9	-	-	-	6	-
Total at court level	158	7	62	40	9	13	4	81	8

Table 8.

Type of protective measure imposed	Number of protective measures imposed
Restraining order	48
Non-molestation order and stalking prohibition order	68
Exclusion from the apartment	14
Psychiatric treatment at liberty	5
Mandatory treatment for addiction	4
Mandatory psychosocial treatment	7
TOTAL	146

3.3. Bijelo Polje Misdemeanor Court

Table 9.

Court	Number of cases in progress	Number of disposed cases	Victim of violence				Bully				Bully profile (according to available data)					
			Adult		Minor		Adult		Minor		Employment status			Degree of education		
			M	F	M	F	M	F	M	F	Unemployed	Employed	Retired	Primary education	Secondary education	College and university degree
Bijelo Polje	70	58	31	57	1	5	68	17	2	-	58	14	8	26	45	5
Berane	103	72	13	54	17	8	82	20	-	-	55	12	5	22	28	2
Žabljak	20	5	7	5	1	-	15	5	-	-	9	5	4	-	10	1
Kolašin	23	19	9	19	-	-	20	3	-	-	8	3	5	-	-	-
Mojkovac	78	47	23	28	14	15	66	31	1	-	42	7	12	6	11	4
Plav	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Pljevlja	73	67	29	43	1		58	10	1	-	36	23	10	28	40	1
Rožaje	17	15	7	8	1	1	15	1	1	-	16	1	-	2	14	1
Total at court level	384	283	119	214	35	29	324	87	5		224	65	44	84	148	14

Table 10.

Court	Fine	Imprisonment	Suspended sentence	Warning	Suspension	Corrective	Dismissal	Acquittal	In another way
Bijelo Polje	20	8	-	1	4	-	-	25	-
Berane	31	1	3	17	3	-	1	12	4
Žabljak	1	-	-	1	-	-	-	3	-
Kolašin	6	1	-	-	1	-	1	7	3
Mojkovac	18	3	-	9	2	-	-	15	-
Plav	-	-	-	-	-	-	-	-	-
Pljevlja	39	7	-	1	1	3	2	14	-
Rožaje	13	-	-	-	-	-	-	-	2
Total at court level	128	20	3	29	11	3	4	76	9

Table 11.

Type of protective measure imposed	Number of protective measures imposed
Non-molestation order and stalking prohibition order	39
Mandatory psychiatric treatment	3
Mandatory psychosocial treatment	2
Exclusion from the apartment	5
Restraining ordering	4
Mandatory treatment of alcoholics	5
TOTAL	58

3. Number of bullies

In 1,499 disposed cases, proceedings were conducted against 1,659 perpetrators, of which 1,632 or 98.37% were adults and 27 or 1.63% were minors.

Among adult perpetrators by gender, there were 1,276 or 78.19% men and 356 or 21.81% women, while minors by gender were 22 men and 5 women.

3.1. Profile according to available data on employment status and degree of education

According to available data, on a sample of 1,453 perpetrators, i.e. 87.58% of the total number of perpetrators in disposed cases, 795 or 54.71% were unemployed.

On a sample of 1,046 bullies or 63.05% of the total number of bullies, 342 or 32.69% have primary education, 646 or 61.76% secondary education, while 58 or 5.54% have a university degree or higher.

4. Victims of violence

In 1,499 disposed cases, there were a total of 1,659 victims of violence, of which 1,444 or 87.04% were adults and 215 or 12.96% were minors. Out of a total of 1,444 adult victims of violence, 973 or 67.38% were women and 471 or 32.62% were men. Out of a total of 215 juvenile victims of violence, in 124 cases the victims were male and in 91 cases female.

5. Appeal proceedings

During 2020, the High Court of Misdemeanor of Montenegro had a total of 95 cases related to the Law on Protection against Domestic Violence, of which 86 second-instance misdemeanor proceedings, 1 imposition of a supervision measure and a request for the imposition of a protective measure, 5 enforcement misdemeanor proceedings and 3 postponement of execution cases.

An overview of the work on these cases is presented in Table 12.

