



Montenegro

Permanent Mission of Montenegro to the
United Nations Office and other International Organizations
in Geneva

8 October 2021

No.

Mrs. Madeleine Sinclair
International Service for Human Rights
New York Office Director & Legal Counsel

Dear Mrs. Sinclair,

Thank you for organizing online pledging event for candidate States to the Human Rights Council for the membership term 2022-2024.

With gratitude for your cooperation, please find below responses to the questions addressed specifically to Montenegro as well as questions for all candidate States.

**ANSWERS TO THE QUESTIONS FROM HUMAN RIGHTS COUNCIL ELECTIONS
PLEDGING EVENT 2021**

CIVICUS: What are the steps you will take to ensure full NGO participation in the Council, its mechanisms and resolutions, and to engage with national and international civil society as a Council member?

Montenegro is a staunch supporter of the inclusive and participatory approach of all relevant stakeholders at the Human Rights Council (HRC) - and therefore representatives of civil society.

NGOs are a strong pillar of democracy. Consistent with their traditional role as watchdogs of democratic values, they observe, assess, and raise public awareness of any misconduct or abuse of power. In this way, NGOs significantly contribute to strengthening transparency, political participation, the rule of law, justice – just to mention few basic democratic tenets.

Therefore, the voices and views of NGOs must be heard, as they also contribute to strengthening the credibility and capacity of the Council itself.

As a future member of the HRC, Montenegro will make additional efforts to ensure the full participation of civil society at the Council's sessions and its activities. Also, we will continue to actively cooperate with NGOs that are already engaged in issues of common interest.

We hope that the conditions for lifting the COVID-19 restrictions will soon be met so that both state delegations and other actors can attend the Council meetings in person. This will contribute to increased interaction, exchange of views and a more meaningful and substantive involvement of all of us.

Montenegro will also keep open and transparent communication and cooperation with national civil society organizations. They remain traditional partners of the Government in defining legal proposals and policies in a number of areas, especially in the protection and promotion of human rights, with an emphasis on the most vulnerable categories. The expertise of NGOs is significant and will continue to be used in the future. The Government will also strengthen the platform for broader consultations with the civil society in the preparation of Montenegro's fourth UPR report, which will be presented to the Council in 2023.

In general, Montenegro will advocate for active participation of NGOs when it comes to reporting and cooperation with treaty bodies, HRC and its mechanisms.

Human Rights Watch: NGOs have been banned from UN headquarters since March 2020. Although UN employees, diplomats and media representatives (resident correspondents) can now enter UN headquarters (with restrictions), NGOs remain under a total ban. What will you do to ensure COVID-19 isn't used as a convenient excuse for those who are not fans of civil society to bar NGOs from UN headquarters? Will you support allowing accredited NGO representatives to participate in UN headquarters activities in line with all UN guidelines and restrictions like other UN stakeholders?

Let me reiterate Montenegro's principled position - it is unacceptable that the COVID-19 pandemic or any other crisis is used as an excuse to violate both human rights and freedoms and to prevent the activities of NGOs and other actors engaged in their protection and promotion.

Montenegro is of the strong belief that all those accredited to participate in certain activities at the UN headquarters - i.e. state delegates and non-governmental organizations - should be treated equally. We highlight the example of Geneva, where civil society can access in-person events for which it is accredited.

As a future member of the Council, Montenegro will be able to promote this position even more strongly, including through interactive dialogues in the Council, co-sponsorship of related thematic resolutions, etc.

Child Rights Connect: What are your plans to mainstream and advance child rights at the Human Rights Council?

Montenegro pays great attention to the enjoyment of the rights of the most vulnerable groups, including children. Striving to respond to their growing needs, in close cooperation with UNICEF, Montenegro has been implementing a variety of projects and initiatives that contribute to children's visibility, promotion and protection of their rights.

