



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Fiftieth session

Summary record of the 1003rd meeting

Held at the Palais des Nations, Geneva, on Thursday, 13 October 2011, at 3 p.m.

Chairperson: Ms. Pimental

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Initial report of Montenegro (continued) (CEDAW/C/MNE/1; CEDAW/C/MNE/Q/1 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Montenegro took places at the Committee table.*
2. **The Chairperson** invited the delegation of Montenegro to continue its replies to questions raised by the Committee members at the previous meeting.

Article 6 (continued)

3. **Ms. Donaj** (Montenegro) said that the Police Directorate had data on the exploitation of women and trafficking, classified by gender and age. As indicated in the report, trafficking was not a common occurrence and typically involved a handful of cases annually. The Ministry of the Interior cooperated with the Office against Trafficking in Human Beings. A national action plan and strategy against trafficking in persons had been formulated, and international cooperation in that regard was intensive.
4. The Police Directorate drafted regular reports on street begging. Under the Criminal Code, the Code of Criminal Procedure and the Law on Social and Child Protection, which defined issues related to child protection, begging in the street was deemed to be a form of neglect, abuse or exploitation of children for purposes of labour inappropriate to their age. Street begging was a misdemeanour and was punishable by a fine and/or a prison sentence. Data on the issue were contained in the report. However, if the Committee so wished, the delegation could provide further data on that and other related issues, in writing.

Articles 7 and 8

5. **Ms. Pires** said that although it was no easy matter for a newly independent State to comply with the treaties it had ratified, it was preferable to do so in the initial stages of nation-building. She shared the concerns expressed with regard to the inclusion of a quota for women in the State party's electoral law, in particular as the wording might not allow for an increase in the number of women in the national parliament, and urged the State party to take alternative measures for the 2013 elections.
6. Such measures might include granting additional airtime on State media to political parties that fielded women candidates for winnable seats, restricting airtime for those that did not do so, or granting extra time to those that had women presenting their political platforms. The training offered to women candidates to promote their participation in politics was commendable; however, work might also be done with the leaders of political parties and the women's wings of political parties might be strengthened. In addition, the fact that a high proportion of women had voted in the previous elections could serve to motivate political parties to pay greater attention to the female vote. She asked whether there were programmes to mobilize women's votes and campaigns to encourage women to vote for parties that fielded a greater number of women candidates, and whether the performance of parties in power was monitored with regard to their policies on women and gender.
7. She wished to know whether the women in politics programmes would provide assistance to women once they were elected, in order to address the imbalance in their representation on the different parliamentary committees. An increase in their representation on all the committees concerned, particularly the Economy, Finance and

Budget Committee, should be promoted. Lastly, she asked the State party to provide statistical information on women in the civil service.

8. **Mr. Delić** (Montenegro) said that the intention had been to establish a quota for women in parliament rather than on candidates' lists. However, that had not been agreed by parliament and so, of the current 81 members of parliament, only 10 were women. In recent months, the ruling party and two others had held party congresses at which women had enjoyed 30 per cent representation. The statutes of all three parties provided that women should be adequately represented on party bodies.

9. One of the three pillars of the project that the Ministry for Human and Minority Rights had been implementing with the United Nations Development Programme (UNDP), with the support of the European Commission through the Instrument for Pre-Accession Assistance (IPA), was the strengthening of women's participation in political life. In that context, the Ministry had signed agreements with two commercial television companies and a number of programmes on women's political representation had been scheduled. State media were required to broadcast on that topic in order to raise awareness of women's role in the political arena.

10. While a majority of women members of parliament were represented on the Gender Equality Committee, they should certainly be represented on others, such as the Economy, Finance and Budget Committee. Indeed, had they been involved in the latter committee, it would have been possible to provide more accurate information on the budget available for gender equality issues.

11. **Ms. Vlahović** (Montenegro) said that women were underrepresented on several parliamentary committees, partly because they had other commitments or interests but also because their colleagues believed that they should not be represented on those committees. It had been agreed under the IPA project to emphasize the need to amend the Law on Political Party Financing in order to remedy such attitudes and support parties in strengthening the role of women in politics. Efforts would be made to raise awareness among male politicians in order to change the composition of parliamentary and other important committees.

