



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the third periodic report of Montenegro*

1. The Committee considered the third periodic report of Montenegro ([CEDAW/C/MNE/3](#)) at its 2063rd and 2064th meetings (see [CEDAW/C/SR.2063](#) and [CEDAW/C/SR.2064](#)), held on 15 May 2024.

A. Introduction

2. The Committee appreciates the submission by the State party of its third periodic report. It also appreciates the State party's written replies to the list of issues and questions raised by the pre-sessional working group, as well as the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its distinguished delegation, which was headed by the Minister for Human and Minority Rights, Fatmir Gjeka. The delegation also included representatives of the Ministry of Human and Minority Rights; the Ministry of Labour and Social Welfare; the Ministry of Justice; the Ministry of the Interior; the Ministry of Health; the Ministry of Education, Science and Innovation; the Ministry of Finance; the Supreme Court; the Supreme State Prosecutor's Office; Human Resources Administration; the Investment and Development Fund of Montenegro; as well as the Ambassador and Permanent Representative, Slavica Milačić and other members of the Permanent Mission of Montenegro to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2017 of the State party's second periodic report ([CEDAW/C/MNE/CO/2](#)) in undertaking legislative reforms, in particular the adoption of Law No. 44/2017, amending the Criminal Code to align with the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention) and addressing, inter alia, the issues of female genital mutilation

* Adopted by the Committee at its eighty-eighth session (13–31 May 2024).



(new article 151a) and forced sterilization of another person in order to prevent their reproduction (new article 151b) (2017).

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or establishment of the following:

- (a) The "Women on Boards" programme (January 2024);
- (b) The National Plan for the Implementation of the Istanbul Convention (2023–2027);
- (c) Gender action plans (2021–2022 and 2023–2024);
- (d) The National Strategy for Gender Equality, 2021–2025 (July 2021);
- (e) The Women's Club in Parliament (March 2021);
- (f) The national action plan for the implementation of the Strategy for Combating Trafficking in Human Beings Anti-Trafficking Strategy 2019–2024;
- (g) The Protocol on the Prevention and Treatment of Cases of Domestic Violence (January 2019).

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party ratified in 2023 Protocol No. 16 to the Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe.

C. Sustainable Development Goals

7. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.**

D. Parliament

8. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the Parliament of Montenegro, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.**

E. Principal areas of concern and recommendations

Status and visibility of the Convention, the Optional Protocol thereto and the Committee's general recommendations

9. The Committee notes that the State party has carried out a number of training sessions on women's rights and on the Convention for the judiciary over the reporting

period. It is nevertheless concerned that the Convention is still not directly applied or invoked in court or administrative proceedings. The Committee also notes with concern that the text of the Convention is still not made available by the State in the national minority languages, Braille or sign language, and easy-to-read and easy-to-understand formats for persons with different forms of disabilities.

10. The Committee recommends that the State party:

(a) **Further strengthen efforts to make the Convention, the Committee's jurisprudence and its general recommendations an integral part of systematic capacity-building for all judges, prosecutors and lawyers, with a view to enabling them to directly apply or invoke the provisions of the Convention in court proceedings or interpret national legislation in the light of the Convention;**

(b) **Ensure that information on the Convention, the Optional Protocol thereto and the Committee's general recommendations is available to all women in accessible formats.**

Legislative framework

11. The Committee notes that, under the current legislative framework, the Gender Equality Law is the only law in the State party that provides clear and legally binding requirements for gender mainstreaming and analysis. It is concerned, however, that there are no sanctions for non-compliance with this law.

12. The Committee recommends that the State party revise the Gender Equality Law integrating sanctions for non-compliance.

Women's access to justice

13. The Committee welcomes the initiation in 2021 of the informative campaign "Tell the Story to the End" for free legal aid for victims of domestic violence, in cooperation with the Ministry of Justice, Human and Minority Rights and non-governmental organizations. It also notes with interest the State party's indication that foreign women seeking international protection have the right to free legal aid. The Committee expresses concern, however that there have been no complaints regarding gender-based discrimination before the courts in recent years.

