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**GENDER EQUALITY IN THE POLICE DIRECTORATE**

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In order to implement measures to achieve gender equality, a number of officials of the Ministry of Interior and Police Administration, in cooperation with experts from the OSCE (Organization for Economic Cooperation and Development), DCAF (Geneva Center for the Democratic Control of Armed Forces) and CIDS- and (Norwegian Center for integrity in the defense sector), undertook a number of activities over the past period, in the framework of several projects.

During the implementation of these projects, as well as the implementation of the activities organized by the International Police Association (IPA) - Section Montenegro, at the relevant topic, it was observed that all the employees of the Police Directorate are not adequately familiar with the applicable standards in this area, and therefore, there occurred the idea for the preparation of this manual. The manual is intended for police officers, both men and women, because the implementation of the principle of gender equality is not just about women. Our goal is that all employees realize that gender equality in the Police Directorate, as well as in any other organ, is necessary and we hope that we will in this way contribute to raising awareness of police officers on the importance of this topic.

The manual shows the legislative and institutional framework relating to gender equality, explains the basic terms related to this area, it was given the reference to gender-based violence, highlighted the importance of the use of gender-sensitive language, described the current situation in the Police Directorate at the relevant topic and presented the measures that the Police Directorate undertakes in order to achieve gender equality.

The Manual contains nothing that has not been said, but it was our wish that in one place, police officers can, in a simple and practical way get basic information about gender issues and the obligations established by the Law on gender equality, as well as to find out opinions of others on this topic we reached by attending many seminars, trainings etc.

The thematic sections of this manual are an integral part of the training that the Ministry of Interior, in cooperation with these foreign partners, organizes for police officers in all the centers and departments of security and regional border centers of the Police Directorate, to acquire and expand their knowledge and thus contribute that our police professionally performs its tasks and is respected by all citizens.

All terms in this manual used for natural persons in the masculine gender include the same terms in feminine gender.

 Biljana Dulović

 Coordinator for Gender Equality

1. **Introduction**

Police Directorate shall, in all stages of planning, making and implementing decisions, as well as undertaking activities within its competence, ensure equal participation of women and men and their use of personal knowledge and skills in accordance with the laws, international laws and measures to eliminate discrimination on the basis of sex.

In order to make the police be able to serve all citizens in Montenegro, it is necessary to create a representative and effective police service that reflects the diversity of gender in all positions. Gender equality is essential to convey a wide range of knowledge and experience in performing police duties and to strengthen the positive attitude of the public towards the police. Full diversity in the police service needs to reflect the society it serves and enhances public trust and integrity among civil servants. Gender equality will be increased only if its significance is understood by all the employees of the Police Directorate, especially managerial staff. The potential of half of the population in Montenegro, which is made of women and their contribution in every field, is extremely important for the development of a democratic society to which we aspire.

Legislative and institutional framework conditions are created for full gender equality, both in the MoI and in the Police Administration, but the factual situation is different.

In addition to being employed more women than men in MoI, they are in large number represented in managerial positions, while the Police Administration employees a decreased number of women, and in managerial positions there are quite a few and they are at lower levels. Women in the police perform mostly administrative, analytical and tasks of defining policies.

The greatest obstacle to greater involvement of women in policing are prejudices that are based on traditional values. There is still prevailing an opinion that policing should be dealt with by men, because most of the people feel that policing depends on the ability to use force, not of intelligence or communication and analytical skills. Prejudices are equally present in women and men. You can often hear comments and unpleasant remarks about women's capacity for policing, and often women in the police are victims of ridicule and other forms of harassment. However, this opinion is slowly changing, thanks to the reforms started in the security sector, the creation of partnerships between governmental bodies dealing with gender equality and the civil sector. Line managers should be responsible for ensuring the conditions for non-discriminatory working environment. Their obligation is to ensure that the treatment is equal for all employees, according to their merits, and to sanction any form of discriminatory behavior. In the selection of managerial personnel, one of the criteria should be the respect for diversity.