12. The lengthy process of amending political party regulations to make them more gender-sensitive had begun, by direct communication and through international and non-governmental organizations. It was hoped that the situation would have changed by the time of the 2013 elections. The delegation had taken note of the Committee's constructive proposal to record the gender-sensitive measures taken by parties in power, and efforts would be made to include all of its recommendations in various programmes to ensure that those parties that met women's expectations would win the female vote.

13. **Mr. Delić** (Montenegro) said that the available data on government employees indicated that 39.7 per cent of employees were women. Data on the gender structure of specific bodies were available.

14. **Ms. Šimonović** said that she wished to follow up on her questions on violence against women. There were currently two shelters for women victims of violence, funded by international donors. She wished to know whether the State was required to provide and fund shelters under the Law on Protection against Domestic Violence. In addition, she asked how many places were available in the existing shelters, how many were needed and whether there were plans to increase the number of such places.

15. Given that under the new Law the police could issue an emergency protection order, she asked how many such orders had been issued. Since it appeared that such orders could not be issued in the context of criminal proceedings, she asked the delegation to clarify

whether a judge in such a case could issue a long-term protection order and, if so, for how long.

16. **Ms. Neubauer** said that she wished to follow up on her questions about the extent and prevalence of prostitution in the State party. She asked whether any cases had been recorded involving charges for prostitution-related offences under the national Criminal Code, which had been amended in 2002 to prohibit the use of the services of victims of trafficking. She asked whether the State party considered that a similar provision should be introduced to prohibit the use of the services of prostitutes, as the offering of such services was prohibited.

17. In connection with article 7, she noted that the State party had referred only to affirmative measures under the Law on Political Parties in its response to question 14 (b) and had not referred to compliance with article 12 of the Law on Gender Equality. Moreover, she wished to know how the Government was applying the principle of gender balance with regard to appointed positions on national advisory councils and other bodies.

18. **Ms. Gabr**, referring to article 6, requested further information on victim and witness protection, which had posed problems in previous years. Moreover, she asked whether the State party envisaged establishing a special fund for the protection and rehabilitation of victims and to finance related activities.

19. **Ms. Acar** reiterated that she wished to know whether the existing figures on violence against women had been analysed in depth, and whether programmes targeting men had been formulated on the basis of such analysis. She also asked the delegation to indicate the time frame envisaged for ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence.

20. **Ms. Vlahović** (Montenegro) said that the ratification procedure was under way. Montenegro was to be represented at an international conference on the matter later that month and its delegation would be present for the first regional training sessions on that topic.

21. The strategy against domestic violence included in-depth analysis of existing data on victims of violence. Some of the necessary measures taken in connection with violence against women included activities targeting men and multidisciplinary efforts in the context of the IPA project. Part of that project would tackle violence against women; public awareness campaigns, would also be conducted, targeting men and schoolchildren and focusing on non-violent communication. The strategy allowed for the formation of multidisciplinary teams to ensure that all aspects of the issue were covered, and included future measures up to 2016.

22. No accurate data were available on prostitutes or the scope of prostitution, on those who used their services or how they used them or whether they were liable to criminal penalties. Some non-governmental organizations had sought financial support from international donors in order to conduct a comprehensive survey in that regard.

23. There were three shelters and a hotline for victims of domestic violence, funded by international donors. In recent months, the Government had begun to finance those shelters directly. Particular attention would be given to helping non-governmental organizations involved in the protection of women identify and obtain funding, assistance and support. Although the number of places available in shelters was small, alternatives were found for victims when insufficient places were available.

24. The larger political parties already provided data on their gender structure. The Law on Political Parties would be brought into line with the Law on Gender Equality, in order to ensure that all political parties did so.

25. **Ms. Baković** (Montenegro) said that a protection order could be issued by a criminal court under article 166 of the Code of Criminal Procedure, at the request of the prosecutor or the victim. The duration of such an order would be determined by the court.

26. Use of the services of prostitutes had not been designated as an offence when the criminal legislation had been amended, as both the use and the provision of such services were deemed misdemeanours. The organization of prostitution services, however, would be deemed a criminal offence under the new public order legislation.

27. With regard to the protection of victims and witnesses during criminal proceedings, the testimonies of victims could be heard in a separate room. Moreover, legislation was being drafted to establish a State fund for the compensation of victims of violence.

