



## Contribution by Office of the UN High Commissioner for Human Rights (OHCHR) to the 2026 Rule of Law Report - European Commission

### Rule of law and human rights

The ‘rule of law’ is a concept at the heart of the United Nations’ mission. It refers to a principle of governance which is consistent with international human rights standards ([S/2004/616](#)). There is no rule of law within societies if human rights are not protected and human rights cannot be protected in societies without a strong rule of law. This interlinkage is reiterated by the UN Secretary-General in his [New Vision for the Rule of Law](#):

*“Human rights and the rule of law are mutually reinforcing – the advancement of the rule of law is essential for the protection of all human rights, and human rights are central to the rule of law.”*

### Office of the UN High Commissioner for Human Rights (OHCHR)

The Office of the UN High Commissioner for Human Rights (OHCHR), also known as UN Human Rights Office, is the main human rights entity of the UN to protect and promote all human rights for everyone everywhere. The High Commissioner for Human Rights leads OHCHR. He is the principal human rights official of the United Nations.

OHCHR is mandated by the UN General Assembly to promote and protect the enjoyment and full realization, by all people, of all human rights. As part of its mandate, OHCHR works to mainstream human rights to strengthen the rule of law ([Management Plan 2024 - 2027](#)).

Established in 2009, OHCHR Regional Office for Europe (ROE) aims to advance the protection and promotion of human rights in the European Union and its Member States. ROE works to mainstream international human rights standards to strengthen the rule of law in the EU by engaging in and contributing to the European Commission’s Rule of Law Report. ROE furthermore promotes the UN human rights mechanisms and processes by giving their work visibility at the regional level.

### OHCHR’s contribution

The current submission consists of a compilation of findings and recommendations contained in reports of UN human rights monitoring mechanisms including treaty-based mechanism (international human rights treaties), and Charter-based mechanism (special procedures and the Universal Periodic Review of the UN Human Rights Council). It further draws on statements and reports by the UN High Commissioner for Human Rights and the High Commissioner’s office (see diagram on the next page).

In line with the scope of the European Commission’s Rule of Law Report, this contribution covers 27 Member States of the European Union and four candidate States, namely, Albania, Montenegro, North Macedonia and Serbia.

# UN human rights monitoring mechanisms

The below human rights bodies review the following nine core United Nations human rights treaties:

- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- International Convention on the Elimination of All Forms of Racial Discrimination
- Convention on the Elimination of All Forms of Discrimination against Women
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Convention on the Rights of the Child
- Convention on the Rights of Persons with Disabilities
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- International Convention for the Protection of All Persons from Enforced Disappearance

## Treaty-based mechanism

### Treaty monitoring bodies

- Committee on the Elimination of Racial Discrimination (CERD)
- Committee on Economic, Social and Cultural Rights (CESRC)
- Human Rights Committee (CCPR)
- Committee on the Elimination of Discrimination against Women (CEDAW)
- Committee Against Torture (CAT)
- Committee on the Rights of the Child (CRC)
- Committee on Migrant Workers (CMW)
- Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT)
- Committee on the Rights of Persons with Disabilities (CRPD)
- Committee on Enforced Disappearances (CED)

## UN Charter-based mechanism

### UN Human Rights Council

A subsidiary body of the UN General Assembly and the main intergovernmental body in the UN responsible for human rights.

#### Special Procedures

Independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective.

#### Universal Periodic Review

State-led mechanism that conducts a peer review of the human rights situation of each UN Member State

#### Human Rights Council-mandated Investigative Bodies

**The Office of the UN High Commissioner for Human Rights (OHCHR) provides expertise and support to all of the different human rights bodies.**

# Human rights and rule of law (4 pillars of Rule of Law Report)

## Pillar 1: Justice System

There is no true respect for the rule of law without a judicial power guaranteeing compliance therewith. Judges guarantee compliance with laws and with it the reality of democratic coexistence. The duty to promote equality among all persons, especially to ensure that everyone has the right to access justice on an equal basis with others, rests with the judiciary. Guaranteeing access to justice is indispensable to democratic governance and the rule of law, as well as to combating inequality and exclusion.

Respecting the rule of law through fostering the separation of powers and the independence of justice ensures protection of human rights. The judiciary is the ultimate guarantors of human rights. However, at the same time, judges, prosecutors and lawyers are subject to attacks and violations of their rights, including threats, intimidation, external interference in conducting their professional activities, arbitrary detention, prosecution, and killings. These attacks threaten the impartiality and independence of the judiciary and the legal profession and in turn, deter their role as guarantors of human rights and the rule of law.