In the selection of candidates for admission to the Police Academy, the largest number is eliminated after tests of general knowledge and psychological tests, a very small number after checking physical abilities, but it can be concluded that police activities are not only "male jobs", as is often thought. This claim is supported by the fact that, during the school, men and women are trained in the same way, and that, during the theoretical and practical training, some women more successful than men.

If, in addition, we have on disposal the information that the first female police inspectors in the Montenegrin police were employed in the 70s, that the employment of larger groups of policewomen started 80 years ago, that the police of countries in the region have the percentage of women in the police and in the workplaces of managers higher than we have, then it is expected to increase the number of women in managerial positions in the Montenegrin police.

It is not an objective to increase the number of female managers just because those are the European standards, but the aim is to increase the number of women in managerial positions in order to create a quality staff that can withstand modern challenges and threats, because modern crime and terrorism are not based on physical force, but on the good organization and skills.

In addition that the education of academics for performing policing rather than the administrative tasks, incurs a lot of costs, police work is the choice of every female police officer, and not an imposed will, and therefore, young employees, both men and women, should be prevented to, after training, be arranged to perform administrative tasks even if they choose most often because of family responsibilities of women, but then there should be defined the measures to establish a balance between professional and family life. Only through the performance of police duties, police officers can gain the necessary knowledge, skills and experience, which will allow them the career advancement and reaching leadership position.

The associates from international organizations, who are the strategic partners in the development of the Police Directorate, state that, in future, great attention will be paid to the topic of gender equality, so, despite our traditional notions, this issue should be paid more attention to so as to increase gender equality in the Police Directorate, in line with the European standards.

**2. Normative Framework**

**2.1. Constitution of Montenegro**

The Constitution of Montenegro guarantees the equality of women and men, obliges the state to develop a policy of equal opportunities, prohibits all forms of direct or indirect discrimination, determines the possibility of introducing special measures the purpose of which is to build the preconditions for achieving gender equality.

**2.2. Law on Gender Equality and Other Anti-Discrimination Laws**

The Law on Gender Equality promotes gender equality as one of the basic values of our legal system and established explicit prohibition of discrimination based on gender. Gender equality implies equal participation of women and men, as well as persons of different gender identities in all areas of the public and private sectors, equal position and equal opportunities for exercising all rights and freedoms and the use of personal knowledge and skills for the development of society, as well as achieving the same benefits of results of work.

This law is the first anti-discrimination law in Montenegro and the most important mechanism for achieving gender equality. One of the key provisions of this law is that state bodies, state administration bodies and local self-governments, public institutions, public companies and other legal entities that exercise public authority, as well as companies, other legal entities and entrepreneurs are obliged to, in order to achieve gender equality, at all stages of planning, making and implementing decisions, as well as undertaking activities within their competence, rate and evaluate the impact of these decisions and activities on the position of women and men. The Law on Gender Equality defines the obligations, both public and private, in order to eliminate discrimination based on gender and to achieve gender equality. The Law also emphasizes the role of the civil sector. This Law also defines penalty measures in cases of non-compliance with the norms of this law related to: determining an employee who will perform the activities of the coordinator of the activities related to the issue of gender equality within his/her competence; the use of gender sensitive language; providing education of employees on achieving gender equality; displaying collected, recorded and processed statistical data and information by full affiliation and reporting to the competent ministry on the achievement of gender equality under its jurisdiction.

Numerous laws regulating labor relations, employment, pension and disability insurance, education, health and social protection, occupational safety, family relations, criminal offenses, etc. have the anti-discriminatory norms (Labor Law, Anti-Discrimination Law, Law on Protection against Domestic Violence, etc.).