14. The Committee, recalling its general recommendation No. 33 (2015) on women's access to justice, recommends that the State party strengthen programmes to improve access to justice for women and girls and increase their awareness of their rights and the remedies available to claim those rights. It further recommends that the State party provide systematic capacity-building for judges, prosecutors, lawyers and law enforcement officials on gender equality and gender-responsive court procedures, and establish an accountability mechanism to address judicial gender bias.

National machinery for the advancement of women

15. The Committee notes with concern:

(a) That the Department for Gender Equality has been reduced to three employees;

(b) That the National Council for Gender Equality is not operational;

(c) The strong downward trend in budget expenditures for gender equality, the lack of gender responsive budgeting across all government departments, in the absence of a legal requirement, and the insufficient technical capacity on gender-responsive budgeting within Ministries;

(d) The lack of gender-disaggregated data on the enjoyment by women and girls of their human rights, which hinders the adoption of targeted and informed policies, strategies and programmes.

16. Recalling the guidance provided in the Beijing Declaration and Platform for Action, in particular regarding the conditions necessary for the effective functioning of national machineries, the Committee recommends that the State party:

(a) **Increase the human, technical and financial resources allocated to the Department for Gender Equality and provide capacity-building to strengthen the gender-specific expertise of its staff to enable it to effectively coordinate efforts to mainstream gender across all government departments;**

(b) **Introduce mandatory integrated gender-responsive budgeting, enhance the technical capacity of relevant ministry to develop gender responsive budgets and allocate sufficient budgetary resources for the advancement of women's rights;**

(c) **Strengthen the existing data collection system and coordination mechanisms and expand coverage to include local and sectoral gender disaggregated data, and inform and assess the impact of public policies, strategies and programmes aimed at achieving gender equality, in line with the Committee's general recommendation No. 9 (1989) on statistical data concerning the situation of women.**

National human rights institution

17. The Committee notes that the Office of the Protector of Montenegro (The Ombudsman) was accredited with "B" status in May 2016, by the Global Alliance of National Human Rights Institutions and regrets that it has remained in this category since then.

18. The Committee recommends that the State party implement the recommendations of the Subcommittee on Accreditation to amend the Ombudsman's enabling law to make its promotional mandate explicit; formalize a clear, transparent and objective selection and appointment process; ensure adequate funding with full financial autonomy of the Office of the Protector of Montenegro, given its national preventive mechanism and anti-discrimination mandate. It also recommends that the State party ensure that the Office is legislatively empowered to determine its staffing structure and recruit staff according to an open, transparent and merit-based selection process that ensures a pluralistic staff composition with the skills required to fulfil its mandate, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles, annexed to General Assembly resolution 48/134 of 20 December 1993). The Committee further recommends that the State party seek the advice and technical support of the Office of the United Nations High Commissioner for Human Rights in this regard.

Temporary special measures

19. The Committee takes note of the State party's indication that the Ministry of Public Administration, based on the Public Administration Reform Strategy 2022–2026, pays significant attention to issues of inclusivity and accessibility, through the implementation of numerous activities in terms of policy creation, human resource management, education and promotion of the principle of gender equality. Nevertheless, the Committee remains concerned about the continued absence of

temporary special measures, other than electoral quotas, to accelerate the achievement of the substantive equality of women and men, in all areas of the Convention.

20. Recalling its previous recommendation (CEDAW/C/MNE/CO/2, para. 17), the Committee recommends that the State party adopt and further strengthen temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, to accelerate the substantive equality of women and men in all areas under the Convention where women are underrepresented or disadvantaged, in particular with regard to women facing intersecting forms of discrimination.

Stereotypes

21. The Committee recognizes the progress made by the State party in addressing gender stereotypes, including through adoption of the National Strategy for Gender Equality 2021–2025 and the Media Strategy 2023–2027. It notes with interest the State party's indication that women hold half of the top management positions in the media. Nevertheless, the Committee notes with concern that:

(a) Patriarchal attitudes and related gender roles and stereotypes remain deeply rooted in the society of the State party with a resulting persisting culture of gender inequality;

(b) Articles and images in the media still reflect gender stereotypes and patriarchal attitudes towards gender roles in society, journalists do not demonstrate sufficient sensitivity to gender equality issues and the media space given to women is limited, focusing primarily on traditionally female topics.