For more info:

- [Basic Principles on the Independence of the Judiciary](#)
- [Human rights in the administration of justice: a manual on human rights for judges, prosecutors and lawyers](#)
- [International principles and guidelines on access to justice for persons with disabilities](#)
- [General Recommendation No. 33 on women's access to justice \(CEDAW/C/GC/33\)](#)
- [Special Rapporteur on the independence of judges and lawyers](#)

## Pillar 3: Media Freedom

Free, independent, plural and diverse media are a core component of the right to freedom of expression, a cornerstone of democratic societies and plays an essential role in strengthening the rule of law. Journalists and the media are crucial to ensure transparency and accountability for public and governmental authorities.

For more info:

- [OHCHR and the safety of journalists and the issue of impunity](#)
- [Special Rapporteur on freedom of opinion and expression](#)
- [General comment No.34 on Article 19: Freedoms of opinion and expression \(CCPR/C/GC/34\)](#)

## Pillar 2: Anti-corruption

Corruption has a destructive effect on State institutions and it undermines the functioning and legitimacy of institutions and processes, the rule of law and ultimately the State itself. In particular, corruption effects on the capacity of States to respect, protect and fulfil human rights particularly of those persons and groups in situation of vulnerability and marginalization.

Corruption pose a major challenge to many societies as they divert public revenues and cripple public budgets that should provide healthcare, housing, education, and other essential services, they undermine States' ability to meet their minimum core obligations and their pre-existing legal obligations to maximize all available resources to respect, protect and fulfil human rights.

For more info:

- [Corruption and human rights | OHCHR](#)
- [OHCHR Key messages on the negative impact of corruption in the enjoyment of human rights](#)

## Pillar 4: Checks and Balances

Civic space is the environment that enables civil society to play a role in the political, economic and social life of our societies. In particular, civic space allows individuals and groups to contribute to policy-making that affects their lives, including by: (1) accessing information; (2) engaging in dialogue; (3) expressing dissent or disagreement, and (4) joining together to express their views. An open and pluralistic civic space that guarantees freedom of expression and opinion as well as freedom of assembly and association, is a prerequisite for making development and peace sustainable.

For more info:

- [OHCHR and protecting and expanding civic space](#)
- [Special Rapporteur on human rights defenders](#)
- [The Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms](#)



## Montenegro: Inside the contribution

- **Period of contribution: January – December 2025**
- **Contents of contribution and additional information:**
  - The UN Human Rights Committee adopted its concluding observation on Montenegro on 20 March 2025, and the report ([CCPR/C/MNE/CO/2](#)) was published on 7 May 2025.
  - The UN Committee on Enforced Disappearances considered the additional information submitted by Montenegro on 22 September 2025 and adopted the concluding observations on 1 October 2025. The report ([CED/C/MNE/OAI/1](#)) was published on 7 October 2025.
  - The special procedures of the UN Human Rights Council sent a communication letter to Montenegro ([MNE 2/2025](#), 17 September 2025) online and media attacks against lawyer Veselin Radulović, reportedly for his work as a lawyer representing police officers suspended in the vetting process underway; and against Ms. Tea Gorjanc Prelević, for publicly defending his work as a lawyer in this case and for calling for due process guarantees. [A response](#) was received (18 Nov 2025).
  - The special procedure of the UN Human Rights Council sent a communication letter to Montenegro ([MNE 1/2025](#), 16 September 2025) on the Draft Law on the Agencija za nacionalnu bezbjednost (ANB) [A response](#) was received (20 November 2025).
  - The UN High Commissioner for Human Rights visited Montenegro on 19 May 2025 and issued a [statement](#) “Montenegro: Türk lauds progress since independence, but concerned by hate speech, divisive narratives”
- **Summary of information which could be of particular relevance to the Rule of Law report:**
  - Under pillar 1 on justice system, relevant findings and recommendations (quality of justice and independence – appointment and selection of judges) were issued by UN human rights mechanisms.
  - Under pillar 2 on anti corruption, relevant findings and recommendations (the institutional framework capacity to fight against corruption) were issued by UN human rights mechanisms.
  - under pillar 3 on media freedom, relevant findings and recommendations (framework for journalists' protection, transparency and access to documents) were issues by UN human rights mechanisms.
  - Under pillar 4 on checks and balances, relevant findings and recommendations (independent authorities - NHRIs and the process for preparing and enacting laws) were issued by UN human rights mechanisms.
- **Forthcoming relevant information (January – May 2026):** N/A
- **Resources:**
  - Rule of Law in Europe | [OHCHR](#)
  - Country page on [Montenegro](#)
  - [Universal Human Rights Index \(UHRI\)](#) allows you to explore over 230.000 observations and recommendations made by the international human rights protection system (treaty bodies, special procedures and the Universal Periodic Review).

