

## Montenegro

31 December 2018

**11,874** former Yugoslav refugees acquired the status of foreigner (**11,633** permanent and **241** temporary residence)

In 2018, **4,722** people expressed intention to seek asylum, out of which **3,104** submitted an asylum claim

**13,587** people have applied for asylum in Montenegro since 2007

### KEY INDICATORS

**47%**

of persons who expressed an intention to seek asylum had to be accommodated outside regular asylum facilities

**100%**

of persons granted international protection gained access to the labour market

**4,570** out of **4,722** persons

**(97%)** who expressed an intention to seek asylum were assisted through provision of clothes and/or hygiene items

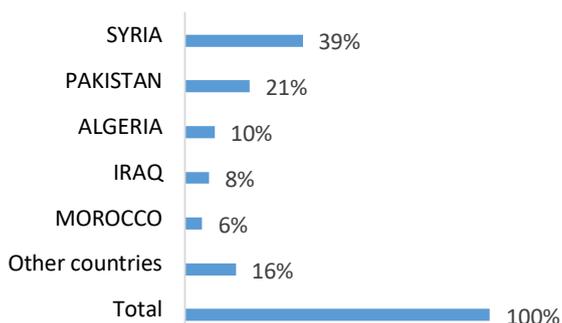
**14** out of **3,104** asylum seekers

**(0,45%)** have been granted international protection

### POPULATION OF CONCERN

## Countries of origin

out of **4,722** people who expressed an intention to seek asylum\*



### UNHCR PRESENCE

#### Staff:

**16 National Staff:** 6 regular positions, 2 temporary assistances (T.A.), 7 affiliate staff, 1 Intern  
**1 International Staff**

**Languages spoken:** English, Montenegrin, French, Spanish, Italian, Russian, German

## New Arrivals (no. of asylum claims)

**12 months**

By country of origin: 1 January 2018 to 31 December 2018

SYRIA	1,199 (39%)
<b>PAKISTAN</b>	<b>660 (21%)</b>
ALGERIA	304 (10%)
IRAQ	245 (8%)
MOROCCO	177 (6%)
Other countries	519 (16%)
<b>TOTAL</b>	<b>3,104</b>

# Update On Achievements

## Operational Context

### *Asylum*

A new **Law on International and Temporary Protection of Foreigners**, aligned with the international and EU standards, entered into force in January 2018. The most relevant changes included the following:

- the new step of expressing an intention to seek asylum;
- the provision of a Transit Centre at the border with Albania;
- the handover of the reception system from the Ministry of Labour and Social Welfare (MLSW) to the Ministry of Interior (MoI);
- the possibility to adopt accelerated refugee status determination (RSD) procedures;
- a judiciary review for the 2<sup>nd</sup> instance of RSD;
- the provision of individual integration plans for those granted international protection, under the purview of the MLSW.

In December, a further institutional change moved the **integration from the MLSW to the MoI** and the **Police Directorate out of the MoI**.

In September, **the Government of Montenegro offered to take in up to 5 persons rescued at sea from the Diciotti** patrol vessel, anchored in Sicily, following the request of the Italian Government. The decision was made unanimously, by which the Government confirmed its commitment to the principles of international solidarity. However, no person was transferred from Italy by the end of the year.

In October, the MoI started issuing **the first biometric Convention Travel Documents (CTD)** to persons granted refugee status/subsidiary protection in Montenegro, together with ID cards. The data of these CTDs matches the data of the passports of Montenegrin citizens.

### *Statelessness*

A major development in 2018 was the adoption of the **new Law on Foreigners** in February, which introduced for the first time a **statelessness determination procedure** – recognizing statelessness as a legal status in Montenegro, introducing the possibility to obtain a statelessness passport, and a temporary residence permit, as well as access the labour market.

The new procedure and legal status were further defined through a relevant by-law<sup>\*</sup>, which was adopted in November, and developed with UNHCR's support.



Photo of a person at risk of statelessness, taken during 2017 UNHCR's verification exercise.

