

Montenegro

Policy Review

1. General institutional framework

1.1 Legal framework

The General Law on Education (Official Gazette of the Republic of Montenegro 2002, amendments to the act have been made several times)

Prohibition of discrimination, Article 9a

Any institution is prohibited from inflicting physical, psychological and social violence, abuse and neglect of children and students; Physical punishment and insulting, i.e. sexual abuse of children and students or employees or any other form of discrimination is likewise prohibited by the law.

School mediation, member 9b

In the process of resolving conflicts amongst children, students, parents and employees, the institution may engage mediators in accordance with the law.

The director of the institution may temporarily prohibit the performance of educational work to the teacher against whom proceedings have been initiated for the crimes against sexual freedoms.

The rights and obligations of students

The students obliged to respect the personality of other students and foster friendly and humane relationships;

The law does not clearly define what is meant by the violence in schools, but in the Regulations set out various forms of violence in schools for the sanctioning of which measures are envisioned. Also, various kinds of violence are detailed in a brochure that was adopted by the National Council for Education, recommended to schools.

On the basis of the General Law on Education the Regulations have been adopted on disciplinary measures against students when they display "inappropriate behaviour towards students and school employees (obscenities, threats, inciting or participating in the beatings and the like.)" or when a student verbally and physically attacks other students, teachers and school employees or any other person or when he/she "endangers the lives of students, school employees and other persons, inflicts abuse or offends students or school employees. "

1.2 Specific measures and actions taken by governmental institutions (institutions and their activities, action plans, stakeholders and their activities, possible cooperation between governmental and non-governmental bodies)

1.2.1. The Act on the Protector of Human Rights and Freedoms in Montenegro has been brought by which the Parliament of Montenegro shall appoint the Protector of human rights and freedoms in Montenegro.

The duties of the Protector are related to the protection from all forms of discrimination, protection of human and children's rights, minority rights, the protection of the rights of persons with disability, gender equality etc.

1.2.2 Results of the project "School without Violence", which was developed in cooperation with UNICEF are the Brochure for teachers and parents, Manual "School without Violence – a safe school environment" and a Questionnaire for the assessment of bullying at school.

Based on the results of the Project, the Ministry of Education has prepared guidelines for schools on how to deal with similar situations, adopted by the National Education Council as the principal government body dealing with the overall education issues.

The guidelines clearly define physical, psychological and other types of violence.

Also, guidance is offered on how to recognize violence, what to do in such situations. The cooperation with the Centres for Social Work, the police and the local community is defined. The cooperation with parents is particularly emphasized as well as the need for their education.

The best prevention of violence is constant education to be continuously implemented in schools, both with pupils and the teachers.

It is recommended that schools form violence prevention teams, appoint a team coordinator and set out a program of work. The program of work includes various activities, from educational workshops, introduction of "confidence boxes", conducting research in schools, organizing individual support programs for students who have experienced some form of violence, and so on. The teachers' council at any school should be informed of the program of work.

2. Activities of the civil society

Various non-governmental organizations have participated in the implementation of many programs related to violence in schools: UNICEF, Civitas, Cazas, CSO, Nansen Dialogue Centre, Save the Children and others. Many of them have accredited training programs which have entered the Catalogue of programs for professional development of teachers of the Bureau of Educational Services and are related to violence in schools and address many discrimination issues.

3. The official statistics

Schools are required to keep statistics on the violence in schools and certainly a number of primary schools have been involved in the project "School without Violence" led by UNICEF. Not all schools were included, so the question is how familiar they are with the results of the project and their application. However, there is no data at the national level on the different types of violence that occur at school.

Here, one can state that a good number of training programs have been accredited (this year around 10) which deal with violence in schools, prevention measures and tackle different situations in which violence is present. Teachers show great interest in these training programs.

4. Reflexive comments

Violence exists in schools, both physical as well as other types of violence. It is a phenomenon that requires constant vigilance and mobility of teachers, parents and others in the educational process and the society in general.

Various projects are being implemented in schools, they give certain results, but often only in the course of project's implementation and while it is still supported by donors. The question is how to ensure continuous training and on-going activities related to the identification and prevention of bullying and other forms of violence in school and their peaceful settlement.

It happens that violence is hushed, that it goes on for a long time, while no one in the school notices what is going on, which leaves far-reaching consequences for the victims of violence.

It is necessary that teachers and all stakeholders in the teaching process continuously get equipped to recognize situations of violence and are provided with adequate measures and instruments to fight this very dangerous phenomenon.