



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

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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: 5 September 2019]

* The present document is being issued without formal editing.



Follow-up information (CRPD/C/MNE/CO/1)

A. Follow-up information relating to paragraph 11 of the concluding observations

1. The Government does not mention any legislative amendments made to ensure that all persons with disabilities are equally and fully protected against all forms of discrimination.

B. Follow-up information relating to paragraph 11 (a) of the concluding observations

2. The State mentions awareness raising activities undertaken since 2011 to fight discrimination. There is no specific campaign to encourage persons with disabilities to report discrimination. The Protector organized the Day of the Protector (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). The government specifies that 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)”.

3. Para 13 is not clear: “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.” It seems that complaints can be submitted in boxes in the institution’s lobby, which does not comply with proper complaint procedure required under the Convention.

C. Follow-up information relating to paragraph 11 (b) of the concluding observations

4. The government describes the “Education Plan for Training of Civil Servants, Judiciary and Employees of Other Bodies, Organizations and Institutions dealing with Discrimination Case” implemented since 2011. It specifies that “a specific part of this complex training system is dedicated to the protection against discrimination of persons with disabilities”, but it does not contain specific training on the Convention or on how to adequately handle complaints of discrimination based on disability.

5. The trainings responding to the recommendation 11 (b) are a “training for trainers of the judiciary representatives organized through the CoEe and EU Project entitled Support to the National Institutions in Preventing Discrimination in Montenegro (PREDIM)”, and a training program on anti-discrimination for judicial functions holders. However, the government does not mention if these trainings contain specific modules on the CRPD.

D. Follow-up information relating to paragraph 11 (c) of the concluding observations

6. The Government mentions the promotion of the CRPD in awareness raising activities targeting children with intellectual disabilities.

7. Then it only mentions that the government has planned 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.

8. And finally, the government states “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”. It does not mention any specific measures taken for persons of minority groups with disabilities.

E. Follow-up information relating to paragraph 11 (d) of the concluding observations

9. A reform initiative will take place in 2019 with the support of UNDP and European Commission in order to establish a unique methodology for assessment procedures: “transition from medical to social model of determining disability, based on the International Classification of Functioning, Disability and Health (ICF) WHO”. Then the State describes some measures taken to implement inclusive education.

10. It does not mention the abolition of the use of different definitions for disability and derogatory terminology.

F. Follow-up information relating to paragraph 11 (e) of the concluding observations

11. Under the “Law on Amendments to the Law on the Prohibition of Discrimination”, adopted in June 2017, the government adopts the concept of reasonable accommodation for “Entrance in facilities/buildings and areas in public use which are inaccessible to the persons with reduced mobility and persons with disability”. It also introduce sanctions “when special measures to remedy limitations or unequal position these persons are facing are not taken”.

12. It seems that the denial of reasonable accommodation is, in this law, limited to physical accessibility and public areas.

G. Follow-up information relating to paragraph 19 (a) of the concluding observations

13. The government does not give details on the action plans mentioned in its answer; it does not mention efficient monitoring mechanism, benchmarks or reasonable timelines. “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 State does not mention any timeline, budget or efficient monitoring mechanism for these necessary adaptations.

14. The state mentions measures taken to improve accessibility in information procurement for persons with disabilities and access to cultural institutions. It does not mention any strategy, action plans, or sanctions for non-compliance.

H. Follow-up information relating to paragraph 19 (b) of the concluding observations

15. The government states, “The number 112 is accessible and available to all citizens in Montenegro”; “persons with hearing impairments can use number 112 by sending and receiving SMS messages to this number”. It specifies that mobile operators should provide necessary devices to blind or visually impaired persons to allow them to access 112. It does not mention any law or obligation for mobile operators to provide this equipment, or if it is affordable for all persons with disabilities. “At the moment, 30 telephone lines to number 112 are accessible to citizens, i.e. to persons with disabilities”, it is not understandable what are these telephones lines.

I. Follow-up information relating to paragraph 19 (c) of the concluding observations

16. The State only replies on transport measures taken, and does not mention any measures for public services, while it has mentioned measures taken to improve accessibility to buildings in (a). On transport, the government adopted a new Law on Transport in Road Traffic that provides more measures related to accessibility, but it only

mentions: the definition of a “minimum number of taxi vehicles adjusted to persons with disabilities”, or specific measures for the transport of persons with disabilities requiring special medical care.

17. It also adopted the new Railway Law “stipulating that the needs of persons with disabilities will also be taken into account in the design of stations and the procurement of trains”.

18. It was supposed to adopt at the end of 2018 a new rulebook on special conditions for public transport vehicles in road transport and personal transport defining “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)”.

19. The State does not mention if these laws have a particular focus on applicable information and communications technology solutions.

20. It also does not mention any participation or consultation with persons with disabilities and their representative organization to draft these laws and measures.