## Pillar I: Justice System

There is no true respect for the rule of law without a judicial power guaranteeing compliance therewith. Judges guarantee compliance with laws and with it the reality of democratic coexistence. The duty to promote equality among all persons, especially to ensure that everyone has the right to access justice on an equal basis with others, rests with the judiciary. Guaranteeing access to justice is indispensable to democratic governance and the rule of law, as well as to combating inequality and exclusion.

Respecting the rule of law through fostering the separation of powers and the independence of justice ensures protection of human rights. The judiciary is the ultimate guarantors of human rights. However, at the same time, judges, prosecutors and lawyers are subject to attacks and violations of their rights, including threats, intimidation, external interference in conducting their professional activities, arbitrary detention, prosecution, and killings. These attacks threaten the impartiality and independence of the judiciary and the legal profession and in turn, deter their role as guarantors of human rights and the rule of law.

### For more info:

- [Basic Principles on the Independence of the Judiciary](#)
- [Human rights in the administration of justice: a manual on human rights for judges, prosecutors and lawyers](#)
- [International principles and guidelines on access to justice for persons with disabilities](#)
- [General Recommendation No. 33 on women's access to justice \(CEDAW/C/GC/33\)](#)
- [Special Rapporteur on the independence of judges and lawyers](#)

### Quality of justice – accessibility of courts (legal aid)

Recalling its previous concluding observations (para. 16), the UN Human Rights Committee welcomes amendments to the Law on Legal Aid in 2024 which strengthen procedural guarantees and extend the right to legal aid to victims of torture, victims of sexual offences, and children initiating proceedings to protect their rights. The Committee is nonetheless concerned by reports that victims of trafficking and persons applying for international protection face challenges in securing effective access to free legal aid, that victims of domestic violence are unable to access legal aid if they have previously withdrawn a lawsuit, and that non-governmental organizations are not eligible to receive State funding for the provision of free legal assistance. The Committee is also concerned by reports that free legal aid is not available to persons at risk of statelessness and persons in need of international protection during birth registration, statelessness determination and refugee status determination procedures, with the exception of appeals relating to refugee status determination procedures before the Administrative Court (art. 14). (CCPR/C/MNE/CO/2, para. 38)

The State Party should take the measures necessary to ensure effective access to free legal aid for victims of trafficking in persons and persons applying for international protection, remove obstacles to obtaining legal aid for victims of domestic violence, and amend the Law on Free Legal Aid to allow non-governmental organizations to provide State-sponsored free legal aid. The State Party should amend the Law on Free Legal Aid and other relevant legislation to extend the availability of free legal aid to all persons at risk of statelessness and persons in need of international protection for birth registration, statelessness determination and refugee status determination procedures, at both the application and the appeal stages. (CCPR/C/MNE/CO/2, para. 39)

## **Independence – appointment and selection of judges; Quality of justice – resource of the judiciary**

The UN Human Rights Committee welcomes amendments in June 2024 to the Law on the Judicial Council and Judges, which, inter alia, strengthen safeguards against political influence and conflicts of interest. It also welcomes the indication by the delegation during the dialogue that the Constitution will be amended to end the Minister of Justice's membership in the Judicial Council. The Committee is concerned about the lack of clarity regarding the retirement age for members of the Constitutional Court and the enforcement of term limits for court presidents. The Committee regrets the excessive duration of judicial proceedings, noting major case backlogs in criminal, civil and administrative proceedings as well as in the Constitutional Court. The Committee is concerned by the reported lack of judges and court personnel, as well as the unsatisfactory working conditions for judges and prosecutors, including an insufficient number of courtrooms and chambers for investigation (art. 14). ([CCPR/C/MNE/CO/2](#), para. 36)