Ordinal no.	Case type	Number of cases in progress	Disposed						Undisposed
			Appeal dismissed	Upheld	Overtured	Reversed	Disposed in others	Adm. returned	
1	Second-instance misdemeanour proceedings	86	1 1.22%	51 62,19%	17 20,73%	13 15.85%	-	4 4.65%	-
2	Imposition of a supervision measure and a request for the imposition of a protective measure	5	-	4 80%	1 20%	-	-	-	-
3	Enforcement misdemeanour proceedings	3	-	3 100%	-	-	-	-	-
4	Second-instance misdemeanour proceedings	1	-	-	1 100%	-	-	-	-
Total		95	1 1.10%	58 63,74%	19 20,88%	13 14.28%	-	4 4.21%	-

Out of a total of 86 second-instance misdemeanour proceedings in this area, 81 were new and 5 administratively returned from 2019. 82 cases were disposed, while 4 cases were administratively returned at the end of the year. 51 cases were upheld. In one case, the appeal was dismissed, while 17 second-instance misdemeanour proceedings cases were overtured, of which 9 due to significant violations of the provisions of the misdemeanour procedure and seven due to incompletely established facts. 13 second-instance misdemeanour proceedings were reversed: in one case the prison sentence was reversed to acquittal, in one case the fine was reduced, in one case the fine was reversed to acquittal, in one case a reprimand was reversed to a fine, one case was reversed to a fine, one case was reversed in terms of costs of proceedings, 5 cases were reversed in terms of

territorial jurisdiction, in one case the suspended sentence was reduced, in one case the suspended sentence was reversed to a reprimand and in one case the fine was increased.

The duration of 57 second-instance misdemeanor proceedings was up to one month, in 19 cases from one to two months, and in 6 cases from two to four months.

In 61 second-instance misdemeanor proceedings the appellants were the accused, in 16 cases the Police Directorate, in 8 cases the injured parties and in one case the Police Directorate and the defendant.

In five enforcement misdemeanour proceedings, the convicts filed an appeal. Four cases were upheld, and one was overturned due to a significant violation.

In three postponements of execution cases, appeals were filed by the convicts. In these cases, the first instance decisions were upheld.

In one case, the first instance decision was overturned due to a significant violation of the procedure.

6. Comparative data with 2019

Table 13.

Comparative data	2019	2020
Total number of cases in progress	2,059	2,133
Disposed cases	1,487 or 72.22%	1,449 or 67.93%
Percentage of fines imposed	35.91%	33.47%
Percentage of prison sentences imposed	8.14%	5.73%
Percentage of dismissals of proceedings	3.43%	4.90%
Percentage of acquittals	24.21%	24.91%
Number of protective measures imposed	438	408

Review of cases for Article 220 Domestic violence for 2020

Article of the CC	Total number of cases in progress	Number of disposed cases as of 31/12/2020	Type of final decisions by persons		
			Conviction	Acquittal	Dismissal of proceedings
220	252	140	139	3	3

Final sentences in 2020

Type of sentence	Number of sentences
PRISON SENTENCE	57
HOME CONFINEMENT	5
COMMUNITY SERVICE	8
SUSPENDED SENTENCE	55
FINE	6
RESTRAINING ORDERING	6
DISCIPLINARY MEASURE (reprimand)	2
MANDATORY PSYCHIATRIC TREATMENT AND STAY IN A HEALTH INSTITUTION	1
MANDATORY TREATMENT OF ALCOHOLICS AND DRUG ADDICTS	3
MANDATORY TREATMENT OF ALCOHOLICS	2
MANDATORY TREATMENT OF DRUG ADDICTS	1
MANDATORY PSYCHIATRIC TREATMENT AT LIBERTY	5
MANDATORY PSYCHIATRIC TREATMENT IN A HEALTH INSTITUTION	3
SEIZURE OF TRAVEL DOCUMENT-PASSPORT	1
REFERRAL TO INSTITUTIONS OF NON-INSTITUTIONAL TYPE	1
Total	156

Statistical data for 2020 from the centers for social work

Number of domestic violence events

Year of reporting violence	Name of institution	Number of cases
2020	CSW Bar	71
2020	CSW Berane	74
2020	CSW Bijelo Polje	52
2020	CSW Cetinje	4
2020	CSW Danilovgrad	5
2020	CSW Herceg Novi	84
2020	CSW Kotor	55
2020	CSW Mojkovac	26
2020	CSW Nikšić	237
2020	CSW Pljevlja	78
2020	CSW Podgorica	423
2020	CSW Rožaje	18
2020	RU Andrijevića	5
2020	RU Budva	64
2020	RU Golubovci	25
2020	RU Kolašin	6
2020	RU Petnjica	2
2020	RU Šavnik	1
2020	RU Tivat	14
2020	RU Tuzi	16
2020	RU Ulcinj	23
2020	RU Žabljak	1