Article 10

28. **Ms. Bailey** asked the delegation to provide figures showing school enrolment rates, as they were a useful indicator of the extent to which there was equality of opportunity for girls in various age cohorts at the primary, secondary and tertiary levels of education. She wished to know what factors accounted for the steady decline in the percentage of female university students discernible in the data presented in paragraph 217 of the State party's report (CEDAW/C/MNE/1) and what measures might be taken to halt that trend. She wondered if any incentives, such as special scholarships for women, were being contemplated to boost female participation in postgraduate engineering and technology studies. She asked if there were any plans to analyse the reasons for the disproportionately high dropout rate for rural girls at primary school level and to use the findings to devise measures to help girls remain at school. The fact that most teachers were women, while most school managers were men, suggested that there were ideological and structural barriers to women's upward mobility to management positions. She was therefore curious to know what measures might be introduced to create a more equitable situation and more opportunities for women's promotion to top positions in the education sector. Lastly, she asked whether the educational reform package contained a strategy to improve the access of Roma, Ashkali and Balkan Egyptian (RAE) girls to schooling and further education.

29. **Ms. Zou** Xiaoqiao asked whether the Ministry of Education and Science intended to formulate policy to address the root causes of rural children's absenteeism from school which were mentioned in paragraph 228 of the report and, in particular, to facilitate girls' school attendance. She further enquired whether the relevant ministries monitored or reviewed textbooks to eliminate sexual stereotyping.

30. **Ms. Kovačević** (Montenegro) said that no statistics were available on enrolment in primary, secondary and tertiary education because the software for computing them had not yet been installed. It was impressed upon parents that they must send their children to school until the age of 15 and that they would be fined if they failed to do so. Children from poor families received free textbooks. The Ministry of Education had a policy and strategies aimed at facilitating school attendance by children from rural areas.

31. Turning to the issue of the number of female postgraduate students, she explained that access to that level of education was purely merit-based. While the Ministry of Science did provide scholarships for postgraduate studies, there were no special funds or measures to encourage women to pursue their studies at that level. She agreed that a survey should be conducted to determine why so few women did so.

32. There were plans to develop software to monitor the quality of education and to ascertain the reasons why pupils dropped out of school. One of the goals of gender equality policy was to analyse textbooks and curricula with a view to eliminating any remaining sexual stereotyping. The educational reform initiated in 2003 was still ongoing. One of its

aims was to attain European Union standards. For that reason, areas which had not been covered hitherto would be dealt with as part of that process.

33. **Mr. Delić** (Montenegro) said that curricula and training programmes were periodically reviewed and if they were found wanting in respect of gender equality they would be amended.

34. **Ms. Kovačević** (Montenegro) said that the process of educational reform was still incomplete when it came to the inclusion of Roma, Ashkali and Balkan Egyptian children in the Montenegrin education system, which was based on the notion of lifelong learning. However, many literacy courses were available for the Roma and a number of programmes sought to raise their awareness of the importance of education, gender equality and healthy family lifestyles. Vocational education centres and non-governmental organizations (NGOs) also ran activities which could contribute to the achievement of those goals. The scope and quality of those activities would be monitored.

35. **Ms. Remiković** (Montenegro) said that the Statistical Office carried out regular surveys of all levels of education. For example, a publication entitled "Men and women in Montenegro" contained a wealth of data on the education sector. Caution was needed when interpreting Montenegrin statistics, especially those concerning postgraduate studies, because the number of students involved was so small that any percentage variation could seem inordinately large.

Article 11

36. **Mr. Bruun** said that the Committee required more disaggregated data than those supplied in the report, in order to assess how labour law was implemented. He pointed out that the extensive use of fixed-term employment contracts circumvented women's right to paid maternity leave and their right to return to their job thereafter, since only persons holding an indefinite contract enjoyed those rights. In that connection, he wished to know what steps had been taken to promote paternity leave. What measures had been adopted to ensure that affordable day-care centres were available for small children in order to enable their mothers to go out to work? It was not clear from the report if any mechanism had been established to deal with cases of sexual harassment in the workplace or whether there were any programmes to alert employers and employees to that issue. He therefore requested information on the number of reported cases of sexual harassment. Lastly, the Committee was eager to hear what initiatives had been taken to combat the multiple discrimination faced by Roma women on the labour market.