The State Party should continue its efforts to strengthen the independence of the judiciary, notably by ensuring effective implementation of the Law on the Judicial Council and Judges, including with regard to enforcement of term limits for the position of court president. It should also take the necessary measures to clarify the retirement age for members of the Constitutional Court. The State Party should also substantially increase funding for the justice system to address inefficiencies and delays and reduce case backlogs. This should include increasing the number of judges and court personnel, and enhancing court facilities. ([CCPR/C/MNE/CO/2](#), para. 37)

## **Quality of justice – training of justice professionals**

The UN Committee on Enforced Disappearances notes that, according to the information received during the dialogue, the Centre for Training in Judiciary and State Prosecution Service is developing a curriculum and materials for training on enforced disappearance. It also notes the information provided by the State Party regarding training sessions on international humanitarian law organised by the Centre, including on disappearances, and the affirmation of the delegation during the dialogue that this topic will be included in the assessment of training needs for 2026. The Committee underscores the importance to ensure without delay the effective implementation of specific and regular training on the Convention and enforced disappearances. (art. 23). ([CED/C/MNE/OAI/1](#), para. 24)

The Committee recommends that the State Party strengthen efforts to ensure that all law enforcement and security personnel, civil or military, medical personnel, public officials and other persons who may be involved in the custody or treatment of any person deprived of liberty, including judges, prosecutors and other officials responsible for the administration of justice, receive specific and regular training on the Convention and on enforced disappearances, with periodic evaluation of its impact. The Committee also encourages the State party to incorporate other relevant documents into training curricula on enforced disappearance, such as the Guiding Principles for the Search for Disappeared Persons and the Committee's general comment No. 1 (2023) on enforced disappearance in the context of migration. ([CED/C/MNE/OAI/1](#), para. 25)

## **Quality of justice – accessibility of courts**

While noting that the Criminal Procedure Code enshrines fundamental legal safeguards for persons deprived of their liberty and that the Ministry of Interior adopted instructions to ensure their full respect in all police premises, the UN Committee on Enforced Disappearances is concerned at reports indicating that key legal safeguards for detained persons are not implemented in practice from the very outset of the deprivation of liberty, in particular as relates to the detainees' access to legal counsel and to medical examination, and to communicate with their family, counsel or any other person of their choice (arts. 17 and 24). ([CED/C/MNE/OAI/1](#), para. 20)

The Committee recommends that the State Party guarantee that all persons deprived of liberty are afforded in law and in practice all the fundamental legal safeguards provided for under article 17 of the Convention from the outset of the deprivation of liberty, including the access to an independent lawyer and to medical examination, as well as the communication without delay with their relatives or any other person of their choice and, in the case of foreign nationals, with their consular authorities. ([CED/C/MNE/OAI/1](#), para. 21)



## Pillar II: Anti-corruption

Corruption has a destructive effect on State institutions and it undermines the functioning and legitimacy of institutions and processes, the rule of law and ultimately the State itself. In particular, corruption effects on the capacity of States to respect, protect and fulfil human rights particularly of those persons and groups in situation of vulnerability and marginalization.

Corruption pose a major challenge to many societies as they divert public revenues and cripple public budgets that should provide healthcare, housing, education, and other essential services, they undermine States' ability to meet their minimum core obligations and their pre-existing legal obligations to maximize all available resources to respect, protect and fulfil human rights.

For more info:

- [Corruption and human rights | OHCHR](#)
- [OHCHR Key messages on the negative impact of corruption in the enjoyment of human rights](#)

### The institutional framework capacity to fight against corruption

While noting the important measures taken to address corruption, including a significant increase in indictments and prosecutions of former and sitting high-level officials, the UN Human Rights Committee is concerned by the reported persistence of corruption, including in the judiciary, and the low number of final convictions. The Committee is also concerned about the reported ineffectiveness of the Agency for the Prevention of Corruption, including as regards insufficient coordination with the State Prosecution Service (arts. 2 and 25). ([CCPR/C/MNE/CO/2](#), para. 8)

The State Party should:

- Expedite the conclusion of ongoing judicial proceedings in cases of corruption involving high-level officials, ensuring that perpetrators, if found guilty, are punished adequately
- Enhance the effectiveness and independence of the Agency for the Prevention of Corruption, including by ensuring that it has sufficient financial, human and technical resources to ensure the full implementation of its mandate and by strengthening coordination with the State Prosecution Service
- Ensure effective implementation of measures to eradicate corruption within the judiciary and the prosecution service
- Strengthen the capacity of police, prosecutors and judges to identify and address corruption effectively, including through the provision of appropriate and regular training
- Expedite the planned adoption of a dedicated law for the protection of whistle-blowers that is in full conformity with international standards. ([CCPR/C/MNE/CO/2](#), para. 9)