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Types of domestic violence		Domestic violence - neglect	Domestic violence / abuse - economic	Domestic violence / abuse - emotional	Domestic violence / abuse - physical	Domestic violence / abuse - sexual
Year of reporting violence	Name of institution	Number of victims	Number of victims	Number of victims	Number of victims	Number of victims
2020	CSW Bar	3	9	48	34	
2020	CSW Berane	3	2	50	34	
2020	CSW Bijelo Polje		1	22	42	
2020	CSW Cetinje			4	2	
2020	CSW Herceg Novi			46	38	
2020	CSW Kotor	1	3	28	15	
2020	CSW Mojkovac	3		27	12	
2020	CSW Nikšić	30	30	195	93	6
2020	CSW Pljevlja		1	80	34	1
2020	CSW Podgorica	40	16	265	162	1
2020	CSW Rožaje		1	4	11	
2020	RU Andrijevica			2	3	
2020	RU Budva	6	7	64	26	
2020	RU Golubovci		2	12	10	
2020	RU Kolašin			6	7	
2020	RU Šavnik			1	1	1
2020	RU Tivat			7	3	
2020	RU Tuzi	6	2	6	6	
2020	RU Ulcinj			17	7	
2020	RU Žabljak				1	

Number of events in which children are part of the family

Year of reporting violence	Name of institution	Number of events where children are part of the family
2020	CSW Bar	23
2020	CSW Berane	30
2020	CSW Bijelo Polje	6
2020	CSW Cetinje	3
2020	CSW Danilovgrad	1
2020	CSW Herceg Novi	28
2020	CSW Kotor	9
2020	CSW Mojkovac	3
2020	CSW Nikšić	141
2020	CSW Pljevlja	3
2020	CSW Podgorica	72
2020	CSW Rožaje	2
2020	RU Andrijevica	2
2020	RU Budva	32
2020	RU Golubovci	4
2020	RU Kolašin	1
2020	RU Petnjica	1
2020	RU Šavnik	1
2020	RU Tivat	0
2020	RU Tuzi	2
2020	RU Ulcinj	9
2020	RU Žabljak	0

Direct victims by gender

Year of reporting violence	Name of institution	Men	Female
		Number of victims	Number of victims
2020	CSW Bar	37	45
2020	CSW Berane	25	53
2020	CSW Bijelo Polje	25	34
2020	CSW Cetinje	4	2
2020	CSW Danilovgrad	1	3
2020	CSW Herceg Novi	38	57
2020	CSW Kotor	6	39
2020	CSW Mojkovac	18	17
2020	CSW Nikšić	113	141
2020	CSW Pljevlja	50	39
2020	CSW Podgorica	175	275
2020	CSW Rožaje	10	10
2020	RU Andrijevica	4	2
2020	RU Budva	31	43
2020	RU Golubovci	11	18
2020	RU Kolašin	4	3
2020	RU Petnjica		2
2020	RU Šavnik	1	
2020	RU Tivat	6	10
2020	RU Tuzi	12	10
2020	RU Ulcinj	12	13
2020	RU Žabljak		1

ANNEX I:

National SOS hotline for victims of domestic violence

Statistical data for the period January - December 2020.

Table 1. National SOS hotline for victims of domestic violence - Data on the number of persons who requested assistance

Victims	Number	%
Women	334	94.35
Kids	13	3.67
Men	7	1.98
Total	354	100

Table2. Number of services provided by the National SOS hotline

Type of service	Number	%
Information	2087	59.07
Confidential conversations / emotional support	775	21.94
Psychological counseling	349	9.88
Legal advice	184	5.21
Mediation with institutions and emergency interventions	101	2.86
Request for accommodation	37	1.04
Total	3533	100

Table 3. Victims of domestic violence

Victims	Number	%
Women	334	94.35
Kids	13	3.67
Men	7	1.98
Total	354	100

Table 4: Perpetrators of domestic violence

Gender of the perpetrator	Number	%
Men	349	98.59
Women	5	1.41
Total	354	100

Table 5. SOS shelter for women and children who experienced violence - Data on the number of persons who received assistance

Victims	Number	%
Women	30	49.15
Kids	31	50.85
Total	61	100

Table 6. SOS shelter for women and children who experienced violence - Data on the number of overnight stays and the number of persons per day

Total number of nights spent	4,725
Number of persons per day	13

OVERVIEW OF CASES OF DOMESTIC VIOLENCE FOR 2021 FROM DIFFERENT SOURCES

Data from the Supreme Court

The misdemeanor courts in the period from 01/01/2021 until 01/11/2021 had a total of 1,916 cases pending in the field of the Law on Protection against Domestic Violence, of which 1,191 Misdemeanor Court in Podgorica, 381 Misdemeanor Court in Budva and 344 cases Misdemeanor Court in Bijelo Polje.

