

Oral statement UPR of Montenegro

I am speaking on behalf of the Informal Coalition of child rights NGOs established in 2009 composed of 10 national organisations dealing with monitoring, promotion and protection of child rights in Montenegro. Save the Children supported the coalition in developing the UPR submission on children's rights in Montenegro.

Our statement is focused on four key issues which we would like to bring to your attention today in the hope that you will address them during the UPR.

Children's right to nationality

In 2009, Chile recommended that the government of Montenegro adopt further measures and implement programmes aimed at promoting better social and political integration of Roma groups in Montenegro" (66.17).

In this respect we wish to recognise the government's efforts to ensure better integration of minorities as demonstrated through the adoption of 2 Strategies aimed at improving the status of Roma, Ashkali and Egyptians population in Montenegro and at addressing the issues of refugees and internally displaced persons. Despite these positive steps, the situation of Roma and children from minorities, refugees and IDPs in Montenegro has not significantly improved since the 1st cycle and they continue to face challenges in accessing their basic rights.

As already emphasized by the CRC Committee, the lack of identity documents and the challenges associated with the registration of children born outside of health institutions contribute to statelessness and are the main obstacles to the access to basic rights.

The mechanisms to identify and register stateless persons or persons at risk of statelessness have not been established yet while this should be the first step in addressing the problem.

We call on the govnt to take decisive action to address the challenge of statelessness, in particular to:

- Define and simplify the procedure for the registration of children born outside of health institutions to ensure that all children have access to birth registration without discrimination by 2014;
- Equally the govnt should establish mechanisms to identify and register stateless persons or persons at risk of statelessness and undertake concrete activities for the prevention and elimination of the causes that lead to statelessness by 2014.

Children's right to privacy

Another issue that was not addressed in the 1st UPR cycle and deserve further attention is the issue of children's right to privacy.

Violation of the child' rights to privacy by the media, impunity and inconsistent regulations in this area are a significant problem in Montenegro.

From 2011 to April 2012, nine cases of violation of the right to a privacy by the media that can potentially lead to the disclosure of identity of a child have been reported¹ . Details of the children's private lives have been revealed in cases of alleged abuses and torture against children, making them easily identifiable and leading to revictimization and stigmatization.

Yet the Media Law of Montenegro defines that the media must protect the integrity of minors and should not publish the identity of minors involved in criminal acts, either as a victim or a defendant, unless there is an overriding public interest to be informed when the minor is convicted for an offence.

- We call on the Government of Montenegro to ensure respect of national and international laws relating to the child 's right to privacy and enact necessary legislation by 2014 to ensure protection of this right and prosecution in cases of violation by the media.

Rights of children with disabilities

In the first cycle, Croatia and Mexico recommended Montenegro to ratify the Convention on the Rights of Persons with Disabilities. In this regard, we welcome the ratification of the Convention and its Optional Protocol in 2009. The government has also adopted several strategies pertaining to children with disabilities². Yet implementation is poor and these children continue to face enormous challenges including, amongst other, physical barriers, social rejection, prejudices, low participation in the processes and matters that concern them, lack of services or support for families and low social benefits.

It is estimated that there are about 60,000, out of which about 18,000 are children with disabilities³. "

Our recommendations for the gvnt are twofold:

- Raise awareness of the needs of children with disabilities and establish an adequate system that provides social and educational inclusion of these children, relies on a network of day care centres and provides access to public facilities and rehabilitation services, by 2015.
- Increase social benefits for families with children with disabilities by 2014.

Child protection

In the first cycle, there were 2 recommendations from Ireland and Greece to Montenegro: calling for the adoption of the policy and legal framework to combat domestic violence

¹ Cited according to data from NGO Citizens Alliance

² Strategy for the Integration of Persons with Disabilities, Inclusive Education Strategy and the Strategy of Social and Child Protection

³ According to the data by World Health Organization (WHO)

In 2010 Montenegro adopted the Law on Protection against Domestic Violence and Strategy for the prevention of violence. There are no clear statistics that would testify on the issue of violence against children and among children, but this certainly does not mean that this problem does not exist. On contrary, the problem is more and more present.

On the other hand many children are sent to institutions where they are deprived of parental care and affection, can be subject to abuse which is harmful for the child's physical and psychological wellbeing and development.

Therefore in relation to these two related issues of child protection of abuse in the domestic setting and for children deprived of parental care we recommend the govnt the following recommendations:

- Develop and implement a comprehensive child protection system, including the establishment of mechanisms dealing with cases of abuse, neglect and maltreatment against children, including those in family, school, institutional or other type of care;
- Strengthen psychological support through the development of adequate services (including unique counseling line, shelters for emergency accommodation as well as counseling, psychological and psychiatric support for child victims of abuse and neglect)
- Adopt the Law on Social and Child Protection, by the end of 2012 and ensure its proper implementation by supporting the decentralisation process.
- Provide support to strengthen families with damaged family relations and more adequate training of professionals on child protection.

Thank you.

1. Centre for Children Rights of Montenegro – Podgorica, Centre for Human and Minority Rights – Podgorica, NGO „Children First“ – Podgorica, Citizens Alliance – Podgorica, NGO „New Chance in Novi“ – Herceg Novi, Legal Centre – Podgorica, NGO Youth Forum and Informal Education – Podgorica, NGO „Beginning“ – Niksic, „Humanitarian“ – Niksic, Union of Associations of Parents of Children and Youth with Disabilities "Our initiative" – Podgorica.