### Others – regulation and oversight of campaign financing

While noting that a process for comprehensive reform of the electoral framework has been established in Parliament, the UN Human Rights Committee is concerned at the slow progress in making the necessary reforms to ensure its conformity with the Covenant and relevant international standards. The Committee is concerned that the current framework does not ensure adequate regulation and oversight of campaign financing, including with regard to the regulation of third-party campaigning, loans and in-kind donations (art. 25). ([CCPR/C/MNE/CO/2](#), para. 50)

The State Party should accelerate reform of its electoral framework to ensure its conformity with the Covenant and relevant international standards. In this regard, it should expedite amendments to the Law on Financing of Political Entities and Election Campaigns to ensure the effective and transparent monitoring of campaign financing and dissuasive sanctions for violations, including by enhancing the monitoring powers of the Agency for the Prevention of Corruption. ([CCPR/C/MNE/CO/2](#), para. 51)

## Pillar III: Media Freedom

Free, independent, plural and diverse media are a core component of the right to freedom of expression, a cornerstone of democratic societies and plays an essential role in strengthening the rule of law. Journalists and the media are crucial to ensure transparency and accountability for public and governmental authorities.

### For more info:

- [OHCHR and the safety of journalists and the issue of impunity](#)
- [Special Rapporteur on freedom of opinion and expression](#)
- [General comment No.34 on Article 19: Freedoms of opinion and expression \(CCPR/C/GC/34\)](#)

### Framework for journalists' protection, transparency and access to documents

During the visit to Montenegro, the High Commissioner noted in his [statement](#):

“We have seen positive measures to strengthen the legal and strategic framework on freedom of the media and the protection of journalists. At the same time, my Office is still monitoring cases of attacks against journalists, both online and offline. Last year’s instruction by the Supreme State Prosecutor to intensify investigations into violence against journalists were a very important step. Of late, in a welcome development, convictions were made in four such cases. But full accountability is yet to be achieved in some older cases, including the murder of journalist Duško Jovanović more than 20 years ago.”

The UN Human Rights Committee welcomes measures taken by the State Party to improve the safety of journalists, notably the adoption of mandatory guidelines for prosecutors to handle cases of attacks against journalists, amendments to the Criminal Code to strengthen the criminal law protection of journalists, and the active support for the multi-stakeholder Commission for Monitoring Attacks on Journalists which includes two prosecutors. The Committee nonetheless remains concerned about the reportedly increased prevalence of threats and attacks against journalists in recent years and the lack of full accountability in older cases, in particular the assassination of journalist Duško Jovanović in 2004 and the 2018 shooting of Olivera Lakić (arts. 2, 6, 7 and 19). ([CCPR/C/MNE/CO/2](#), para. 44)

In accordance with the Committee’s general comment No. 34 (2011) on the freedoms of opinion and expression, the State Party should:

(a) Ensure the prompt, independent and impartial investigation of all reported cases of threats and violent attacks against journalists, prosecute suspected perpetrators, try them expeditiously and, if found guilty, punish them with penalties commensurate with the seriousness of the offence and provide victims with reparations

(b) Ensure that the Commission for Monitoring Attacks on Journalists has access to all the information it needs to carry out its functions effectively and that it is adequately resourced

(c) Set up a national mechanism for the safety of journalists and media workers, that deals with prevention of and response to attacks on media personnel. ([CCPR/C/MNE/CO/2](#), para. 45)



## **Framework for journalists' protection, transparency and access to documents – lawsuits (SLAPPs)**

The UN Human Rights Committee is concerned about the reported prevalence of strategic lawsuits against public participation, often in the form of defamation lawsuits designed to intimidate and silence journalists and media workers reporting on matters of public interest. The Committee regrets the lack of information received from the State Party regarding the outcomes of such cases and the available remedies for journalists and media workers. Noting the planned adoption of a revised law on access to information in line with international standards and the State Party's intent to proactively make more information publicly available, the Committee nonetheless regrets the lack of information received about reports of a growing trend of classifying public information without clear justification, and the uncertainty as to how the revised law would address this concern.