22. The Committee recommends that the State party:

(a) **Put in place broad and comprehensive measures within the framework of the National Strategy for Gender Equality 2021–2025 and future national strategies for gender equality, including awareness-raising and educational measures, to eliminate patriarchal attitudes and stereotypes regarding the roles and responsibilities of women and men in the family and in society and to foster a culture of gender equality, in collaboration with relevant stakeholders, including academia, community and religious leaders, the media and young people;**

(b) **Within the framework of the national Media Strategy 2023–2027, raise awareness of the importance of gender equality among journalists and media workers and integrate education on women's rights in professional training for media workers.**

Harmful practices

23. The Committee notes with concern that the State party has one of the highest differences between births of boys and girls in Europe, according to the World Health Organization, while taking note of the State party's indication that sex-selective early genetic testing and abortions are mostly taking place outside of Montenegro.

24. The Committee recommends that the State party:

(a) **Carry out awareness-raising for the general public and health professionals on the negative impact and criminal nature of sex-selective abortions and on women's agency to make free decisions about their bodies;**

(b) **Strengthen cooperation and information exchange with countries where Montenegrins reportedly obtain sex-selective early genetic testing and abortions, with a view to preventing such harmful practices.**

Gender-based violence against women

25. The Committee welcomes the progress made by the State party in addressing gender-based violence against women and girls, including the adoption of a National Plan for the Implementation of the Istanbul Convention (2023–2027) and the establishment of the Department for the Protection against Gender-Based Violence and Domestic Violence. It notes that the draft new Criminal Code, currently before Parliament, criminalizes sexual harassment. The Committee nevertheless remains concerned at the high incidence and the social legitimization of gender-based violence against women and girls, including femicide, sexual violence and psychological violence, in the State party, particularly since the coronavirus disease (COVID-19) pandemic. The Committee also notes with concern:

(a) That femicide is not specifically criminalized in the Criminal Code, even if it is covered by other criminal law provisions;

(b) Reported barriers preventing victims of gender-based violence from gaining access to justice, including gender stereotypes, stigmatization and lenient sentences in cases of gender-based violence against women, in particular femicide and rape;

(c) The rise in hate speech, including online, against women, in particular women in political and public life;

(d) That, under the Family Law, courts can authorize marriage from 16 years of age, that amendments to the Criminal Code aimed at raising the minimum age of marriage to 18 have been prepared but have yet to be adopted, and that the practice of child marriage continues in the State party, particularly in the Roma and Egyptian communities.

26. In line with its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and with target 5.2 of the Sustainable Development Goals on the elimination of all forms of violence against all women and girls in the public and private spheres, the Committee recommends that the State party:

(a) Conduct public educational and awareness-raising campaigns on the criminal nature of all forms of gender-based violence against women;

(b) Amend the Criminal Code specifically to criminalize femicide;

(c) Ensure, through mandatory and continuous training and capacity-building for judges, prosecutors, police officers and other law enforcement officials, that gender-based violence, including sexual violence against women, is effectively investigated and prosecuted, that perpetrators are adequately punished, that protection orders are effectively enforced and monitored, with sanctions in case of non-compliance and that perpetrator programmes are developed based on a cognitive behaviour approach and closely linked with the safety of the victims;

(d) Give equal priority to ensuring protection from gender-based hate speech as from hate speech based on other characteristics by criminalizing sexist and misogynist hate speech, including online, which primarily targets Roma women, transgender women and women politicians;

(e) Accelerate the adoption of amendments to the legislation, including the Criminal Code and article 24 of the Family Law, to prohibit marriage under the age of 18 years for both women and men without exception, criminalize guardians and marriage officiators who conduct or facilitate marriages before the age of 18 and conduct research into the root causes, characteristics and

prevalence of child marriage, with a view to further strengthening efforts to combat this practice, in line with article 16 (2) of the Convention and joint general recommendation No. 31 of the Committee/general comment No. 18 of the Committee on the Rights of the Child (2019), as revised;