* 1. **International Documents**

Ratified international treaties and generally accepted rules of international law are an integral part of the internal legal order, those have the primacy over domestic legislation and are directly applicable when relations are regulated differently from internal legislation. Numerous international documents, which have been ratified by Montenegro, have established the obligations of States Parties to promote gender equality, and to undertake activities and adopt measures aimed at creating equal opportunities and eliminating all forms of discrimination. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Prevention and Suppression of Violence against Women and Domestic Violence (Istanbul Convention) are the most important. United Nations Security Council Resolution 1325: Women, Peace and Security, among others, aim to increase women's participation in decision-making and peace processes, protecting women and girls in conflict zones and integrating gender perspectives, gender education in peacekeeping missions, that those responsible for genocide, war crimes and violence against women do not escape sanctions, and so on. The Government of Montenegro has adopted an Action Plan for the implementation of this resolution for the period 2017-2018.

As a country seeking membership in the European Union, Montenegro aligns its legal framework with the European legal framework, and therefore makes great efforts to achieve European standards related to gender equality.

**3. Institutional Framework**

**3.1. Committee for Gender Equality**

The Committee for Gender Equality of the Parliament of Montenegro was established in 2001, when the Parliament of the Republic of Montenegro passed a decision on establishment of the Committee for Gender Equality as a permanent working body. In accordance with its competences, it considers the draft laws, other regulations and general acts related to the implementation of the principles of gender equality, monitors the application of these rights through law enforcement and the improvement of the principles of gender equality, participates in the preparation, drafting and harmonization of laws and other acts with the standards of European legislation and programs of the European Union relating to gender equality, affirms the signing of international documents dealing with this issue and monitors their implementation, achieves cooperation with the civil sector in this area.

**3.2. The Ministry of Human and Minority Rights**

In the Department for Gender Equality Affairs, at the Ministry of Human and Minority Rights, the tasks related to the following are being performed:

- preparing, creating and coordinating activities and research on various aspects of gender equality;

- coordinating the activities of all governmental and non-governmental bodies and organizations, local and international organizations dealing with gender equality issues;

- preparation and monitoring of implementation of the Plan of activities for achieving gender equality;

- monitoring implementation of international agreements in the field of gender equality and initiating harmonization of domestic regulations with international agreements and other international documents related to gender equality;

- carrying out gender equality activities related to joining the full membership in the European Union and activities related to European integration;

- establishing regional cooperation in the field of gender equality.

**3.3. Protector of Human Rights and Freedoms (Ombudsman)**

**Protector of Human Rights and Freedoms (Ombudsman)** is an institution established in Montenegro with a separate law passed by the Parliament of the Republic of Montenegro in 2003. The Protector, autonomously and independently, observing the principles of justice and equity, takes measures to protect human rights and freedoms, when those are breached by an act, action or a failure of public authorities, as well as measures to protect against discrimination. Anyone who believes that an act, action or a failure violates his rights or freedoms may address the Protector. The Protector may initiate proceedings on his own initiative when he finds out that a right or freedom has been violated, but in that case he must have the consent of the injured party. The procedure before the Protector is free of charge and his work is public, unless otherwise stipulated by the law. By March 31 of the current year, the Protector is obliged to submit to the Parliament an annual report on his work for the previous year, which includes in particular the general presentation of the cases on which he acted, the statistical presentation and evaluation of the situation of human rights and freedoms in Montenegro, the recommendations and measures that the Protector proposes for improvement of human rights and the elimination of perceived failures, as well as the assessment of the situation in the field of discrimination.

**3.4. Coordinators**

The Law on Gender Equality prescribes that state bodies, state administration bodies and local self-governments, public institutions, public enterprises and other legal entities that perform public authority are obliged to appoint an officer who will perform activities of the coordinator of activities related to gender equality issues within his competence, who participates in the preparation and implementation of the Plan of activities for achieving gender equality.

**4. Sex and Gender**

**4.1. Sex** is a biological and anatomical characteristic and signifies our male, or female body by birth. It is the same throughout the world and through history.