While noting the availability of judicial remedies when public authorities do not respond to or delay responding to requests for information, the Committee is concerned about the high number of complaints filed in this regard (art. 19). (CCPR/C/MNE/CO/2, para. 46)

The State Party should:

- (a) Ensure that safeguards are in place to prevent the use of strategic lawsuits against public participation to target or restrict the activities of journalists, human rights defenders and the media or to discourage the publication of critical information on matters of public interest
  - (b) Expedite the development and adoption of a revised law on access to information in line with international standards, ensuring, inter alia, that it guarantees to individuals the widest possible access to information of public interest, and that restrictions are minimal and clearly defined
  - (c) Take necessary measures to ensure that requests for access to information are promptly and appropriately responded to by authorities
  - (d) Continue and expand efforts to proactively make more information publicly available, including online, in officially used languages and in accessible formats for persons with different types of disabilities.
- (CCPR/C/MNE/CO/2, para. 47)

## Pillar IV: Checks and Balances

Civic space is the environment that enables civil society to play a role in the political, economic and social life of our societies. In particular, civic space allows individuals and groups to contribute to policy-making that affects their lives, including by: (1) accessing information; (2) engaging in dialogue; (3) expressing dissent or disagreement, and (4) joining together to express their views. An open and pluralistic civic space that guarantees freedom of expression and opinion as well as freedom of assembly and association, is a prerequisite for making development and peace sustainable.

### For more info:

- [OHCHR and protecting and expanding civic space](#)
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- [The Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms](#)

### Independent authorities - NHRIs

The UN Human Rights Committee welcomes the delegation's indication that a new law is due to be adopted in 2025 to ensure that the Protector of Human Rights and Freedoms of Montenegro is fully in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). However, it is concerned that at present, the institution is not sufficiently resourced to carry out its broad mandate fully, that procedures for appointments to the management board and for the recruitment of staff are not sufficient to ensure full independence and autonomy, and that its recommendations are not fully implemented (art. 2). ([CCPR/C/MNE/CO/2](#), para. 6)

The State Party should proceed with adopting legislation in 2025 to ensure that the Protector of Human Rights and Freedoms of Montenegro is fully in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), including by providing sufficient financial and human resources to ensure that it can effectively carry out its broad mandate and that its recommendations are fully implemented. ([CCPR/C/MNE/CO/2](#), para. 7)

The UN Committee on Enforced Disappearances takes note of the delegation's affirmation that a draft law on the Protector of Human Rights and Freedoms of Montenegro (the Ombudsman) is at its final stage and shall be adopted in 2025 to ensure that the institution, accredited with "B" status in 2016, is fully in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). Nevertheless, the Committee is concerned that the Ombudsman does not count with the necessary resources it needs to fulfil its mandate, and that the procedures to recruit the staff and appoint the management board do not fully guarantee their independence and autonomy. ([CED/C/MNE/OAI/1](#), para. 10)

The Committee recommends that the State Party strengthen the Protector of Human Rights and Freedoms of Montenegro by ensuring that it is fully in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and implementing the recommendations of the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions. In that connection, the State Party should provide the financial, technical and human resources necessary to carry out its mandate effectively, and formalize a clear, transparent and objective selection and appointment process. ([CED/C/MNE/OAI/1](#), para. 11)

## **The process for preparing and enacting laws; Other – public participation**

While acknowledging the open and pluralistic civic space in the State Party, the UN Human Rights Committee is concerned at reports that civil society, including non-governmental organizations promoting human rights or democracy, or defending the rights of women and lesbian, gay, bisexual or transgender persons, or working on corruption, face intimidation, hate speech and sometimes physical attacks, and have been subjected to threats and verbal attacks by senior politicians. While noting that civil society's role in legislative and policymaking processes is formalized in law, the Committee is concerned by reports that civil society is not systematically consulted or afforded meaningful participation in such processes (art. 22).

(CCPR/C/MNE/CO/2, para. 48)

The State Party should take all steps necessary to guarantee, in law and in practice, the effective exercise of the right to freedom of association and a safe and enabling environment for non-governmental organizations. It should take appropriate measures to ensure the effective participation of civil society in legislative and policymaking processes and ensure that threats, hate speech and violent acts against members of civil society are investigated and that perpetrators, if found guilty of criminal acts, are punished adequately.

(CCPR/C/MNE/CO/2, para. 49)