A total of 1,207 cases or 63% of cases were disposed, of which 664 in the Misdemeanor Court in Podgorica, 291 in the Misdemeanor Court in Budva and 252 in the Misdemeanor Court in Bijelo Polje.

The above cases were disposed as follows:

- fines 346,
- prison sentence 85,
- suspended sentence 231,
- warning 98,
- corrective measures 6,

in 13 cases the complaint was dismissed,
in 71 cases the proceedings were dismissed,
acquittal in 286 cases,
while 71 cases were resolved in another way.

Also, a total of 340 protective measures were imposed, as follows:

- exclusion from an apartment or other living space 41;
- restraining order 91;
- non-molestation order and stalking prohibition order 156;
- compulsory psychosocial treatment 5 and
- various protective measures for addiction treatment and psychiatric treatment 47;

2. Summary tabular overview of data for all misdemeanor courts

Court	Number of cases in progress	Number of disposed cases	Victim of violence				Bully				Bully profile (according to available data)					
			Adult		Minor		Adult		Minor		Employment status			Degree of education		
			M	F	M	F	M	F	M	F	Unemployed	Employed	Retired	Primary education	Secondary education	College and university degree
Podgorica	1191	664	209	407	71	58	556	151	6		374	224	8	200	162	30
Budva	381	291	110	256	14	9	293	74	5	-	130	215	32	28	208	29
Bijelo Polje	344	252	120	202	26	15	327	82	7	1	202	88	47	94	156	14
Total	1,916	1,207 63%	439	865	111	82	1,176	307	18	1	706	527	87	322	526	73

Table 2. Aggregate data on the method of solving

Court	Fine	Imprisonment	Suspended sentence	Warning	Suspension	Corrective	Dismissal	Acquittal	In another way
Podgorica	147	61	161	39	49	1	5	147	54
Budva	102	5	68	45	11	4	5	42	9
Bijelo Polje	97	19	2	14	11	1	3	97	8
Total	346 28.67%	85 7.04%	231 19.14%	98 8.12%	71 5.88%	6 0.50%	13 1.08%	286 23.69%	71 5.88%

3. Special tabular overview of data by courts

3.1. Misdemeanor Court in Podgorica

Table 3.

Court	Number of cases in progress	Number of disposed cases	Victim of violence				Bully				Bully profile (according to available data)					
			Adult		Minor		Adult		Minor		Employment status			Degree of education		
			M	F	M	F	M	F	M	F	Unemployed	Employed	Retired	Primary education	Secondary education	College and university degree
Podgorica	745	430	134	259	47	35	360	102	5	-	206	157	-	38	81	28
Nikšić	395	208	59	131	22	18	166	41	1	-	146	59	3	153	54	1
Cetinje	21	9	9	11	1	1	15	6	-	-	7	7	3	1	17	1
Danilovgrad	30	17	7	6	1	4	15	2	-	-	15	1	2	8	10	-
Total at court level	1191	664	209	407	71	58	556	151	6	-	374	224	8	200	162	30

Table 4.

Court	Fine	Imprisonment	Suspended sentence	Warning	Suspension	Corrective	Dismissal	Acquittal	In another way
Podgorica	87	33	126	19	32	1	5	83	44
Nikšić	48	28	35	20	16	-	-	59	2
Cetinje	2	-	-	-	1	-	-	3	3
Danilovgrad	10	-	-	-	-	-	-	2	5
Total at court level	147	61	161	39	49	1	5	147	54

Table 5.

Type of protective measure imposed	Number of protective measures imposed
Restraining order	51
Exclusion from the apartment	24
Mandatory treatment in a health institution	9
Non-molestation order and stalking prohibition order	60
Mandatory treatment at liberty	3
Treatment for alcohol addiction	9
Psychiatric treatment	5
TOTAL	161

3.2. Misdemeanor Court of Budva

Table 6.