Given the current challenges, Montenegro will place a particularly strong focus on children being left behind, both within and beyond the context of COVID-19 pandemic. Also, through affirmative action and initiatives in the Council - advocating and supporting resolutions dealing with various aspects of children's rights, including

access to education, health services and information, comprehensive sex education, etc. As a member of the Core Group for CEFM, we will also continue to promote actions that will mitigate this phenomenon.

Montenegro is convinced first-hand that human rights mechanisms - such as UPR, Special procedures and treaty bodies - can contribute to positive change in children's lives, as well as the mainstreaming the children's rights in the UN activities. This is clearly illustrated by the report of the UNICEF Office for Europe and Central Asia and the Universal Human Rights Group from December last year, in which Montenegro was recognized as one of the six most successful countries in terms of improving mechanisms for implementing and exercising children's rights. And the most tangible results were achieved on the matter of deinstitutionalization.

We, therefore, believe that better use of human rights mechanisms could make a significant contribution to real change in the lives of children and their families. Montenegro will make a strong commitment to promoting this approach in the HRC.

Permanent Mission of the Principality of Liechtenstein to the UN: Ensuring accountability for human rights violations should be a priority for all States, especially Human Rights Council members. The support of the ACT Code of Conduct is an important factor for Liechtenstein's support of a candidature, in addition to its human rights record, pledges and commitments. To what extent are you prioritizing strengthening accountability and supporting the ACT Code of Conduct?

As a country coming from a region that was affected by atrocities and grave human rights violations, including the genocide of the early 1990s, we believe that no reconciliation and healing of society is possible without facing the past and the responsibility of perpetrators of grave human rights violations.

Montenegro has joined 119 countries that have signed the ACT Code of Conduct. As a future member of the Council, Montenegro will continue to emphasize the importance of accountability, also by supporting and promoting the ACT Code of Conduct.

Montenegro will also continue to strongly support the subsequent resolutions on the Responsibility to Protect, as well as the country specific resolutions and JST that point to the massive human rights violations and accountability. Further to this, we will promote this topical matter within the UPR and its recommendations.

All Member States should strive to ensure accountability for human rights violations.

What are your plans in order to improve access to healthcare to low-income individuals?

The unprecedented COVID-19 crisis has gripped the entire world, revealing structural weaknesses in health, social, economic and political systems, putting on the spotlight the inequalities and poverty that affect the most vulnerable. It has exacerbated pre-existing weaknesses including in health and highlighted a lack of access to quality, accessible and affordable health care for all. Socio-economic inequalities within and among the states have deepened even further.

Montenegro will advocate for the universal health coverage as an important framework for the protection of the right to the highest attainable standard of health for all. As well

as to strengthen the social protection system, especially for the most vulnerable groups - such as women, mothers, children, whose rights were particularly endangered during COVID-19. Montenegro will also work to ensure access to and equal distribution of COVID-19 vaccines globally. Enhanced international cooperation and solidarity based on the principles of inclusiveness, justice, equality, human dignity, and transparency are needed more than ever.

What is your plan to promote the right of access to education of Muslim and Roma women refugees?

In general, Montenegro remains committed to ensuring the effective protection of the rights of migrants, asylum seekers and refugees - i.e. persons seeking international protection. New integration measures have been developed, including financial assistance, language and culture courses, school enrollment and employment. In addition to the durable solutions that allow refugees to obtain citizenship, the Government has provided support for the voluntary return or reintegration of IDPs from the ex-Yugoslav countries, as well as access to the same rights as citizens for those who opted for integration instead of return to their country of origin.

Accordingly, Montenegro has ensured equal access to education for all in its national education system. We will promote the same approach within the Human Rights Council.

We will also continue to support thematic resolutions related to this issue. In addition, Montenegro will actively participate in interactive dialogues dedicated to the access to education for the most vulnerable groups, including Muslim and Roma refugees.

Further, Montenegro will advocate for greater attention to this issue within the UPR.

Permanent Representative

S. Milačić

Ambassador Slavica Milačić