



**Convention on the Rights  
of Persons with Disabilities**

Distr.: General  
30 May 2019

Original: English  
English, Russian and Spanish only

---

**Committee on the Rights of Persons with Disabilities**

**Concluding observations on the initial report of Montenegro**

Addendum

**Information received from Montenegro on follow-up to the  
concluding observations\***

[Date received: 3 August 2018]

---

\* The present document is being issued without formal editing.



## **Information on the measures taken to implement the committee's recommendations contained in paragraphs 11 and 19 of the concluding observations**

### **Introduction**

1. The Initial Report of Montenegro on implementation of the Convention on the Rights of Persons with Disabilities was presented at the 18th regular session of the UN Committee on the Rights of Persons with Disabilities, held on 17 and 18 August 2017 in Geneva. Upon consideration of the report, the concluding observations were adopted, with 66 recommendations included.

2. In accordance with Article 35, paragraph 2 of the CRPD, and paragraph 62 of the concluding observations of the Committee on the Rights of Persons with Disabilities on the Initial Report of Montenegro, the State has prepared information on the measures taken to implement the recommendations contained in paragraphs 11 and 19 of the concluding observations.

3. The information includes comments of the competent national institutions, as well as representatives of the Ombudsperson, public sector and NGOs who take part in the work of the Council for care of the persons with disabilities.

### **Information regarding the recommendation contained in paragraph 11 of the concluding observations**

#### **Paragraph 11 (a)**

4. Since 2011, a media campaign has been continuously implemented to raise public awareness, especially concerning persons with disabilities, LGBT population, Roma, discrimination based on gender identity and other most often discriminated social groups. The campaign focuses on providing respect for all human rights, creating a supportive and tolerant environment, respecting diversity and the principle of equality. In 2018, it is implemented under the title "Together for Equality". The advertising materials for the campaign are printed in Braille.

5. The Law on the Prohibition of Discrimination against Persons with Disabilities stipulates in particular the obligation of the authorities to provide inscriptions in Braille and Easy Read formats for people with disabilities in buildings in public use and in public areas and spaces. The responsible Ministry encourages and monitors the fulfillment of this obligation by public institutions.

6. Through the Analysis of the Compliance of the Montenegrin Legislation with the Law on the Prohibition of Discrimination against Persons with Disabilities and CRPD, it was noted that the Law on Spatial Planning and Construction of Structures is fully in line with the mentioned law and the UN Convention. The procurement of stickers in Braille is underway for buildings used by the MoI and the Police Directorate. In addition, the preparation of the informer in Braille is in progress, concerning services, documents and rights that citizens may exercise in regional units and branches for civil status and personal documents.

7. When it comes to inclusive education, Fostering a Democratic School Culture project is being implemented as part of the EU/CE Horizontal Facility for the Western Balkans and Turkey – a network to support the development of inclusive education in gymnasiums and secondary mixed schools, which involves anti-discrimination activities. In order to promote non-discrimination and to strengthen the inclusive atmosphere and culture in schools, a program package for pupils and teachers is being developed, within which a set of activities on the topics of equal rights and non-discrimination is conceived:

information material on non-discrimination for teaching staff, workshops, trainings and/or counseling for implementation. Documents concerning non-discrimination are available on the school portal.

8. Program Strengthening Inclusive Education through Assistive Services and Promotion of Non-Discrimination is ongoing, within which the Strengthening Assistive Services for Children with Autism and Assistive Resource Centers component is being implemented. Advisory training for schools in connection with assisted communication was designed and also general, advisory, and creative teams established. Training was provided for visual support for the designation of schools premises, the rules of conduct in the classroom and the hands washing in steps, as well as the visual support in the classroom that allows structure. The activities within the Needs and Approach to Work with Children with Intellectual Disabilities project are being implemented, aimed at the preparation of focus group guides for class teachers and subject teachers, the implementation of focus groups with teachers of primary schools teaching the largest number of pupils with intellectual disabilities, in order to define their mode of work, provide assessment and needs analysis, make recommendations for teachers' guides and for the professional training program.

9. All citizens are equal in the provision of healthcare services regardless of differences on any basis, even on the basis of disability. In all public healthcare institutions patients' rights protectors are available, to whom patients can submit complaints in case of any form of discrimination in the provision of healthcare services.