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<sup>\*</sup> *The Rulebook on the Procedure initiated upon request for Statelessness Determination.*

## Achievements



### Achievements and Impact

#### *Asylum*

- Differently from what was expected in 2015, Montenegro was not part of the “Western Balkan Route”. However, from mid-2017, there has been an increase transit through Montenegro. In 2018, **4,722** people expressed intention to seek asylum, out of which **3,104** people further submitted an asylum claim. This was an increase in the asylum requests of **265%** in comparison to 2017 (3,104 vs. 849). **93%** of asylum seekers came from 7 countries (Syria **39%**, Pakistan **21%**, Algeria **10%**, Iraq **8%**, Morocco **6%**, Palestine **5%**, and Libya **4%** while the remaining **7%** from different countries). Out of 3,104 people, **10% (317)** were female and **9%** minors (**272** including an unaccompanied child), with a further increase of households when compared to 2017 (est. 8%; in 2016, **99%** were single adult men).
- Out of **3,104** requests for asylum, the number of interviews was low, with only **78** (2.51%) asylum seekers going through the RSD, with **14** people (0.45%) granted international protection. Through UNHCR’s support in the last quarter, some progress was achieved raising the number from **42 to 78**. Since 2006 (1<sup>st</sup> Asylum Law), **72** persons obtained asylum in Montenegro (Syria: **25/ 35%**; Yemen: **11/15%**; Cuba: **8/11%**; Iran: **7/10%**; Belarus: **4/5%**, while the remaining **17/24%** from different countries).
- In 2018, UNHCR continued conducting **field missions** at entry and exit points on the route of asylum seekers and migrants through Montenegro with the aim to foster a protection-sensitive border management by state authorities.
- In February, Montenegro’s **Human Rights Ombudsman** and **UNHCR** signed a **Technical Cooperation Agreement**, with the aim of carrying out joint activities in the area of protection and promotion of human rights of asylum seekers, refugees, displaced persons and stateless persons.
- In March, **UNHCR, IOM and the MoI** organized **two-day consultations** in the area of **asylum and mixed migrations**, aimed at ensuring that the implementation of the new

asylum law was in line with core principles of international refugee law. The consultations involved 57 officials from the MoI including the Police Department, the Border Police, the Asylum Directorate and the Asylum Centre, IOM, UNHCR and its partners, the Legal Centre and the Red Cross Montenegro.

- In April, the **Bar Association** and **UNHCR** organized a **training** for a total of **58 lawyers**, in the area of asylum, covering key aspects of international refugee law and national legislation. The training was a first step of cooperation between UNHCR and the Bar Association, targeted at supporting the country in developing a full-fledged asylum system. The main aim was to prepare Montenegrin lawyers for the legal representation of asylum seekers and refugees in front of the Administrative Court, following the introduction of the judicial review of the refugee status determination procedure.
- In May, UNHCR and the University of Montenegro, organized the **Legal Clinic for students of the Law Faculty**. 28 students completed a two-month course on international refugee law and statelessness, which included moot court simulation and field visits to the Asylum Centre and the Community Centre in Spuž.
- In November, UNHCR delivered **lectures** to the **cadets** of Danilovgrad **Police Academy** on the **international refugee protection** and UNHCR's mandate.

#### *Refugees from the former Yugoslavia*

- Since the 90s, Montenegro has maintained an open door policy for people fleeing violence. Over the years, this has been concretized by introducing the possibility of local integration through the status of foreigners with permanent residence. This legal status grants access to all rights, except the right to vote, on equal footing as Montenegrin citizens. By the end of 2018, **12,933** ex-Yugoslav refugees had applied for the foreigner status, including **688** pending cases (**658** from Kosovo (S/RES/1244 (1999)) and **30** from B-H/Croatia). By year-end, **11,874** former I/DPs held the foreigner status, of whom **11,633** with permanent and **241** with temporary residence, while **371** applications were rejected.
- In late 2017, UNHCR, the MoI and the MLSW carried out a **field verification of all ex-Yugoslav refugees (2,318)** with unresolved legal status issues, including those at potential risk of statelessness. The field work helped to identify at least **145** persons at risk of statelessness and some **460** persons possibly at risk. In 2018, UNHCR and its partner initiated different and subsequent civil registration procedures for **757** persons, out of whom **272** acquired the status of foreigner with permanent residence and **41**

persons at risk of statelessness obtained personal documents and are not in need for assistance anymore.

