



WOMEN'S RIGHTS CENTER  
CENTAR ZA ŽENSKA PRAVA

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## UNITED NATIONS HUMAN RIGHTS COUNCIL

### Statement on the UPR Pre-session on Montenegro of NGO Women's Rights Center

5 April 2023, Geneva

Thank you for the opportunity to provide a statement at this pre-session. My name is Maja Raicevic, I represent Women's Rights Center, an NGO from Montenegro that fights for the elimination of all forms of violence and discrimination against women, supporting women's access to justice and developing the gender-equal democratic practice.

Our findings are obtained through direct support and legal representation of women and based on monitoring of institutional practices and research.

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More than 28 countries made recommendations that address gender equality, human rights challenges and combatting discrimination of women in many different areas, such as: **access to justice and violence against women, political participation, hate speech, employment and economic empowerment, prenatal sex selection, trafficking in women**, all of them, misleadingly labelled as "in progress" in the state report (except for the not implemented one on prenatal sex selection).

However, our findings show that no significant progress was made in these areas, so most of the previous recommendations remain valid.

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#### 1. WOMEN'S ACCESS TO JUSTICE

Women's access to justice, in particular Roma, LGBTIQ and women with disabilities, remains a serious concern. Within the last two years four women have been brutally murdered by their husbands. Three of them, who belonged to ethnic minorities and Roma, repeatedly sought protection from the institutions, but relevant institutions failed to provide it. The court trials for two femicides are still ongoing.



Most of the identified **trafficking victims** were Roma girls. WRC research showed that none of the victims used their right to free legal aid, nor received financial compensation in either civil or criminal proceedings<sup>1</sup>. Reintegration of victims remained a huge concern.

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#### **Recommendation:**

- Provide evaluation of the institutional response in cases of femicide and trafficking in women and girls, and use the findings to significantly improve the system of victim support and protection.
- Ensure victim's rights are fully respected.
- Amend the Law on Free Legal Aid to ensure state funding for specialised NGOs - free legal aid providers.

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## **2.GENDER EQUALITY AND NON-DISCRIMINATION POLICIES**

The lack of genuine political will resulted in limiting institutional capacities and budget allocations for the realization of **gender equality and non-discrimination policies**. The Government failed to systematically monitor the effects of law implementation on women, still lacking sex disaggregated data and gender impact analysis. National Council for Gender Equality, mentioned in the state report, is a non existing mechanism, whose last meeting (out of three) was held in 2017, with no records of any significant activities; The last (and only) Gender Equality Index was published in 2019. The evaluation of the Action Plan for Gender Equality 2021-2022, showed that only 30% of all measures were implemented<sup>2</sup>.

The number of complaints for gender discrimination, filed with the Ombudsperson, remained low - 26 cases in 2018, 29 in 2019 and only 11 in 2021<sup>3</sup>

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<sup>1</sup> Monitoring and evaluation of policies for combating human trafficking in Montenegro 2018-2020, WRC, available at: <https://womensrightscenter.org/wp-content/uploads/>

<sup>2</sup> The report on external evaluation of the Action Plan 2021-2022 for the implementation of the Strategy for Gender Equality 2021-2025, OSCE, October 2022

<sup>3</sup> The Ombudsperson's Annual Reports 2018-2021, available at: [https://www.ombudsman.co.me/lzvjestaji\\_Zastitnika.html](https://www.ombudsman.co.me/lzvjestaji_Zastitnika.html)



## Recommendations:

- Ensure the Law on Prohibition of Discrimination and institutional practice are fully harmonized with CEDAW Convention.
- Strengthen accountability mechanisms for achieving gender equality and ensure independent and consistent gender impact assessments of gender equality laws and policies at all levels; regularly publish results oriented reports.
- Significantly increase the human, technical and financial resources allocated to gender equality action plans, at both the central and municipal levels;

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### 3. POLITICAL REPRESENTATION OF WOMEN

The Parliament again failed to adopt the amendments to the electoral law aimed to improve the **political representation of women**. With the upcoming parliamentary elections, scheduled for June 2023, this is another missed opportunity to ensure better political representation of women and to fulfil repeated CEDAW recommendations (2011,2017).

Participation of women in public life was further diminished by the rising **hate speech and online violence against women**, that political leaders and institutions failed to address.

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## Recommendations:

- Adopt amendments to the electoral law and the Draft Law on Government, that allow for at least 40% quota for candidates of the underrepresented gender in order to improve the representation of women in political life. Introduce a legal requirement that one in every three candidates on electoral lists must be of the least represented gender, instead of the current one in every four candidates.
- Develop a country-level action plan to tackle hate speech, drawing on existing UN plans and programmes (most importantly the Sustainable Development Cooperation Frameworks)

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### 4.GENDER-BASED DISCRIMINATION IN LABOUR AND EMPLOYMENT

Gender-based discrimination in labour and employment continue to be widespread, but go unreported due to fear of losing employment, distrust in institutions, which lack



capacities to recognize and address it<sup>4</sup> It leads to poor employment opportunities and regression of women to the private sphere, where they perform 92% more unpaid work than men<sup>5</sup>.

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### Recommendations:

- Improve, enforce and evaluate antidiscrimination provisions of the Labour Law, particularly in relation to work- life balance and regarding the employment of women from marginalised groups.
- Adopt specific affirmative measures targeting women, particularly from marginalised groups, to increase their active participation in the labour market and to close the gender pay gap.
- Ensure sufficient number of quality services for children and elderly, adapted to different working hours.

(Slide 11) Thank you!

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<sup>4</sup> Report "Gender based discrimination in Labour", Women's Rights Center, 2021, at: <https://womensrightscenter.org/category/publikacije/>

<sup>5</sup> UNDP Research, 2020