10. The Law on Electronic Media prescribes that public broadcasters are required to produce and broadcast programs intended for different segments of the society, without discrimination, paying particular attention to specific social groups such as children and youth, members of minority groups and other minority ethnic groups, people with disabilities, socially and healthily vulnerable. Following the competitions organized for local print media and scientific journals, the state co-financed programs of such media, having as one of the topics the rights of persons with disabilities.

11. In order to promote anti-discrimination law and practice, the Protector organizes the Day of the Protector. The Protector also spoke at several conferences and round tables during the reporting period, including the International Conference "Fulfilled Living: Community Support and Sustainable Development" organized by the Petrovic Njegos Foundation, the Ministry of Labor and Social Welfare and the European Association of Service Providers for Persons with Disabilities.

12. The protector is the institutional mechanism for protection against discrimination who according to its jurisdiction acts upon complaints of persons with disabilities due to discrimination and/or violation of rights. In this regard, a growing trend in the number of complaints filed with the Protector has been observed (18 in 2017 and in the course of 2018 -7 complaints in total).

13. Institutions of social and child protection provide to their beneficiaries, interested citizens, bodies and organizations the information on the conditions and manner of the services' provision and performing activities to meet their needs, upon their written request submitted in a marked box in the institution's lobby. In the same way, it is possible to submit complaints.

14. In cooperation with the community of municipalities of Montenegro, a model of local action plan has been developed, according to which local self-governments will adopt their individual plans for integration and protection against discrimination of persons with disabilities in all local communities.

### **Paragraph 11 (b)**

15. Representatives of the Protector are engaged as trainers for judicial functions holders and other actors who apply regulations related to the implementation of the Convention at the national level, to introduce them standards of reasonable accommodation and universal design.

16. Continuous education and promotion on the application of anti-discrimination legislation is being implemented since 2011, in accordance with the established Education Plan for Training of Civil Servants, Judiciary and Employees of Other Bodies, Organizations and Institutions dealing with Discrimination Cases. Training is implemented through 6 training modules. A specific part of this complex training system is dedicated to the protection against discrimination of persons with disabilities. In the past period, trainings have been attended by representatives of the police, judiciary, prosecutors' offices, Ombudsperson, NGOs dealing with the protection of human rights, misdemeanor bodies, local self-governments, all inspection services, institutions for social and child protection. In 2017, representatives of public administration bodies dealing with vulnerable social groups underwent the training. In 2018, training will include contact persons in local governments dealing with vulnerable groups. Training of police and MoI officers, in particular those who come in direct contact with citizens while performing their official duties, working in the area of anti-discrimination law, will be continuously implemented in cooperation with the Ministry of Human and Minority Rights, INGOs and NGOs.

17. Training on sign language will be implemented – the basic level involving a number of professional workers in the centers for social work, while the realization is planned for 2018.

18. Training for trainers of the judiciary representatives has been organized through the CoEe and EU Project entitled Support to the National Institutions in Preventing Discrimination in Montenegro (PREDIM), aimed at improving efficiency in order to enhance promotion and protection of human rights of marginalized groups (LGBT, Roma, minorities and persons with disabilities) and raising the awareness of representatives of judiciary on the standards in the field of human rights and anti-discrimination. A training program on anti-discrimination for judicial functions holders has been developed focusing on discrimination based on race, ethnicity, nationality, color, affiliation to minority groups, sexual orientation, gender and disability.

### **Paragraph 11 (c)**

19. The Ministry of Human and Minority Rights continuously works on raising awareness of children at the earliest school age on the knowledge and respect of human rights, tolerance and diversity. In 2017, activities were aimed at providing respect for the rights of children with intellectual disabilities. In this regard, with the cooperation and support of the CoEProgram Office in Montenegro, the UN Convention on the Rights of Persons with Disabilities is printed in "easy to read language" and promoted on the International Day of Persons with Disabilities. The promotion of this edition was followed by a cultural and entertainment program involving children with intellectual disabilities. The event was covered by almost all media, and the UN Convention in the above format was distributed to the relevant institutions, NGOs and parents' associations. Publication on the right to education and the right of persons with disabilities to participate in social life is also being prepared, in a format adapted to persons with intellectual disabilities, for their access to rights under the Convention.

