



# International Convention on the Elimination of All Forms of Racial Discrimination

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## Committee on the Elimination of Racial Discrimination

### Eighty-fourth session

3–21 February 2014

Item 6 of the provisional agenda

**Consideration of reports, comments and information submitted  
by States parties under article 9 of the Convention**

## List of themes in relation to the combined second and third periodic reports of Montenegro (CERD/C/MNE/2-3)

### Note by the Country Rapporteur

The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. This document contains a list of such themes. This is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

#### 1. The Convention in domestic law, institutional and policy framework for its implementation (arts. 2, 4, 6 and 7)

(a) Information about the adoption of the new Law on Prohibition of Discrimination including a definition of discrimination and embodying other provisions of article 2 of the Convention, as requested in the concluding observations of March 2009 (CERD/C/MNE/CO/1, para. 9);

(b) Update on efforts made to bring the 2006 Law on Minority Rights and Freedoms into line with the 2007 Constitution and the Convention (CERD/C/MNE/CO/1, para. 10), including since the adoption of the Law on Amendments to the Law on Minority Rights and Freedoms;

(c) Information on efforts made during the period under consideration to make the Convention better known to the public administration, particularly the judiciary, as well as to the public at large (CERD/C/MNE/CO/1, para. 11);

(d) Information on progress made and the obstacles encountered in the practical implementation of rights enshrined in the Convention through legislative and administrative measures adopted to eliminate racial discrimination (CERD/C/MNE/CO/1, para. 12);

(e) Update on amendments to the legislative framework for the office of the Protector of Human Rights and Freedoms of Montenegro aimed at enabling the office to carry out its mandate independently and effectively, including as regards the provision of adequate financial and human resources, and information on any campaigns aimed at raising awareness of the functions of the Office with a view to facilitating access to its services by persons belonging to ethnic minorities (CERD/C/MNE/CO/1, para. 13).

**2. Situation of ethnic and minority communities (arts. 2–7)**

(a) Update on the educational, social, economic and employment levels of various ethnic minorities (CERD/C/MNE/CO/1, para. 8), based on the 2011 census;

(b) Disaggregated statistical data on members of minority groups employed in public bodies and institutions, including central and local State bodies, the judiciary and the police force (CERD/C/MNE/CO/1, para. 14), including an update on the results of the questionnaire on the ethnic structure of public employees;

(c) Information on the implementation of the action plan for resolving the status of displaced persons from former Yugoslav republics and internally displaced persons from Kosovo adopted on 29 October 2009, including statistical data on the granting of citizenship, long-term residence or refugee status, as well as an update on access to employment, health insurance, social welfare and property rights (CERD/C/MNE/CO/1, para. 15); status of the construction of the Reception Centre for Asylum Seekers;

(d) Update on any special measures taken to improve the socioeconomic and living conditions of the Roma, Ashkali and Egyptian population with regard to employment in public administration and practical access to education, health care and social welfare (CERD/C/MNE/CO/1, para. 17).

**3. Access to justice, discrimination against non-citizens, including migrants, refugees and asylum seekers (arts. 5, 6 and 7)**

(a) Update on measures to promote the application of the provisions of the Convention and redress mechanisms through the courts and the administrative system, including efforts to prevent police brutality and ill-treatment of disadvantaged groups, such as Roma (CERD/C/MNE/CO/1, paras. 11 and 18), since the adoption of the new Law on Prohibition of Discrimination and the new Law on Free Legal Aid;

(b) Update on the outcome of the cases of discrimination filed with the Protector of Human Rights and Freedoms and the status of the Law on Use of Official Language and Script; outcome of the cases of incitement to national, racial and religious hatred registered by the Police Directorate from 2008 to 2010.