- In 2011, Montenegro and Kosovo signed the *Agreement on the Late Registration of Internally Displaced Persons from Kosovo residing in Montenegro in the Birth and Citizens Registry of the Republic of Kosovo*. As a result, UNHCR Podgorica and UNHCR Priština, jointly with OSCE MNE, continued to support the cooperation between the Montenegrin and Kosovo MOIs aimed at solving document related issues for the regularization of status in Montenegro of ex-Yugoslav refugees, including many at risk of statelessness. Thanks to UNHCR and OSCE's support, **4** visits of the **Kosovo biometrics mobile teams** were organized in 2018, which enabled **80** refugees to obtain new Kosovar personal documents necessary for them to regulate their legal stay in Montenegro, thus preventing the risk of statelessness. Since 2014, when the visits started, the Kosovo Mol mobile team had visited Montenegro **20** times and managed to support some **1,300** people in acquiring essential documents from Kosovo or Montenegro, while some **70** cases remained open as of 31/12/2018.
- In view of the substantial progress achieved in this process, UNHCR MNE and Kosovo proposed to the Kosovo and Montenegrin MOIs to table the most difficult cases in a **joint Retreat** that took place in June 2018.
- Following UNHCR's advocacy, the **Kosovo Consulate in Montenegro** was associated with the mobile biometrics' visits to promote the hand-over of most cases through the regular consular channels. The Consulate started receiving the 1<sup>st</sup> applications from refugees and persons in a stateless-like situation in September 2018.

#### *Family reunification*

- In 2018, Montenegro accepted 2 cases of family reunification submitted by UNHCR. As a result, a Cuban boy was reunited with his family in the process of integrating in Montenegro, after being separated for two years. In November, a single refugee mother could re-unite with her 2 daughters from Ghana after five years of separation. UNHCR Montenegro with UNHCR Panama and UNHCR Ghana took care of all logistics, travel arrangements and related costs.

**EDUCATION****Achievements and Impact**

- Since 2017, UNHCR had been placing a strong focus on integration of refugees through some pilot projects that anticipated the entry into force of the new asylum law. These initiatives had been launched and then developed with the relevant authorities, primarily the Ministry of Labour and Social Welfare, the Employment Agency of Montenegro, the Ministry of Education and the Ministry of Health. In this context, UNHCR has been supporting all people granted international protection with classes of MNE language, monthly rental support for accommodation (CBI), job placement, family reunification and similar. In doing so, UNHCR closely worked with the Directorate for the Care of Refugees, which was appointed as in charge of integration in early 2018. At the end of 2018, UNHCR proposed the DCR/MLSW a cooperation through a yearly project with financial support to enable the implementation of joint activities in the realm of integration. Due to the asylum law amendments in December, the MoI took over the responsibility for integration from the MLSW.
- In the framework of these initiatives, in 2018, **7 persons enrolled in the new course of Montenegrin language**, organized and funded by UNHCR, which started in December, while a total of **9** persons attended similar courses in 2018.
- In 2018, UNHCR **donated textbooks** to **7** primary school children who were granted international protection. Furthermore, the families were provided with vouchers for school supplies such as stationery and school bags for their children, and transportation to school to 4 children. This regular support from UNHCR aimed to foster refugee children's integration into Montenegrin society and school.

**SHELTER AND NFIS****Achievements and Impact**

- The current **reception system** in Montenegro has a limited capacity of **80** places, out of which **65** in the Asylum Centre in Spuž (some 10 km away from the capital) and **15** in the adjacent Foreigners' Centre (close centre). From end of 2017 onward, the Asylum and Foreigner Centres' capacities have been exceeded on several occasions, which led the Government to rent a third facility in Konik/Podgorica to cater for an average **128** people per day. Ever since, the access to essential services, safety and security, poor

standards of accommodation, critic hygienic conditions and difficulties for those accommodated to get access to basic assistance and essential services (primarily health care, clothes, hygienic material etc.) was often of concern. These additional facilities have been used for males only. At its peak it is estimated that some **350** people were accommodated in various premises in Konik and Spuž.

