

Responses to Recommendations

MONTENEGRO

Review in the Working Group: 3 December 2008
 Adoption in the Plenary: 18 March 2009

Montenegro's responses to recommendations:

In the Report of the Working Group:	In the Addendum:	During the plenary:	Recommendations pending responses:	Summary:
No response, all pending	All the REC were commented but no clear position was given	After a question by Amnesty International, the delegation clarified that none of the REC were rejected and are therefore deemed as accepted	None	Accepted: 20 Rejected: 0 No clear position: 0 Pending: 0

List of recommendations contained in Section II of the Report of the Working Group A/HRC/10/74:

“66. In the course of the interactive dialogue, the following recommendations were made to Montenegro:

- 1. Consider early ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the establishment of an effective national preventive mechanism accordingly (Czech Republic); ratify the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto as well as the Optional Protocol to the Convention against Torture (Croatia); give serious consideration to the ratification of the Convention on the Rights of Persons with Disabilities (Mexico);
- 2. Submit its reports to the relevant treaty bodies in due time (Ukraine);
- 3. Maintain its efforts to continue reaching a higher level of human rights standards with regard to the issues of freedom of the media, functioning of the judiciary and the situation of refugees (Turkey);

- 4. Continue its efforts to protect the environment, including through implementation of the environment act adopted in July 2008, and envisage sharing this experience with concerned countries (Algeria);
- 5. Incorporate international human rights treaties into national law (Croatia);
- 6. Pursue the adoption of a general anti-discrimination act and aim at its adoption as soon as possible (Austria); include in the draft legislation on the prohibition of discrimination comprehensive anti-discrimination measures, including on sexual orientation and gender identity (Slovenia);
- 7. Adopt all necessary measures to ensure equality between men and women fully and in all circumstances (France); continue its efforts to ensure full implementation of the rights of women (Algeria); take appropriate measures to ensure the implementation of the plan of activities to achieve gender equality in Montenegro for the period 2008-2012 (Greece);
- 8. Include explicit references to sexual orientation as a protected category against discrimination in the existing laws on labour and employment as well as in the legislation on hate speech and hate crimes (Canada);
- 9. Enact new measures to combat the trafficking in women and children for the purposes of sexual exploitation (Croatia); deal with the issue of trafficking in persons, particularly women and children for sexual exploitation, with the full cooperation of countries in the trafficking chain (Bangladesh);
- 10. Comply with the recommendations of the Human Rights Committee with regard to the adoption of the necessary policy and legal framework to combat domestic violence effectively (Ireland); take effective measures to reinforce its domestic legislation concerning domestic violence against women (Italy); involve meaningfully civil society in the process of the preparation of the planned law on protection against domestic violence (Slovenia); pass the intended law on protection against domestic violence as soon as possible (Greece);
- 11. Introduce specific education programmes and sensitivity trainings for all relevant judiciary and police personnel aimed specifically at the protection of human rights of non-governmental organization activists and members of minorities, including national minorities and persons of minority sexual orientation and gender identity (Czech Republic);
- 12. Continue its work in implementing the Judicial Reform Action Plan (United Kingdom); conclude all necessary decisions at the appropriate levels for setting up an independent and effective appointment system for the judiciary (Austria); guarantee the full independence of the judiciary in accordance with Basic Principles on the Independence of the Judiciary as laid down by the General Assembly in its resolution 40/146, and establish an independent monitoring mechanism of court proceeding in order to enhance the independence of the judiciary (Slovakia); intensify its efforts to combat corruption in order to ensure the independence, effectiveness and quality of the judicial system (Sweden); continue and further strengthen its anti-corruption policy (Poland); take further comprehensive measures to address the issue of corruption, in particular in the police force (Slovakia);
- 13. Continue cooperation with the International Criminal Tribunal for the Former Yugoslavia until the facts of the serious violations of human rights that occurred in the region during the 1990s have been clarified (Chile);
- 14. Take measures as a matter of priority to ensure that the freedom of expression and freedom of press are guaranteed in accordance with international human rights standards (Sweden); amend the Criminal Code and Constitution so as to incorporate international standards of freedom of expression, as established in article 19 of the International Covenant on Civil and Political Rights (Canada); adopt all necessary measures to ensure that journalists have the freedom to practise their profession in line with existing international standards (France); review its legislation and public policies in order to safeguard the exercise of freedom of expression as well as to decriminalize defamation, libel and slander and take measures to protect journalists, including through the effective investigation of attacks on members of the profession (Mexico); effectively address and investigate attacks against journalists and human rights defenders and bring those responsible to justice (Ireland, Germany, Czech Republic, Norway, Canada); take all adequate measures to guarantee the protection and

promotion of religious freedom, including by adopting legislation with regard to the recognition of churches and the property rights of religious communities (Italy);

- 15. Ensure that the definition of minorities used in all laws provides for full protection against any discrimination (Austria); sufficiently safeguard in relevant legislation the guarantees provided in the Constitution to effectively protect the rights of national minorities and equal representation of members of national minorities (Netherlands); make fully operational the mechanisms for implementing the minority strategy and the national Roma strategy, such as the National Minority Council and a special funding mechanism (Austria); in the implementation of public policies, give consideration to the characteristics, needs and aspirations of the beneficiaries in order to ensure the exercise of their rights, particularly economic, social and cultural rights (Mexico);

- 16. Maintain its level of efforts to tackle concerns raised regarding the situation of the Roma population in Montenegro, and give priority to implementing the 2007 strategy for the improvement of the position of the Roma population (United Kingdom);

- 17. Elaborate a census, in conjunction with UNDP, UNHCR and civil society, on the number of Roma, in particular refugees and displaced Roma (Algeria); develop reliable statistics on the number of children belonging to the Roma, Ashkali and Egyptian minorities in the Montenegrin school system (Luxembourg); evaluate the access of the various categories of Roma to education, jobs and social protection (Algeria); within the context of the National Programme of Action, adopt further measures and implement programmes to provide access and opportunities for ensuring better social and political integration of Roma groups in Montenegro (Chile); take all necessary measures to guarantee full access to education for children belonging to Roma communities and support their social inclusion (Italy); adopt a strategy to ameliorate the living conditions of the Roma population, in particular, amending legislation to ensure access to basic social services, condemn discrimination and to register undocumented Roma refugees (Canada); take effective measures for the full enjoyment of human rights by the Roma, Ashkali and Egyptian minorities, especially to guarantee their economic, social and cultural rights (Bangladesh); actively seek to promote awareness about the Roma population in order to combat discrimination (Canada); enact new measures against the discrimination of the Roma population (Croatia);

- 18. Take all necessary measures to ensure the social and economic rights of internally displaced persons and refugees, including by adopting specific anti-discrimination policies (Greece);

- 19. Clarify the legal status of refugees from neighbouring States, with a focus on the prevention of statelessness (Slovenia);

- 20. Call on the international community to provide technical assistance and financial support in line with the needs of Montenegro to implement the strategy conducive to a lasting solution to refugees and internally displaced persons (China).

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