(f) **Establish a high-level governmental coordinating body responsible for the implementation of programmes and action plans to combat gender-based violence.**

Trafficking and exploitation of prostitution

27. The Committee notes the efforts of the State party to address trafficking in human beings, including through the adoption of a National Action Plan to Combat Human Trafficking and an Anti-Trafficking Strategy for 2019–2024, the establishment of a team for the formal identification of victims of trafficking in human beings, and the signing of bilateral protocols on cooperation in combating trafficking in human beings with the three countries in the region. The Committee nevertheless notes with concern:

(a) That human trafficking reportedly remains prevalent in the State party;

(b) The link between prostitution and trafficking for sexual purposes, particularly with regard to Roma women and girls;

(c) That, despite investigations into trafficking in human beings steadily improve, the rate of prosecutions is low;

(d) The absence of a specialized shelter for trafficking victims in the State party.

28. **With reference to its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee recommends that the State party:**

(a) **Strengthen implementation of the Anti-Trafficking Strategy and revise and extend it to cover the upcoming five-year period;**

(b) **Take measures to reduce the demand for prostitution, and criminalize pimping and the purchase of sex services of victims of trafficking;**

(c) **Promptly investigate, prosecute and adequately sentence those responsible for trafficking, addressing long delays in the prosecution of trafficking crimes;**

(d) **Ensure that women who are victims of trafficking have access to witness protection programmes and temporary residence permits, irrespective of their ability or willingness to cooperate with prosecution authorities, and that they receive financial compensation in accordance with the 2015 Law on compensation of damages for victims of violent crimes;**

(e) **Establish and adequately fund a specialized shelter for trafficking victims, accessible to women and girls with disabilities, and ensure that victims are provided with free legal aid, interpretation, adequate medical assistance, psychosocial counselling, financial support, education, professional training and income-generating opportunities.**

Equal participation in political and public life

29. The Committee notes women's increased participation in political life in the State party and that the Electoral Law requires a minimum quota of 30 per cent for

the representation of either sex in Parliament and local assemblies. It notes with concern:

(a) That not all legislative assemblies meet the 30 per cent quota and that only four out of 23 Ministers of the current Government and only 1 out of 26 municipality mayors are women;

(b) Women's underrepresentation in the public administration and on boards of directors and in management positions of State enterprises;

(c) The rise in hate speech and gender-based violence against women in political and public life in recent years.

30. Recalling its general recommendation No. 23 (1997) on women in political and public life, as well as target 5.5 of the Sustainable Development Goals, on ensuring women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life, the Committee recommends that the State party:

(a) Amend Electoral Law to introduce the zipper system, requiring political parties to create a candidate list alternating between female and male candidates, and approve said amendments prior to the 2027 general elections, with a plan to achieve parity in political representation;

(b) Conduct public awareness campaigns on the need for women's equal and inclusive representation in political and public life and in the private sector, as a necessary condition for political stability, sustainable development and inclusive growth;

(c) Address the underlying systemic barriers to women's equal representation, such as patriarchal attitudes and discriminatory stereotypes;

(d) Provide capacity-building and training for women in management positions in the private sector, raise awareness among employers and managers on the importance of the equal representation of women in leadership positions and incentivize public and private listed companies to increase the number of women on boards and in leadership positions;

(e) Continue and strengthen efforts to prevent hate speech against women politicians and women candidates in public discourse, including online, and prevent harassment and threats against them, including by requiring political parties to adopt codes of conduct to promote gender equality and combat harassment of women candidates and activists and holding social media companies accountable for discriminatory user-generated content.