20. The Ministry of Internal Affairs and Police Directorate as part of the implementation of the Committee's recommendation "Include a disability perspective in all laws, policies and programs on protection from violence" – where it is planned to educate parents, children, Roma and Egyptian women activists on protection against domestic violence, violence against women and juvenile forced marriages among the Roma and Egyptian populations, plan to include the perspective of persons with disabilities in the GE (Gender Equality) programs/plans, in cooperation with the Ministry of Human and Minority Rights and NGOs.

21. The national legislative framework in the healthcare system is based on the principles of equality with special measures for persons with disabilities, children with disabilities and members of minority groups.

### **Paragraph 11 (d)**

22. In order to ensure a fair and high quality system truly based on the concept of human rights, the Government is committed to undertaking an extremely demanding and complex reform process and to build a unique, national expert system through the establishment of:

1. Unique methodology – transition from medical to social model of determining disability, based on the International Classification of Functioning, Disability and Health (ICF) WHO.
2. a single professional body for determining disability. The once obtained expert opinion of this Commission would be evidence for all sectors (social and child protection, labor and employment, pension and disability insurance, veteran disability protection, etc.) and for all procedures aimed at exercising rights. The procedure would be carried out through the information system under which the E-Register of Persons with Disabilities would be generated, which would serve as an analytical database for further promotion of policies and the creation of programs and projects for persons with disabilities. This reform initiative requires support, which is expected in early 2019 from the UNDP, through a project supported by the European Commission. To this end, the Action Plan for the implementation of the Strategy for the Integration of Persons with Disabilities for the period 2018–2019 envisages activities that will be implemented through inter-ministerial cooperation between the Ministry of Labor and Social Welfare, the Ministry of Health and the Ministry of Education, as well as representatives of the civil sector.

23. 2019–2025 Strategy of Inclusive Education is prepared through the participatory process of all relevant actors and its finalization is envisaged for 2018. A Draft was prepared; the UNICEF consultant reviewed the document and set up an Action Plan with precise timeframes, indicators, monitoring, and results-based evaluation indicators. The Committee recommendation has been included to review the work of the committees according to the human rights-based orientation. Namely, to improve the work of the commission, the concept of organization, procedures and models of assessment within the orientation process will be audited.

24. In the reporting period, under the regular education of the orientation committee members, a consultation was carried out to introduce them with changes and amendments to the laws in the field of education, for more precise and more comprehensive recommendations to schools in work with children with concrete developmental impairments, etc.

### **Paragraph 11 (e)**

25. The Parliament of Montenegro, in June 2017, adopted Law on Amendments to the Law on the Prohibition of Discrimination. The provision of Article 18 of the Law on the Prohibition of Discrimination regulates the discrimination of persons with disabilities by prescribing that the “Entrance in facilities/buildings and areas in public use which are inaccessible to the persons with reduced mobility and persons with disability, i.e. making impossible, restricting or making difficult the use of mentioned facilities, in a way which is not disproportionate burden for a legal or natural person who is obliged to provide for that” shall be deemed to be discrimination in terms of Article 2 of this Law. Discrimination against person with disability exists also in the case when special measures to remedy limitations or unequal position these persons are facing are not taken. These amendments set out very high fines for misdemeanor in this area, ranging from € 10,000 to € 20,000. The latest amendments to the Law on the Prohibition of Discrimination fully harmonized the law with the EU Directives.

26. The Law on the Prohibition of Discrimination of Persons with Disabilities specifically prescribed the obligation of the authorities to provide for persons with disabilities inscriptions in Braille and in easy to read formats in buildings in public use and in public areas and spaces.

## **Information regarding the recommendation contained in paragraph 19 of the concluding observations**

### **Paragraph 19 (a)**

27. Accessibility for persons with disabilities is regulated in detail through the existing strategies for the integration of persons with disabilities 2016–2020 and for the protection of persons with disabilities and promotion of equality 2017–2021, and relevant action plans. The action plans define the obligation to develop accessibility standards, to improve and extend the existing legal regulations in the field of accessibility, as well as the obligation of continuous adaptation and reconstruction of the physical environment, transport means, transport infrastructure, information and communication technologies, public facilities and services, having in mind the concept of universal design. Therefore, we are of the opinion that no special accessibility strategy is required to be prepared.