Court	Number of cases in progress	Number of disposed cases	Victim of violence				Bully				Bully profile (according to available data)					
			Adult		Minor		Adult		Minor		Employment status			Degree of education		
			M	F	M	F	M	F	M	F	Unemployed	Employed	Retired	Primary education	Secondary education	College and university degree
The seat of the court in Budva	61	53	16	37	7	2	49	8	-	-	20	28	2	-	-	-
Department in Kotor	128	93	23	97	3	5	108	18	2	-	39	89	14	9	98	7
Department in Herceg Novi	61	56	21	42	-	1	46	15	-	-	24	32	7	5	44	14
Department in Bar	95	59	38	54	4	1	63	25	-	-	32	43	9	6	37	7
Department in Ulcinj	36	30	12	26	-	-	27	8	3	-	15	23	-	8	29	1
Total at court level	381	291	110	256	14	9	293	74	5	-	130	215	32	28	208	29

Table 7.

Court	Fine	Imprisonment	Suspended sentence	Warning	Suspension	Corrective	Dismissal	Acquittal	In another way
The seat of the court in Budva	27	-	3	17	3	-	-	3	-
Department in Kotor	14	3	41	13	3	1	2	13	3
Department in Herceg Novi	16	1	20	12	-	2	2	1	2
Department in Bar	28	-	-	-	4	-	1	23	3
Department in Ulcinj	17	1	4	3	1	1	-	2	1
Total at court level	102	5	68	45	11	4	5	42	9

Table 8.

Type of protective measure imposed	Number of protective measures imposed
Exclusion from the apartment	15
Restraining order	32
Non-molestation order and stalking prohibition order	62
Mandatory psychiatric treatment at liberty	9
Mandatory psychiatric treatment in health institution	6
Mandatory psychosocial treatment	2
TOTAL	126

a. Bijelo Polje Misdemeanor Court - Table 9.

Court	Number of cases in progress	Number of disposed cases	Victim of violence				Bully				Bully profile (according to available data)					
			Adult		Minor		Adult		Minor		Employment status			Degree of education		
			M	F	M	F	M	F	M	F	Unemployed	Employed	Retired	Primary education	Secondary education	College and university degree
Bijelo Polje	99	73	38	63	10	7	94	26	3	-	66	25	9	24	42	8
Berane	68	51	16	32	5	3	50	15	1	1	37	6	6	12	24	4
Kolašin	25	14	6	13	-	-	26	10	-	-	25	12	6	-	-	-
Mojkovac	62	41	18	25	8	3	67	15	-	-	28	10	15	11	31	-
Plav	1	1	-	1	-	-	1	-	-	-	1	-	-	-	1	-
Pljevlja	49	46	32	39	2	2	53	12	2	-	26	31	10	31	35	1
Rožaje	21	15	8	12	1	-	19	2	1	-	19	2	-	5	15	1
Žabljak	19	11	2	17	-	-	17	2	-	-	-	2	1	11	8	-
Total at court level	344	252	120	202	26	15	327	82	7	1	202	88	47	94	156	14

Table 10.

Court	Fine	Imprisonment	Suspended sentence	Warning	Suspension	Corrective	Dismissal	Acquittal	In another way
Bijelo Polje	12	9	1	3	5	-	2	39	2
Berane	21	4	-	8	1	-	-	15	2
Kolašin	7	1	-	1	1	-	-	4	-
Mojkovac	21	1	-	1	-	-	-	15	3
Plav	1	-	-	-	-	-	-	-	-
Pljevlja	21	2	-	-	-	1	1	21	-
Rožaje	11	2	1	-	-	-	-	1	-
Žabljak	3	-	-	1	4	-	-	2	1
Total at court level	97	19	2	14	11	1	3	97	8

Table 11.

Type of protective measure imposed	Number of protective measures imposed
Restraining order	8
Non-molestation order and stalking prohibition order	34
Exclusion from the apartment	2
Mandatory psychiatric treatment	1
Mandatory treatment of alcoholics for addiction	4
Psycho-social treatment	3
Mandatory psychiatric treatment at large	1
TOTAL	53

3. Number of bullies

In 1,207 disposed cases, proceedings were conducted against 1,502 perpetrators, of which 1,483 or 98.74% were adults and 19 or 1.26% were minors.

Among adult sex offenders 1,176 were men or 79.30%, and 307 or 20.70% women, while among juvenile sex offenders 18 were male and 1 female.