- The reception system remained highly dependent on external ad hoc support from UNHCR and IOM. UNHCR scaled up its operational involvement to fill critical gaps from security to accommodation, health care, clothes and hygienic items and psycho-social support in Spuž and Konik. To expand the Asylum Centre's capacity in Spuž, UNHCR donated **4 Refugee Housing Units** for **24** additional beds on top of the **80** available. In addition, 2 containers for accommodation were adapted into sanitation containers.
- In 2018, UNHCR **donated €99,320 worth of NFIs**, including clothing, footwear, hygiene items and baby items to the Asylum Centre. **4,570** persons benefitted from NFIs.
- In addition, in 2018, **UNHCR donated €66,000 worth of emergency response equipment to the Directorate for Emergency Situations and the Red Cross of Montenegro**. The Directorate was provided with 3,200 thermal blankets, 1,200 foam mattresses, 130 plastic tarpaulins, 70 sleeping bags and 4 large plastic tarpaulins. The Red Cross of Montenegro received blankets, sleeping bags, foam mattresses, plastic tarpaulins, beds, tables and chairs. Previously, 6 RHUs were also delivered to the Mol, Directorate for Emergency Situations.



## HEALTH

### Achievements and Impact

- The increase in the number of asylum seekers resulted in an additional pressure on the government's asylum system, in particular when it comes to ensuring adequate access to some basic rights and services, primarily in terms of **health care**. **Multi-partner multifunctional teams** were set up to increase the reach out to asylum seekers and refugees and facilitate the liaison with relevant authorities with the aim of enabling the affective access, primarily to health care.
- Thus, the team was present daily at the Asylum Centre in Spuž and alternative accommodation facilities in Konik, providing support to the Centre's staff, as well as to asylum seekers. The mobile team organized medical checks and referrals for asylum

seekers and refugees, and followed up to ensure access to drugs. In 2018, medical assistance was provided to up to **150** persons, **120** of whom were also provided with drugs.



## COMMUNITY EMPOWERMENT AND SELF RELIANCE

### Achievements and Impact

- In April, UNHCR and the Red Cross of Montenegro launched, as a pilot project, **the first Community Centre** for asylum seekers in the vicinity of the Asylum Centre in Spuž. The Centre was aimed at providing information, support, educational and recreational activities. The Centre was closed based on the limited return of investment. In collaboration with the MoI, UNHCR initiated the rehabilitation of containers that will provide a place for similar activities within the Asylum Centre in Spuž in 2019.
- In 2018, UNHCR helped the DCR/MLSW to design its integration intervention in line with the alternative to camp policy. With the aim of transferring the experience gathered through some pilots in 2017, UNHCR promoted the adoption of a cash-based approach to housing for refugees and the early provision of MNE language courses to favour the early access to the labour market. Most of the activities were financed by UNHCR. In 2018, **27** people were supported in their socio-economic integration (rent, language, school material). For example, **6** families were provided monthly rental support in the total amount of €12,480. **2** refugees received bicycles to commute to work more easily.
- In 2017, UNHCR initiated a collaboration with the **Employment Agency of Montenegro** reflected in a **Memorandum of Understanding**. In 2018, **8** persons were assisted by UNHCR and its partner the Legal Centre in their registration with the Employment Agency, **2** persons obtained a job in the private sector, while **10** persons continued the works started in 2017. DCR developed individual integration plans for **6** persons. The individual integration plans reflect refugees' individual needs, knowledge, abilities and skills and are developed for the purpose of their socio-economic integration, following UNHCR's pilots of 2017.
- In June, the refugee community in MNE, the UN RC, UNHCR, RCM, MoI, MLSW, together with the international community, local authorities and population, and the private sector marked jointly the 2018 World Refugee Day. "World cuisine" from the

refugee community brought all together to reflect on the plight of over 68 million displaced worldwide.