37. **Ms. Patten** said that the Committee was concerned to note from paragraph 276 of the report (CEDAW/C/MNE/1) that 45 per cent of the unemployed were women. In view of that situation, she wished to know whether the Government had evaluated the National Strategy for Employment and Human Resources to which reference was made in paragraph 263 of the report and, if so, what the findings had been and what measures were envisaged to increase women's employment, to remove discrimination in recruitment, especially in the private sector, and to provide incentives to employers in that sector. Were women encouraged to file complaints of discrimination? Did they know their rights? She also wished to know if the Government intended to amend section VI of the Labour Law referred to in paragraph 257 of the report, which restricted women's employment opportunities, since it was based on stereotyped perceptions of women's capacities. How did the Government intend to address the occupational segregation resulting from the fact that women were mainly employed in the services and education sectors? Since occupational segregation was a key factor contributing to the gender wage gap, she asked if the delegation could provide any specific examples of measures to encourage women to seek employment in non-traditional sectors. Lastly, she enquired what was being done to

deal with the issue of inflexible working hours which restricted mothers' possibilities of finding work commensurate with their skills and aspirations.

38. **Ms. Ademović** (Montenegro) said that fixed-term employment contracts had indeed been abused in the past. Under the new draft Labour Law which was currently before the parliament a two-year limit had been imposed on fixed-term labour contracts, with exceptions for continued work on short-term projects. Unfortunately no data were available on court cases pertaining to discrimination against women at the time of recruitment, which were not covered by Labour Inspectorate statistics. The new draft law had greatly improved the definition of many concepts that had been unclear in the past and therefore open to abuse by employers.

39. **Ms. Vukčević** (Montenegro) said that a number of measures had been taken actively to promote women's employment. In 2010 and the first half of 2011 women had accounted for the majority of participants in training, counselling and careers development activities. Similarly, the Government had funded 484 female interns' salaries. Employment Agency start-up loans had helped women to set up businesses on more favourable conditions than those offered by banks. In 2010 and the first six months of 2011, 42 per cent of those loans had been taken out by women. Surveys had shown that women were more responsible when it came to repaying the loans.

40. Action to alleviate the difficulties faced by Roma women on the labour market included literacy training to enhance their employability. In addition, start-up grants had been provided for four projects being run in cooperation with the United Nations Development Programme (UNDP).

41. A number of other projects sought to reduce the vulnerability of persons living with disabilities by improving their employability.

42. **Ms. Kovačević** (Montenegro) said that the Ministry of Education and Science had launched the vocational education and training strategy 2010–2014 and the associated action plan for 2010–2011, which aimed to promote gender balance in enrolment and to align vocational education with the demands of the labour market. In addition, gender-sensitive language was used in vocational and educational curricula and some occupational groups had been renamed with a view to eliminating gender stereotypes.

43. **Ms. Vlahović** (Montenegro) said that no data were available on workplace violations of women's rights under the Labour Code. The Department for Gender Equality, in cooperation with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), had introduced training for labour inspectors and had signed a code of ethics that was in line with the Global Code of Integrity for Labour Inspection. Under the national code, labour inspectors were required to observe the provisions of the Law on Gender Equality and classify all data by gender.

44. Violations of women's entitlement to annual leave occurred mainly in the private sector, and that was a matter that labour inspectors should address. Men's entitlement to paternity leave was being reinstated; women were entitled to three months' maternity leave and could extend that period for up to one year. Employers were offered incentives to inform employees of their rights. Media campaigns had been conducted on radio and television in that connection, including televised discussions with victims of violations by employers, with the result that the number of victims reporting violations had increased. Labour rights were discussed on weekly radio shows, monitored by the Department for Gender Equality. Lastly, efforts were being made to encourage entrepreneurship among women and to interest them in occupations traditionally less attractive to women.

Article 12

45. **The Chairperson**, speaking in her capacity as an expert, emphasized that the Committee's general recommendations were useful sources of inspiration for legislation, public policies and activities and the decisions of the judiciary and that general recommendation No. 24 was of particular relevance to article 12 of the Convention.

46. The State party's legislation on abortion was reasonable and respected human rights standards. However, it was a matter of concern that abortion appeared to be used by a number of women as a family planning method. With regard to HIV/AIDS, although the State party had provided information on its strategy to combat HIV/AIDS and on HIV/AIDS education programmes in schools, it appeared that the data on the incidence and impact of HIV/AIDS were not gender-sensitive.