3.1. Profile according to available data on employment status and level of education

According to available data, on a sample of 1,320 bullies, i.e. 87.89% of the total number of perpetrators in disposed cases, 706 or 53.48% are unemployed.

In the sample of 1,046 bullies or 61.32% of the total number of bullies, 322 or 34.96% have primary education, 526 or 57.11% secondary education, while 73 or 7.93% have a university degree or higher.

4. Victims of violence

In 1,207 disposed cases, there were a total of 1,497 different victims of violence, of which 1,304 or 87.11% were adults and 193 or 12.89% were minors. Out of a total of 1,304 adult victims of violence, 865 or 66.34% were women and 439 or 33.67% men. Out of a total of 193 juvenile victims of violence, 111 were male and 82 female.

5. Appeal proceedings

In the reporting period, the High Court for Misdemeanors of Montenegro had a total of 103 cases under the Law on Protection against Domestic Violence, of which 89 second-instance misdemeanor proceedings, 6 cases of imposition of a supervision measure and a request for the imposition of a protective measure, 2 minor involving proceedings, 2 enforcement misdemeanor proceedings and 4 cases of postponement of execution.

An overview of the work on these cases is presented in Table 12.

Ordinal no.	Case type	Number of cases in progress	Disposed						Undisposed
			Appeal dismissed	Upheld	Overturned	Reversed	Disposed in other	Adm. returned	
1	Second-instance misdemeanor proceedings	89	1	66	9	10	2	-	1
	Minor involving cases	2	-	-	2	-	-	-	-
2	Enforcement misdemeanor proceedings	2	-	1	-	1	-	-	-
3	Cases of postponement of execution	4	-	-	-	-	2	-	2
4	Cases of imposition of a supervision measure and a request for the imposition of a protective measure	6	-	4	1	1	-	-	-
Total		103	1	71	12	12	4	-	3

Out of a total of 89 second-instance misdemeanor proceedings, 85 were new and 4 administratively returned from 2020. 81 cases were disposed while 1 case was undisposed at the end of the reporting period. 66 cases have been upheld. In one case, the appeal was dismissed, while 9 second-instance misdemeanor proceedings were overturned, of which 5 due to significant violations of the provisions of the misdemeanor procedure, 3 due to incompletely established facts and one for other reasons. 10 second-instance misdemeanor proceedings cases were reversed: in 3 cases the prison sentence was reduced, in one case the fine was reduced, in one case the proceedings were dismissed, in two cases the acquittal decision was reversed to a fine, two cases were reversed in terms of costs and in one case reinstatement was allowed.

The duration of the proceedings in 55 second-instance misdemeanor proceedings was up to one month, in 14 from one to two months, and in 12 cases from two to four months and in 6 cases over 4 months.

In 56 second-instance misdemeanor proceedings the appellants were the accused, in 4 cases the Police Directorate, in 23 cases the injured party, in one case Basic Prosecution in Kotor, defendants and the injured party, and in one case Basic Prosecution Bijelo Polje.

Appeals	Non-disposed	12	
	Dismisses	4	
	Upheld	2	
	Total	18	
Protective measures along with the sanction	Restraining order	10	
	Seizure of items	1	
	Mandatory treatment of drug addicts	3	
	Mandatory treatment of alcoholics	6	
	Total	4	
Judgments	Acquittal	2	
		Abandonment	1
	Conviction	Fine	1
		Community service	7
		Suspended sentence	69
	Prison	57	
	Total	141	
	Charges ceded	1	
	Unresolved charges at the end of 2021 (November 30, 2021)	116	
	Disposed charges	142	
Indictments in progress	259		
Indictment received from another prosecution	1		
indictments in 2021.	192		
Unresolved charges from an earlier period	66		
Unresolved complaints at the end of 2021 (30/11/2021)	31		
Prilimnazn investigation	289		
Invetsogation order			
Submitted complaint	2		
Immediate indictment			
Indictment	192		
Dismissal	91		
Total cases in progress	316		
Reported in 2021.	300		
Unresolved complaints from the previous period	16		
Article of the Criminal Code of Montenegro	Article 220 CC		

Summary table

Data from the Supreme Public Prosecutor's Office

During 2021, i.e. for the period from January 1 to November 30, 2021, due to the commission of the criminal offense of domestic violence under Article 220 of the Criminal Code of Montenegro, 300 persons were reported, so with unresolved complaints from the previous period against 16 persons, there were 316 complaints pending.