28. In order to increase the accessibility of social and child care institutions, the Ministry of Labor and Social Welfare hired an expert to develop an Analysis of the accessibility of all buildings used by the social and child protection systems, based on which adjustment of the buildings will be carried out in the period to come, to make them accessible to persons with disabilities. Visits of centers for social work and their regional units were carried out in all municipalities in Montenegro. Accordingly, appropriate adaptation of buildings and their adjustment according to valid regulations and standards has been designed. The adaptation projects are designed for each building in particular based on the existing condition of each individual building and technical adaptation possibilities.

29. In order to make information accessible, the Convention on the Rights of Persons with Disabilities as well as the Law on Social and Child Protection, the Law on the Concessionary Fare for Persons with Disabilities and the concluding observations of the Committee on the Rights of Persons with Disabilities on the initial Montenegro report, have all been issued in Braille, audio and sign language. They were distributed to social and child protection institutions, as well as to some civil society organizations. The Ministry of Labor and Social Welfare also adapted the concluding observations and recommendations of the Committee for the Rights of Persons with Disabilities to people with visual and hearing impairments, which are made available on the official website of the Ministry: <http://www.minradiss.gov.me/vijesti/181863/Zakljucna-zapazanja-i-preporuke-Komiteta-za-prava-osoba-sa-invaliditetom.html>.

30. Concerning activities related to improving the conditions for accessibility and availability of information and services in adequate formats, in addition to the Ministry of Culture, which installed information on its building in Braille and developed orientation plans, the Library for the Blind focused on the needs of persons with visual impairments and other persons with disabilities, by publishing formats adapted to persons with visual impairments (audio format and Braille). The library also offers titles in Braille. The program of protection and preservation of cultural goods will continue to support magazine “Glas” in MP3 and Daisy formats. The Maritime Museum has issued a guide in Braille. The Center for Contemporary Art of Montenegro (CSUCG) has provided inscriptions in Braille at the entrance to the gallery spaces and in 2018 in Perjanicki dom gallery organized a tactile exhibition for the blind and visually impaired dubbed Please Touch. It was organized by the Association of the Blind of Montenegro and the International Organization New Acropolis, with the support of the CSUCG and was prepared and adapted to the blind and visually impaired in particular. The Center for Conservation and Archeology from Cetinje has an elevator with basic commands in Braille.

### **Paragraph 19 (b)**

31. The number 112 is accessible and available to all citizens in Montenegro. Namely, persons with hearing impairments can use number 112 by sending and receiving SMS messages to this number. That means that persons with disabilities can communicate with

OKC112 employees, who are working on receiving calls 24 hours/7 days a week/365 days a year, while blind people and visually impaired, if they have the devices that need to be provided to them by mobile operators, can get the help they need by a phone call. The planned activities of the Ministry of Internal Affairs include, among other things, raising awareness and education of persons with disabilities on the use of the emergency number 112. At the moment, 30 telephone lines to number 112 are accessible to citizens, i.e. to persons with disabilities. The service is provided by the Ministry of Internal Affairs, the Directorate for Emergency Situations, while partners in the rationalization are resource centers, organizations dealing with persons with disabilities, and others.

### **Paragraph 19 (c)**

32. Late last year, the Ministry of Transport and Maritime Affairs adopted a new Law on Transport in Road Traffic. It entered into force on November 8, 2017. This law prescribes additional conditions compared to the old law, related to improved accessibility of transport facilities (bus stations) to persons with disabilities. Furthermore, the law provides for the possibility of organizing special long-distance transportation for persons with disabilities and passengers requiring special medical care. It is important to note that the new law provides a legal basis and an obligation for local self-governments to define the minimum number of taxi vehicles adjusted to persons with disabilities. Also, by the end of 2018, a new Rulebook on special conditions for public transport vehicles in road transport and personal transport will be adopted. This rulebook will define the technical standards that need to be met by vehicles in public transport, and also vehicles used by persons with disabilities in public transport (taxis, buses). Under the new Railway Law, a provision will be included for persons with disabilities, stipulating that the needs of persons with disabilities will also be taken into account in the design of stations and the procurement of trains.

33. When it comes to air transport, persons with disabilities are covered by the Law of Obligations and the Basics of Property Relations in Air Transport (Official Gazette 46/14), which transposes completely the Regulation into our legal system (the said Law). Name of the Regulation – Regulation (EC) no. 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when traveling by air.

---