47. Moreover, it appeared from the shadow report presented by the Montenegrin women's coalition of non-governmental organizations that health care in general and reproductive health care in particular were underfunded. In view of the low frequency of visits to gynaecologists and the low rate of use of contraceptive devices among women, she asked the delegation to elaborate on measures and programmes to reduce the incidence of HIV/AIDS among women and to raise awareness of the importance of using contraceptive devices, in particular those aimed specifically at women and girls.

48. In its response to the issues raised in paragraph 27 of the list of issues, the State party had mentioned programmes designed to reduce morbidity and mortality, such as the national cancer prevention programme. However, those programmes were not specific to women. It appeared that health facilities in the State party were insufficient for women's needs, in particular those of minorities such as women with disabilities, rural women and Roma, Ashkali and Balkan Egyptian (RAE) women.

49. **Ms. Rasekh** said that the State party should ensure that women's health needs were given priority, since the health of more than 50 per cent of the population was crucial to the nation's prosperity. Both the State party and the non-governmental organizations, in their respective reports, had indicated that women's access to health care was far from adequate. In view of the evident political will to improve health care for women, she asked for information on the technical and financial support provided by the international community in implementing the Millennium Development Goals (MDGs) and national action plan goals related to health, and on the status of the health-related MDGs and the national action plan.

50. In view of the fact that abortion rates among teenage girls were rising, she asked whether sex education formed part of the school curriculum. In addition, she wished to know whether reports that female foetuses were aborted in rural areas because of a preference for male children were founded and, if so, what steps the Government was taking to change attitudes.

51. A number of concerns had been raised by non-governmental organizations (NGOs) with regard to the quality of health care, in particular overcrowding and lack of privacy at public obstetric and gynaecological facilities and sexist remarks made to women patients, all of which discouraged women patients from attending. In that context, she asked whether humane, effective and adequate services were provided to women suffering from mental health problems.

52. In view of the dearth of data and statistics on abortion and sex education for girls in the State party's report, and the importance of such information, she asked what steps the Ministry of Health was taking to remedy the situation and to record and collect relevant data. NGO reports highlighted the fact that physicians neither recorded data on sexual or other violence against women nor reported such incidents.

53. **Ms. Klikovac** (Montenegro) said with regard to prevention and the work of health-care institutions that, of some 7,200 employees in the public health-care system, 5,400 had a postgraduate degree and 1,000 were specialized physicians. The proportion of women employed in the health-care system ranged from 60 to 80 per cent, according to the institution concerned and the scope of its activities, at the primary, secondary and tertiary levels.

54. The legislative framework for prevention in the case of women and girls was continually being amended and improved, as medicine was an evolving field. In most cases, new legislation was drafted in coordination with the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP) and non-governmental organizations.

55. Health-care centres provided health services and training, in addition to disseminating brochures on health matters. Under the breast and cervical cancer detection programme, women had been urged, by all available means of communication, to attend health-care centres for health checks; in addition, brochures had been distributed in rural and urban areas to inform women of the importance of prevention. The high level of response demonstrated the importance of those actions. A measure had been introduced allowing women who were not satisfied with their gynaecologist to register with another one. It was hoped that that measure would encourage women to attend health checks. Complaints could be addressed to trained protectors of patients' rights, 70 per cent of whom were women.

56. Counselling on reproductive health care for women was available at health-care centres. Expectant mothers were offered antenatal and perinatal classes, and education and support classes were also made available to new parents and other family members. Moreover, brochures on pregnancy, safe delivery, breastfeeding, child development and child-rearing published in cooperation with UNICEF were available at health-care centres. Counselling on HIV/AIDS was offered, particularly to young people. Special facilities for women with disabilities to undergo examinations were available, including gynaecological tables, and it was planned to make such facilities available at all health-care centres. Plans were in place to improve rural women's access to health care and diagnostic equipment and to organize weekly visits by mobile units to perform health checks on women in rural areas.

57. Primary and secondary level health-care institutions cooperated on a continuous basis. As part of the breast cancer prevention programme, October had been designated "mammography month" for a number of years: during that month, women could obtain a mammogram without a prior appointment and that measure had produced exceptional results.