Public prosecutors dismissed complaints against 91 people, an indictment was filed against 192 people, 2 indictments were transferred, while at the end of the reporting period, 31 indictments remained unresolved.

In addition to the unresolved indictments from the previous period against 66 people, the court had a total of 259 indictments pending. Convictions were handed down against 138 persons, of which 57 persons were sentenced to imprisonment, 69 persons were given suspended sentences, 7 persons were sentenced to community service, 1 person was fined, while 4 persons were sentenced by the court to a measure of compulsory psychiatric treatment and custody. In addition to criminal sanctions, the court imposed 20 protective measures: mandatory treatment of alcoholics for six people, mandatory treatment of drug addicts for three people, confiscation of items against one person and a restraining order against ten people.

At the end of 2021, 116 indictments remained unresolved, while 1 indictment was transferred, and 2 acquittals were issued against 2 persons, and a dismissal verdict was passed against 1 person due to the death of the accused.

Public prosecutors appealed 18 court's decision due to sentencing and other reasons. Deciding on the appeals, the court upheld the appeal against 2 persons and rejected the appeals against 4 persons, and at the end of the reporting period, 12 appeals remained undisposed.

Statistical data for 2021 from the centers for social work

Events of domestic violence

	2021
Name of institution	Number of events
CSW Bar	57
CSW Berane	77
CSW Bijelo Polje	60
CSW Cetinje	5
CSW Danilovgrad	6
CSW Herceg Novi	79
CSW Kotor	26
CSW Mojkovac	28
CSW Nikšić	226
CSW Pljevlja	45
CSW Podgorica	363
CSW Rožaje	10
RU Andrijevica	8
RU Budva	70
RU Golubovci	29
RU Gusinje	1
RU Kolašin	15
RU Tivat	62
RU Tuzi	17
RU Ulcinj	11
RU Žabljak	3

Forms of domestic violence

Type of violence	Number of victims
Domestic violence - neglect	82
Domestic violence / abuse - economic	42
Domestic violence / abuse - emotional	826
Domestic violence / abuse - physical	430
Domestic violence / abuse - sexual	3

Children direct victims of domestic violence

Age of the victim	2021		
	Men	Female	
	Number of victims	Number of victims	
0	2		
1	1		
2	2		
3	4	5	
4	2	1	
5	4	3	
6	4	3	
7	6	5	
8	6	5	
9	10	2	
10	13	6	
11	9	4	
12	4	9	
13	10	6	
14	14	5	
15	5	4	
16	4	5	
17	5	12	
	105	75	180

Summary table of victims of domestic violence

Name of institution	2021		
	Men	Female	
	Number of victims	Number of victims	
CSW Bar	29	37	
CSW Berane	36	55	
CSW Bijelo Polje	24	39	
CSW Cetinje	4		
CSW Danilovgrad	4	2	
CSW Herceg Novi	24	54	
CSW Kotor	11	13	
CSW Mojkovac	19	13	
CSW Nikšić	123	105	
CSW Pljevlja	23	28	
CSW Podgorica	156	218	
CSW Rožaje	10	1	
RU Andrijevica	5	7	
RU Budva	40	49	
RU Golubovci	16	13	
RU Gusinje		1	
RU Kolašin	7	12	
RU Tivat	32	33	
RU Tuzi	4	11	
RU Ulcinj	4	8	
RU Žabljak		3	
	571	702	1273

Police Department

In the period from January 1 to November 30, 2021, the Police Directorate registered 251 crimes of domestic or family violence, under Article 220 of the Criminal Code of Montenegro (which is an increase of less than 5% compared to the same period last year) and 38 criminal offenses related to violence between relatives, which are qualified differently.

Criminal charges were filed against 294 persons, of which 260 were male (of which seven were minors) and 34 were female.

The victims of committed crimes of domestic violence were 340 persons, of which 127 male and 213 female. Out of the total number of victims, 44 were minors (16 males and 28 females).

In addition, the Police Directorate prosecuted 1,632 violations of the Law on Protection against Domestic Violence (an increase of about 16% compared to the same period last year), against 1,554 persons, of whom 1,229 were male (of whom 14 minors), and 325 females (17 of whom were minors).

The victims of the committed offenses are 1,680 people, of which 728 were men and 952 women. Out of the total number of victims, 223 were minors (126 males and 97 females).