Education

31. The Committee notes the pledges made by the State party at the seventy-fifth anniversary of the Universal Declaration of Human Rights on human right education, training and awareness-raising. It notes with appreciation that the majority of schools meet World Health Organization basic service criteria for water supply. However, the Committee remains concerned:

(a) That gender stereotypes are reinforced through school curricula owing to the presence of discriminatory gender stereotypes in educational materials, as well as the absence of education on gender equality and systematic education on sexual and reproductive health and rights;

(b) The lack of basic water, sanitation and hygiene (only 52.3 per cent meet standards for hygiene, and most schools do not have a space that provides privacy for menstrual hygiene management);

(c) That only 7 per cent of children aged 15 to 18 in Roma settlements attend secondary school or higher, in contrast to the general population, where 88 per cent of children attend secondary school;

(d) About the significant gap in enrolment between girls and boys with disabilities;

(e) About the instrumentalization of religion in educational institutions.

32. In the light of its general recommendation No. 36 (2017) on the right of girls and women to education, and recalling its previous recommendation (CEDAW/C/MNE/CO/2, para. 31), the Committee recommends that the State party:

(a) **Revise curricula to eliminate gender stereotyping, ensure that gender-sensitive teaching materials are available and used at all levels of education and institute mandatory training for teaching staff at all levels of education on gender issues and sensitivity and the impact of gendered behaviour on teaching and learning processes;**

(b) **Provide, in the national curricula at all levels of mandatory education, age-appropriate sexual and reproductive health education in schools, ensuring that it is rights-based, addresses issues of power and consent, responsible sexual behaviour and respect for sexual orientation, and promotes joint responsibility between men and women and the elimination of gender-based violence;**

(c) **Ensure access for girls to adequate water and sanitation, sex-segregated restrooms and menstrual hygiene products and facilities at school;**

(d) **Continue to promote the importance of girls' education at all levels, including secondary and higher education, as a basis for their empowerment, with a focus on women and girls belonging to ethnic minorities, including Roma and Egyptian women and girls and women and girls with disabilities;**

(e) **Conduct research in order to identify the root causes of the gap in enrolment between girls and boys with disabilities, and take appropriate measures to address them, including through awareness-raising activities on the importance of ensuring equal access to education for girls with disabilities;**

(f) **Prevent the instrumentalization of religion with regard to human rights and sensitize religious educators and institutions on gender equality and the rights of women and girls under the Convention.**

Employment

33. The Committee notes with appreciation that the National Employment Strategy 2021–2025 aims to ensure equal access for all to the labour market. It further notes that the draft law to ratify Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization is before the Parliament as of April. However, the Committee expresses its concern about:

(a) The low employment rate of women, the unequal distribution of domestic and family responsibilities between women and men, which negatively affects women's employment opportunities, the high levels of horizontal and vertical occupational segregation and the low value assigned to feminized occupations;

(b) The persistent gender wage gap, which was 21 per cent in 2023 and is disproportionately wider at the higher income levels and with age, and the 12 per cent gender pension gap;

(c) The removal of the words “women and men” from article 9 of the labour law on equal pay for the same work and work of equal value;

(d) The absence of gender-based complaints to the Labour Inspectorate since 2018 despite reports, for example, of contract termination due to maternity;

(e) The consistently higher percentage of women among unemployed persons with disabilities.

34. In accordance with target 8.5 of the Sustainable Development Goals, on achieving full and productive employment and decent work for all women and men, the Committee recommends that the State party:

(a) Recognize, reduce and redistribute the burden of unpaid care work on women by providing affordable child-care facilities and care services for older persons and by implementing policies promoting the equal sharing of domestic and family responsibilities between women and men;

(b) Effectively enforce the principle of equal pay for work of equal value in order to narrow and eventually close the gender pay gap by: (i) conducting regular labour inspections; (ii) applying non-discriminatory analytical job classification and evaluation methods; (iii) conducting regular pay surveys; and (iv) encouraging employers to publish a narrative with their gender pay gap data, with a view to better understanding the reasons behind the gender wage and pension gap, and to take appropriate remedial measures;

(c) Reinstate the words “women and men” in its equal pay legislation;

(d) Identify and address the root causes of pension discrepancies between men and women, with a view to narrowing and closing the gender pension gaps;

(e) Raise the awareness of employers and employees in the public and private sector on women’s existing labour rights, including the rights to prenatal leave and breastfeeding at the workplace, and ensure that employees have information on and access to available confidential complaint mechanisms;

(f) Put in place concrete measures to improve access to employment and training opportunities for women with disabilities;

(g) Ratify the International Labour Organization Domestic Workers Convention, 2011 (No. 189).