58. The national cancer prevention programme had been adopted in 2010 and an action plan for the early diagnosis of colon, cervical and breast cancer had been adopted recently, in 2011. The aim was to ensure that all women aged 24 to 60 underwent preventive checks to reduce the rate of mortality from those diseases and to inform them by all public means of communication of the importance of undergoing such checks. In addition, with support from the Ministry of Health and UNICEF, a project to promote breastfeeding had been launched to increase the number of breastfeeding mothers and protect against breast cancer.

59. To his knowledge, abortion was not used as a family planning method in Montenegro; the Law on the Conditions and Procedure for Termination of Pregnancy established the conditions under which abortions could be performed and prescribed penalties for violations. The illegal performance of an abortion constituted a criminal offence under the Criminal Code.

60. New legislation on reproductive health had recently been enacted and the Government had funded two reproductive health projects.

61. **Mr. Novović** (Montenegro) said that preventive education on HIV/AIDS and on mental health was provided in schools.

Article 14

62. **Ms. Zou Xiaojiao** said that the State party's report and responses to the list of issues should have contained fuller information on each of the matters referred to in article 14, in the order in which they were set out. She wished to know more about overall government policy concerning rural areas and how women's participation in farming activities and agricultural reform was being encouraged. Had any research been conducted into rural women's living conditions and had any measures been taken to improve their lot, so that they could play a more productive role in family life and in the rural community? She asked whether it was difficult for rural women to obtain information about reproductive health and whether any action had been taken to improve reproductive health services in rural areas.

63. **Ms. Hayashi** said that she wished to know what policy the Government was following to reduce statelessness among women in rural areas and whether it intended to ratify the 1961 Convention on the Reduction of Statelessness. She wondered if the State party would contemplate granting refugee status to persons from the former Yugoslavia, instead of regarding them as displaced or internally displaced persons, since the rights embodied in the 1951 Convention relating to the Status of Refugees were essential elements of women's human rights. As many women in rural areas had no means of access to official announcements, she asked how the Government intended to reach out to displaced women to inform them of their rights. She would also be grateful for information about training programmes for persons who provided rural and displaced women with legal advice regarding sexual and gender-based violence.

64. **Ms. Ademović** (Montenegro) said that on 28 July 2011 the Government of Montenegro had adopted a strategy to assist the tens of thousands of displaced and internally displaced persons living in Montenegro through either integration or voluntary return. It had been decided to set up a coordinating committee headed by the Deputy Prime Minister to monitor the strategy's implementation, which was already well under way. The strategy's purpose was to facilitate integration through easier access to housing, education, employment, identity papers, etc. It was accompanied by other projects aimed at providing support for displaced and internally displaced persons. Some of the projects had been approved by the European Union and covered assistance with housing.

65. **Ms. Remiković** (Montenegro) said that data had been disaggregated by gender in the 2010 census on agricultural labour. A population census had been carried out in April 2011. Hence, a considerable amount of data on education and the activities of women in rural areas would be available by the end of 2012. In response to the question regarding the living conditions of rural women, she explained that a new pilot project using Eurostat sample-based methodology would evaluate the social inclusion or exclusion of people living in towns and the countryside.

66. **Ms. Vlahović** (Montenegro) said that another survey covering rural women's access to health care, education and childcare facilities was being finalized. Its findings would be examined with a view to working out specific financial measures to improve the position of women in rural areas. Training programmes were also being run for their benefit.

67. Women living in the countryside and RAE women could undergo mammographic screening and attend talks on reproductive health. Data from the 2010 and 2011 censuses would be used to determine what further steps should be taken to improve their lives.

68. **Mr. Delić** (Montenegro) said that all displaced and internally displaced persons would have to register their status by November of the current year. Those who met the

conditions for naturalization would become Montenegrin citizens; those who did not would receive a permanent or temporary residence permit. Although there was concern that some Kosovars would be unable to present any sort of identity document, an earlier survey had already identified Kosovars and recorded where they lived.

Articles 15 and 16

69. **Ms. Halperin-Kaddari**, while commending the State party's detailed account, in its report (CEDAW/C/MNE/1), of the legal infrastructure in place in the area of family law, said that the Committee had received no proper response to questions 28, 29 and 30 in the list of issues (CEDAW/C/MNE/Q/1) concerning equal rights in marriage. She was concerned that the patriarchal norms that still persisted in Montenegrin society and the unequal economic relations between men and women made it difficult for women to exercise bargaining rights and to enter into equitable marital property contracts.