**4.2. Gender** is the socially established role of man and woman in life. It relates to psychological, social and cultural differences between men and women. It is changing in space and time, and as a result of learning, it can be changed. It is not the same in every society.

|  |  |  |
| --- | --- | --- |
|  | **Gender** | **Sex** |
| **1.**  Women are better off when it comes to caring for children | x |  |
| **2.** Men have a more profound voice than women |  | x |
| **3.** Engineering is a profession that is more appropriate for men | x |  |
| **4.** Women are more sensitive and emotional, while men are more rational | x |  |
| **5.** Men like cars and weapons, while women like to buy clothes and makeup | x |  |
| **6.** On average, women have less muscle mass and physical strength than men |  | x |
| **7.** Men are more courageous than women | x |  |
| **8.** Women can give birth to children and breastfeeding, while men can not do |  | x |
| **9.** Men have the responsibility to economically support their families | x |  |

**5. General and special measures for achieving gender equality**

**5.1. General measures** are prescribed by law and other documents (declarations, resolutions, bylaws, etc.) and criminal offenses are defined for their non-performance.

**5.2. Special measures** are being taken in certain areas, when unequal representation of women and men in these areas is established. Unequal representation exists in cases where the representation of persons of one sex in a certain area is less than the percentage of the representation of person sof that sex in the total population.

Special measures are the following:

*Positive measures* that, under equal conditions, give priority to persons of less represented gender, until equal representation is achieved, i.e., set goals for the introduction of these measures. Those are identified by the action plans for achieving gender equality, based on the analysis of the position of women and men in the area for which those are determined. The Action Plan should contain the reasons for the introduction of positive measures, the goals to be achieved by those, the beginning, manner and cessation of the implementation of measures, as well as the monitoring of the implementation of the measures.

*Incentive measures* that give special incentives to eliminate unequal representation of women or men and

*Programmatic measures* that imply activities on education, i.e. encouraging and establishing gender equality.

1. **Action plan for achieving gender equality**

The Law on Gender Equality defines the establishment of the Action Plan for the achievement of gender equality (APAGE). The Ministry for Human and Minority Rights is responsible for the preparation and implementation of this Plan, which has been recognized by law as the competent ministry for gender issues. This ministry submits the report to the Government on the implementation of the plan. An action plan for achieving gender equality is a development document for the implementation of gender equality policy. This Plan is based on international and domestic legal sources that address gender equality issues. Areas of action in the Plan are: Improving the human rights of women and gender equality, Gender sensitive upbringing and education, Gender equality in the economy, Gender sensitive health care, Gender-based violence, Media and culture, Equality in decision-making in political and public life, International politics and cooperation and Institutional mechanisms for the application of gender equality.

1. **Legal obligations of the Police Directorate**

In accordance with the provisions of the Law on Gender Equality, the Police Directorate shall be obliged to, in order to achieve gender equality, in all phases of planning, adopting and implementing decisions, as well as undertaking activities within its competence, rate and evaluate the impact of these decisions and activities on the status of women and men.

It is the duty of the Police Directorate to designate an officer who will carry out the work of the Gender Equality Coordinator, who will be involved in the preparation and implementation of the Action Plan for Achieving the Gender Equality.

The employees shall be obliged to use gender sensitive language in their work and in the acts on establishing employment, the deployment acts and other acts that decide on the rights and obligations of employees and other public documents and records, all job titles, titles and functions are expressed in the natural gender (male or female) persons to whom these acts relate.

The Police Directorate shall be obliged to provide education of employees on the achievement of gender equality, i.e. realization of the rights on the basis of gender equality, within the framework of the program of professional training and training of employees, or otherwise prescribed by law or other act.

The statistics and information collected, recorded and processed by the Police Directorate must be presented by gender.

1. **Use of gender-sensitive language**

The use of gender-sensitive language, both in the Police Directorate and in the whole society, is important because it reflects gender relations in the Police Directorate, or in society.

In addition to being a legal obligation, a gender-sensitive language has its justification because in our language there are male, female and neuter gender, and for these reasons it must be used in practice as well.