## DURABLE SOLUTIONS

### Achievements and Impact

#### *Regional Housing Programme*

- In November 2011, the Foreign Ministers of BiH, Croatia, Montenegro and Serbia signed the Joint Declaration on Ending Displacement and Ensuring Durable Solutions for Vulnerable Refugees and Internally Displaced Persons – the **Regional Housing Programme was established**, which offered hope for thousands of people who had left everything behind during the 1990s conflicts in the former Yugoslavia. Montenegro was the only country that included Kosovo refugees from the 1999 conflict in its RHP submissions.
- In the framework of **RHP**, in 2018, UNHCR in collaboration with OSCE continued supporting the Government. Two projects were completed: the **Elderly Home in Pljevlja for 30 persons** and **apartments in Konik/Podgorica for 51 families**. The latter contributed to the closure of the Konik Camp 1, hosting Kosovo Roma and Egyptian refugees since '90s. 3 additional projects were approved by the RHP Assembly of Donors in 2018 (Niksic elderly home: 104 beds, 96 apartments in Konik and the combination of purchase of 18 apartments, the delivery of 18 houses and 20 sets of construction kits).
- To date, **over 550 families** have benefitted of the **housing solution** provided through **RHP**. It is expected that a total of **681** refugee families will benefit from the already approved RHP projects. In terms of **durable housing solutions**, there were still some **130** families of refugees from former Yugoslavia that remain in need of decent housing, either through RHP project or similar initiatives at the end of 2018.
- In April 2018, UNHCR and the MLSW presented a **livelihood study**, which provided recommendations for short, medium and long-term socio-economic interventions to enhance the employability and livelihoods of ex-Yugoslav refugees. The recommendations were also used by Montenegro as core components for the sustainability of RHP projects.

### Voluntary repatriation/return and rejected cases

- During 2018, there was **1** family consisting of 6 members which informally (unassisted) returned from Montenegro to Kosovo, while there were no formal (UNHCR assisted) voluntary returns.
- In 2018, 12 asylum claims were rejected.

### Working in partnership

- In 2018, UNHCR worked closely with the Government of Montenegro. Key counterparts were:
  1. the Ministry of Interior;
  2. the Ministry of Labour and Social Welfare;
  3. the Police Directorate;
  4. the Employment Office of MNE;
  5. the Ministry of Health;
  6. the Administrative Court;
  7. the Municipalities of Podgorica, Berane, Bar and Pljevlja.
- The total value of UNHCR's support to the Government in addressing the needs of asylum seekers in 2018 was €249,829.38, which included provision of humanitarian assistance, services and expert capacity support.
- Within the UN system, UNHCR took part in the UNCT and Delivering as One approach. On a bilateral level, UNHCR collaborated primarily with UNICEF and IOM. A fruitful collaboration was maintained with the EUD, OSCE and UNHCR Mission in Kosovo, as well as with the Human Rights Ombudsperson, Bar Association and the University of MNE.
- UNHCR's partners in 2018:
  - In the area of **asylum**, UNHCR was working with the **Red Cross** of Montenegro and the **Legal Centre** to support asylum seekers and refugees (legal aid, humanitarian aid, psycho-social support, access to services).
  - In relation to **refugees from the former Yugoslavia and statelessness**, the **Legal Centre** was UNHCR's partner in supporting the former Yugoslav refugees with pending status issues in Montenegro.

- In August 2018, a competitive partner selection resulted in the selection of the new partners for 2019 – in the area of asylum, UNHCR will continue working with the Red Cross of Montenegro to extend its support to asylum seekers and refugees (legal aid, humanitarian aid, social support, access to services) along with the new partner, the NGO Civic Alliance, which replaces the Legal Centre, as of January 2019. Following the same competitive process, in relation to refugees from the former Yugoslavia and statelessness, the Legal Centre will continue to be the main partner of UNHCR.

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**USEFUL LINKS:**

**UNHCR Montenegro Facebook page:** <https://www.facebook.com/unhcr.montenegro/>

**Warmth of a mother's hug: Ghana teenagers reunited with their mother in Montenegro after five years of separation:** <http://un.org.me/warmth-of-a-mothers-hug-ghana-teenagers-reunited-with-their-mother-in-montenegro-after-five-years-of-separation/>