Health

35. The Committee welcomes the increase in the number of gynaecological chairs made accessible for women with disabilities. It also welcomes the progress made in the State party regarding the quality of maternal and newborn health services. It notes, however, that challenges remain in order to bring maternal and newborn health services up to acceptable standards. The Committee notes with appreciation the hosting of awareness-raising campaigns on human papillomavirus and breast cancer. However, the Committee is concerned that:

(a) Transgender women are obligated to undergo involuntary sterilization as a precondition for legal gender recognition;

(b) There is no State programme for the provision of contraceptives;

(c) Only 3 out of 10 women aged 30 to 49 have undergone early detection for cervical cancer;

(d) Undocumented migrant and asylum-seeking women may only have access to emergency care.

36. In accordance with its general recommendation No. 24 (1999) on women and health and targets 3.1 and 3.7 of the Sustainable Development Goals, on reducing global maternal mortality and on ensuring universal access to sexual and reproductive health-care services, the Committee recommends that the State party continue and further strengthen its efforts to bring maternal and newborn health services up to acceptable standards. It further recommends that the State party:

(a) Accelerate the adoption of legislative and policy measures to ensure that transgender women can obtain legal recognition of their gender and change their names in civil registries without undergoing involuntary sterilization;

(b) Develop and implement a national programme for the provision of free or affordable contraceptives as part of its efforts to prevent unwanted pregnancies and sexually transmitted diseases;

(c) Strengthen and expand its campaigns to raise awareness of the public about early detection of breast and cervical cancer and vaccination against human papillomavirus for girls;

(d) Take concrete measures to ensure that all women, including refugee and asylum-seeking women, and undocumented migrants, have access to appropriate and adequate health services.

Economic empowerment of women

37. The Committee notes with interest the Strategy for Development of Female Entrepreneurship for 2021–2024, which has reportedly contributed to the development of entrepreneurship of women. However, the Committee is concerned that:

(a) Women still lag behind their male counterparts in terms of actual ownership of businesses and in terms of entrepreneurship, noting that for every female-led enterprise, three enterprises are led by men;

(b) Women and girls are not equally represented in innovation projects and start-ups;

(c) Women entrepreneurs do not have the necessary protection to carry out their entrepreneurship projects, since, while low interest loans are available through the National Development Fund as well as some banks, they often do not have the collateral to gain access to the loans and credits, owing to patriarchal attitudes regarding inheritance rights.

38. **The Committee recommends that the State party:**

(a) Continue its efforts to promote women's entrepreneurship and empower them economically, and take measures to promote parity in the representation of women in both the public and private sectors, including private companies, including through the provision of incentives to increase significantly the number of women who are members of boards of directors and the number of women in management positions;

(b) Develop and further strengthen educational and training programmes for women and girls, with a view to increasing their representation in entrepreneurship, innovation projects and start-ups;

(c) Ensure women's access to low-interest loans and credits without collateral and carry-out awareness-raising for the women on how to access bank loans and credits.

Rural women

39. The Committee notes with concern that rural women carry a disproportionate burden of unpaid work under difficult conditions, such as limited access to running water, electricity and childcare. It is further concerned that rural women are particularly exposed to gender-based violence and have limited access to justice, health care, social security and other basic services and that they are often excluded from political and public life, in particular from decision-making on rural development.

40. In accordance with its general recommendation No. 34 (2016) on the rights of rural women and target 5.a of the Sustainable Development Goals, on undertaking reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws, the Committee recommends that the State party:

(a) Ensure that rural women, especially those in remote areas, have adequate access to health care, social protection and other basic services, including public transportation;

(b) Ensure the effective participation of rural women in the adoption, implementation and economic benefits of rural development projects, including at decision-making levels;

(c) Provide data disaggregated by sex, age, geographical location, socioeconomic background and other relevant factors on land and farm ownership in the next periodic report.