Today, when women share almost all occupations with men, it is unacceptable that titles, positions, and functions in the masculine gender are regarded as a generally accepted gender, because in this way women become less visible.

If there were companions and female companions in the middle of the last century, it remains unclear why today it is unnatural for individuals to have minister and female minister, forensic and female forensic, witness and female witness, dean and female dean ... Often, women themselves require to be represented in a masculine gender. Is it because some professions, titles and functions do not sound strong enough to some in the feminine gender (female minister, female dean), but, on the other hand, without any problems, low-ranked positions are pronounced in feminine gender (female hygienist, waitress ...), or because we are used to some jobs are those of “males”, or for both reasons?

When we hear individual expressions from childhood only in males, we adopt such expressions. Therefore, the Law on Gender Equality stipulates that the usage of gender-sensitive language is mandatory both in the public and private sectors, so we hope that this will result in the elimination of stereotypes and a positive impact on our language habits.

In cooperation with the civil sector and international organizations, the Ministry of Human and Minority Rights organized several educational events on this topic. Employees in the media are particularly educated.

1. **Gender-based violence**

Gender-based violence refers to abuses that women are exposed to, which arise from gender inequality and subordinated social position of women in relation to men. Forms of gender-based violence are: domestic violence, sexual abuse, rape, sexual harassment, trafficking in women, forced prostitution, and so on.

Domestic violence, as the most common form of gender-based violence, has been almost seen as a family matter in which the police should not interfere. Even if the situation in this area has changed, there are still cases in which the police do not act as a security organ, but as a pariah. Police Directorate is responsible for the safety and security of all women and men. This responsibility must be aligned with the State's obligation to act to prevent, protect, prosecute, punish and compensate for gender-based violence, in the same way it does when other types of violence are considered.

The campaign *16 days of activism* promotes the protection and promotion of women's human rights, and the obligation to prevent, prosecute and punish all forms of gender-based violence.

1. **Current situation in the Police Directorate**

**10.1. Statistical data**

Out of the total number of employees in the Police Directorate, only 9.12% are women, while from the total number of residents in Montenegro, women hold 50.61%.

*Education of female police officers:*

* 31.97% of women perform jobs for which university education is required;
* 4.4% performs tasks requiring higher education and
* 63.64% perform tasks requiring secondary education.

*The percentage of women in relation to the total number of employees in the police sectors is as follows:*

* criminal police 24.3%;
* Security of persons and facilities 8.37%;
* general jurisdiction police 8,23% and
* border police 6.54%.

*In other organizational units, the situation is as follows:*

* Forensic Center 45.65%;
* Telecommunication and Electronic Technologies Department 20,83%;
* Department for Analytics, Improvement of Work and Police Development 75%;
* Operational Communication Center 23.08%;
* Special anti-terrorist unit 4.41%
* Special police unit 4.83%.

*In the security centers, the representation percentage is as follows:*

* Herceg Novi 9,26%;
* Bar 9,72%;
* Budva 8,89%;
* Podgorica 8,86%;
* Pljevlja 2,73% (Žabljak 0);
* Bijelo Polje 10,44;
* Berane 5,05% and
* Nikšić 4,95% (Plužine and Šavnik 0).

**10.2. Measures taken to achieve gender equality**

Trainings of employees

Bearing in mind the specificity of the police work, a special training program for achieving gender equality has been developed, intended primarily for police officers. The program was developed by DICAF, in cooperation with the OSCE. Experts have been engaged and they have trained a number of officials of the Ministry, the Police Directorate and the Police Academy in Danilovgrad for the position of lecturers, and they will train their employees in the coming period.

Training was organized for all security centers heads and the heads of regional centers at the border police on gender equality in security structures.

*Improvement of the database on the percentage of women in the Police Directorate*

From the human resources database of the Police Directorate, data can be obtained on the number of employed women, their titles, or jobs they are assigned to and the organizational units in which they work.