70. She enquired about the economic situation and welfare of single mothers whose children apparently still suffered from the social stigma of being regarded as illegitimate unless they were recognized by their father. According to the information at the Committee's disposal, State benefits for single mothers were extremely low or non-existent. Were any other steps taken to assist them?

71. Noting that, according to the State party's report (paras. 398–401), assets acquired during marriage or a long-term common-law relationship were treated, under the Family Law, as joint property, she requested further details on how such property was registered, given that information from other sources appeared to show significant differences, or inequalities, between men and women in terms of property ownership rights. Was there an inconsistency between the law and practice in that regard? Were work-related benefits, severance payments, insurance, savings and pension entitlements acquired during the relevant period regarded as joint property which was to be equally distributed in the event of the break-up of the relationship?

72. **Ms. Baković** (Montenegro) said that the Government's concern for families was evidenced by the fact that the Family Law had been adopted shortly after the country had regained its independence. The provisions of that very modern law were in line with all relevant international instruments. It therefore embodied the principle of equality within marriage with regard to property. Property acquired in the course of the marriage, and income received from joint property during that period, were considered to be jointly owned. Even if property was registered in the name of one spouse only, both were deemed to be owners.

73. **Ms. Ademović** (Montenegro), responding to the question regarding support for single mothers, said that, in addition to certain child welfare benefits, a single parent received a means-tested allowance of 63 to 120 euros a month and could be placed with another family. Some single mothers might also be entitled to certain other benefits if they met the requisite conditions.

74. **Ms. Baković** (Montenegro) said that the Law on Free Legal Aid would enter into force on 1 January 2012. Judges, public prosecutors and lawyers were already attending courses in preparation for its implementation.

75. **Ms. Šimonović** asked the delegation to supply a copy of the article of the Code of Criminal Procedure which dealt with protection orders and to say how many protection orders had been issued under the new law banning violence against women.

76. **Ms. Rasekh** said that she wished to know whether Montenegro was receiving technical and financial support from international organizations with a view to eliminating discrimination against women.

77. **Ms. Halperin-Kaddari** said that the Committee had not received any replies to the questions concerning forced or early marriage within minority groups, unequal bargaining powers and whether jointly owned property included intangible property. The Committee was alarmed by the statement in paragraph 406 of the report that in cases where there was evidence that one spouse had contributed a significantly larger share of the joint property than the other spouse, the court would divide that property according to each spouse's individual contribution. She therefore wished to know if that provision was applied to the detriment of women.

78. **Ms. Klikovac** (Montenegro) said that the international community had made some donations to the health-care system, without fully meeting its needs. Additional financial support for the programme to improve preventive health care for women would be welcome. Montenegro would also appreciate support in respect of staff training, equipment and projects to provide health education for women from urban and rural areas.

79. **Ms. Baković** (Montenegro) said that a copy of the article of the Code of Criminal Procedure which had been requested would be supplied to the Committee.

80. **Ms. Donaj** (Montenegro) said that she would supply a written answer on the number of protection orders which had been issued. Standard procedures were being worked out to protect victims of domestic violence and rules had already been adopted on the subject. The dialogue at the current meeting would help the authorities of her country to make improvements in that area.

81. **Ms. Baković** (Montenegro) said that the law of Montenegro prohibited forced marriage. A marriage contracted against the free will of one of the partners would therefore be illegal. Joint property included movable, immovable, tangible and intangible property. Savings acquired before the marriage would be regarded as personal savings. Savings built up during the marriage from a person's own income would likewise be deemed personal property. But the couple could also agree to consider them joint property.

82. **Mr. Delić** (Montenegro) said that since the Government of his country was determined to foster gender equality, he was sure that when it presented its second report it would be able to announce progress in that respect. The Montenegrin authorities would be pleased to engage in further constructive dialogue with the Committee on any key issues where it considered that action was needed.

83. **The Chairperson** thanked the delegation for the constructive dialogue. The Committee commended the State party for its efforts and encouraged it to take all necessary measures to address the various concerns of the Committee for the benefit of all women and girls in Montenegro.

The meeting rose at 5.25 p.m.