Women with disabilities

41. The Committee welcomes the establishment in 2021 of the Directorate for the Protection and Equality of Persons with Disabilities. However, the Committee notes with regret that women with disabilities face intersecting forms of discrimination in the State party, especially with regard to access to justice, education, employment and health care. It is further concerned at reports that they often do not have the knowledge or capacity to advocate for their right and are often not considered in policy discussions.

42. Recalling its general recommendation No. 18 (1991) on disabled women, the Committee recommends that the State party ensure that women and girls with disabilities are able to access justice, the labour market, inclusive education, employment and health-care services, including sexual and reproductive health-care services, and are able to fully exercise their right to bodily autonomy and decision-making in regard to their reproductive rights and custody and care of their children.

Roma, Ashkali and Egyptian women

43. The Committee notes with interest the adoption of the Strategy for Minorities 2019–2023, which aims to ensure genuine political representation and participation for minority groups, as well as the Strategy of Social Inclusion of Roma and Egyptians in Montenegro 2021–2025. The Committee expresses its concern, however, that the lack of civil registration documents continues to expose Roma, Ashkali and Egyptian women and girls to risks of abuse and exploitation and that the experience discrimination in access to education, employment and health care.

44. The Committee recommends that the State party take measures to ensure that Roma, Ashkali and Egyptian women and girls are provided with civil

registration documents and that it promote their access to basic services, such as education and health care, and to employment. It further recommends that the State party ensure the sustainability of housing and communities created under the Regional Housing programme, in particular with regard to basic services and infrastructure.

Women in detention

45. The Committee is concerned at the reports of gender-based violence, including sexual harassment and assault against female prisoners, and that they have limited access to literacy and educational programmes, drug dependence treatment and reinsertion programmes.

46. **The Committee recommends that the State party ensure that the conditions of women in detention are in line with the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, and that the conditions of detention for women, including in migration detention centres, are in line with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).**

Marriage and family relations

47. The Committee welcomes the establishment of the “Alimony Fund” for cases of non-payment of child support. However, it notes with concern:

- (a) Reports that the fund is not fully operational and difficult to access;
- (b) That in practice, female siblings continue to have unequal access to inheritance in comparison to their male siblings, despite the fact that the Law of Succession provides for equal inheritance rights of women and men;
- (c) That women often do not receive an equal share of joint matrimonial property upon divorce and separation.

48. **The Committee recommends that the State party:**

- (a) **Put in place measures to ensure that the Alimony Fund is fully operational and accessible to all single mothers and their children and carry out an assessment of the Fund to evaluate its effectiveness;**
- (b) **Ensure that women can relinquish their share of inheritance only after receiving it through inheritance order and subject to adequate legal safeguards;**
- (c) **Ensure that any divorce settlement that would entail unequal division of property requires an explanatory validation in writing from the approving judge.**

Data collection and analysis

49. The Committee is concerned about the absence of gender-disaggregated data collection in many areas relevant to the implementation of the Convention.

50. **The Committee recommends that the State party promote and build capacity for the systematic collection of statistical data in all areas relevant to implementation of the Convention, disaggregated by sex, age, disability, geographical location, socioeconomic background and other relevant factors, to facilitate the design and implementation of tailored and gender-responsive legislation, policies, programmes and budgets.**

Beijing Declaration and Platform for Action

51. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the implementation of the Convention in order to achieve substantive equality between women and men.

Dissemination

52. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions at all levels (national, regional and municipal), in particular to the Government, the parliament and the judiciary, to enable their full implementation.

Ratification of other treaties

53. The Committee notes that the adherence of the State party to the nine major international human rights instruments would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which it is not yet a party.

Follow-up to concluding observations

54. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 16 (a), 26 (b), 30 (a) and 36 (b) above.

Preparation of the next report

55. The Committee will establish and communicate the due date of the fourth periodic report of the State party in line with a future predictable eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The next periodic report should cover the entire period up to the time of its submission.

56. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see [HRI/GEN/2/Rev.6](#), chap. I).