*Applying guidelines for the introduction of gender sensitive practices*

- A gender equality coordinator was appointed,

- In the acts on the establishment of employment and other acts that decide on the rights and obligations of employees, the names of the workplace are expressed in the natural gender (male or female) of the persons to whom these acts relate,

- Organizational unit leaders are obliged to present statistical data and information that are collected, recorded and processed in the Police Directorate by gender,

- A mediator was appointed for possible cases of abuse at work,

- During the establishment of working bodies, commissions, delegations, etc. gender balance is taken into account.

*Promoting of greater participation of women in the police*

The promotion of women in the conduct of police affairs has been carried out in several ways:

- A police officer, a uniformed officer and a police uniform police officer present at the fair of practice, held annually, were present at the stand of MoI, which promoted the work of women in the police.

- The posters were printed on the topic of women in the police, which featured a website where information can be obtained from becoming a police officer and were sent to the heads of all centers and security departments, for the purpose of being displayed at visible places, as well as to the border police officers, for the purpose of being displayed at frequent border crossing points, so that as many citizens as possible have insight into the sent message.

*Measures to increase the number of women in managerial positions in the Police Directorate*

Measures were taken to increase the number of women in managerial positions in the Police Directorate for the period 2017-2021, with the expert assistance of the OSCE and the Norwegian expert in the United Nations for gender equality issues. This Plan is a definite measure, whose implementation should contribute to the understanding that the police officers have of the importance of greater participation of women in police work, especially in managerial jobs. The realization of the measures in question will be promoted by a police woman, which should result in a greater number of candidates for police education.

*Referring women to peacekeeping missions*

From 2015, Police Directorate began sending police officers to a peacekeeping mission in Cyprus.

Staff training for peacekeeping missions is conducted continuously, in line with the partner's goal. Officials who meet the conditions stated in the advertisement, after the selection, are referred to these training sessions. Every year, the Ministry of Interior publishes an advertisement for sending to the United Nations Mission in Cyprus. The right to apply shall be executed by all eligible officials and, after the selection, there shall be made up a list of officials having the best qualifications, which is to be sent to the United Nations to select the required number of officers who will be sent to the peacekeeping mission. The Police Directorate recognized the importance of sending women to peacekeeping missions, and, in recent years, a police woman has always been on the list.

*Cooperation with other bodies and organizations*

In order to achieve gender equality, meetings, round tables, seminars, workshops, etc. are regularly held. in cooperation with the Ministry of Defense, the Ministry of Human and Minority Rights, the Gender Equality Committee, the Police Academy in Danilovgrad, the Human Resources Management and Non-Governmental Organizations, where representatives of the Police Directorate are actively involved.

International organizations OSCE and DCAF are indispensable partners in introducing gender equality in the reform process of the Police Directorate.

The International Police Association organizes international meetings of women in the police, with the aim of exchanging experiences on which the Section of Montenegro sends its members.

*Informing of the mechanisms for protecting victims of domestic violence and equipping the space for conducting interviews with victims of domestic violence*

There were prepared and delivered to all centers and departments the following: Handbook on the conduct of police officers in cases of domestic violence, posters on the topic of stopping violence against women with displayed telephone numbers to which gender violence cases can be reported, and informative flyers of non-governmental organizations on mechanisms for the protection of victims of domestic violence.

It is recommended that the materials provided should be displayed in visible places in order to be accessible to both employees and victims of violence. Posters on the topic of stopping violence against women, where the phone numbers for reporting were highlighted, were forwarded to the border police to expose them at the frequent border crossings.

The competent officers in the Police Directorate participated in the promotion of a unique free sos line for reporting domestic violence, with 24 hours of on-call duty, in the manner of distribution of flyers with this number.

It was implemented the procurement of adequate toys for children of both sexes and more ages. Toys were sent to all centers and security departments to equip rooms for interviewing victims of domestic violence, adapted to the needs of children.

