

THE REPUBLIC OF MONTENEGRO MIGRATION PROFILE



IOM International Organization for Migration



REPUBLIC OF SLOVENIA
MINISTRY OF THE INTERIOR

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IOM International Organization for Migration
OIM Organisation Internationale pour les Migrations
OIM Organización Internacional para las Migraciones

The Republic of Montenegro

Migration Profile

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Prepared by

Alin Chindea
Magdalena Majkowska-Tomkin
Isabel Pastor

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Foreword

Migration patterns and trends have profound consequences for demographic, social and economic conditions. Studying these trends and patterns is required for national accounting and planning.

Recognizing the above, in view of its upcoming EU Presidency during the first half of 2008 and its migration agenda therein, the Slovenian government has taken the initiative to request IOM to draft “migration profiles” (as defined by the European Commission) for Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, the Republic of Montenegro, the Republic of Serbia and Turkey.

This undertaking strengthens the EC’s efforts to address migration in its broadest sense, in partnerships with third countries. It follows the lines of the EU’s Global Approach to Migration¹ and more particularly sets the ground for concrete action along the lines of the EC Communication on Applying the Global Approach to the Eastern and South-Eastern Regions Neighbouring the European Union of May 2007.²

This document was prepared by the International Organization for Migration (IOM) in July and August 2007 on the basis of publicly available information and data, analysis and comment, and on IOM’s own knowledge.

The “migration profiles” documents represent ad-hoc compilation of existing data drawn from various sources including the governments of the countries; international organisations and bodies; independent academic research reports; as well as IOM’s internal sources and information. As such, it does not purport to be either exhaustive or conclusive.

All sources are cited. For clarifications on the definitions, the reader must refer to the original source of the data, where more than one source may be given. The variety of sources might result in inconsistencies due to differences in data collection, definitions, and reference dates used.

National contexts differ from one country to another with regard to the existing institutional settings, legislative and strategic frameworks, as well as methodological approaches.

¹ Presidency Conclusions on the Global Approach to Migration: Priority actions focusing on Africa and the Mediterranean, European Council, Brussels, 15-16 December 2005.

² EC Communication (“COM(2006) 735 final) The Global Approach to Migration one year on: Towards a comprehensive European migration policy”

In general, fragmented national institutional frameworks can be noted in all the countries with several institutions and offices recording and compiling migration-related information; along with various international organisations and bodies present in most of the countries.

The results of this exercise point out to the imminent need for agreement on uniform definitions and methodology to record information on emigration and immigration. A general problem is the actual lack of or availability of data per se. Where data exists, the low level of standardization in terms and methodology results in varying degrees of comparability of data.

Despite such shortfalls on information available and comparability, it is our hope that this publication raises awareness on migration issues in these countries and provides useful background for policy development.



©CIA World Factbook

Montenegro – Basic facts	
Population (2005)	620.145
Total Area	13.812 sq km
GDP per Capita PPP	EUR 2.950
Human Development Index (HDI) Rank	N/A
Net Migration Rate	N/A
Sources: United Nations Department of Economic and Social Affairs, Population Division's World Population Prospects: the 2006 Revision Population Database, Montenegro 2003 Census, EC Economic Profile for Montenegro (national sources and EUROSTAT)	

Note: Due to Montenegro's short independence, much of the statistical data is not available or refers to the State Union of Serbia and Montenegro. Similarly, the institutional and policy framework in many cases is non-existent or in the process of establishment.

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1. IMMIGRANTS¹

1.1. Number of immigrants

----- N/A

1.2. Status of immigrants

Refugees/asylum-seekers

[Montenegrin Bureau for the care of Refugees data]

Refugees ----- 8.474(2007)²
Asylum seekers ----- 2(2007)³

[UNHCR data]

Refugees ----- 6.926 (2006)⁴
Asylum seekers ----- 10 (2006)⁵

Labour migrants/permanent

Foreign citizens with Work Permits⁶

----- 21.090 (2003)
----- 29.136 (2004)
----- -18.672 (from 01.01.2006 to 09.07.2006)
----- -38.958 (from 01.01.2007 to 09.07.2007)

Labour migrants/temporary-seasonal

Foreign citizens with Temporarily Residence Permits⁷ ----- 1.482 (2006)

¹ Refer to Migration Profile of the Republic of Serbia and Kosovo Province for information on Serbia and Montenegro for additional information or missing Montenegro-specific information in this section

² Montenegrin Bureau for the Care of Refugees [2007]. The figure includes foreign nationals who used to have refugee status in Montenegro (mainly from BiH and Croatia) and whose status is currently in the process of being revised given their acquired Montenegrin citizenship.

³ Montenegrin Bureau for the Care of Refugees [2007]. The figure refers to the current persons seeking asylum in Montenegro further to Montenegro independence.

⁴ UNCHR [2006]: *Statistical Yearbook 2006. Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*. Figures represent end-2006 statistics. Data are provisional and subject to change. Status as at 15 June 2007. The figure refers to "Persons recognized as refugees under the 1951 UN Convention/1967 Protocol, the 1969 OAU Convention, in accordance with the UNHCR Statute, persons granted a complementary form of protection and those granted temporary protection"

⁵ UNCHR [2006]: *Statistical Yearbook 2006. Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*. Figures represent end-2006 statistics. Data are provisional and subject to change. Status as at 15 June 2007. The figure refers to "Persons whose application for asylum or refugee status is pending at any stage in the asylum procedure"

⁶ Employment Agency of Montenegro, [May 2005 Thessaloniki], Branka Rackovic, Unemployment in Montenegro, http://siteresources.worldbank.org/PGLP/Resources/Branca_Rackovic.ppt#256,1

⁷ Montenegrin Border police data [2006]

Tourism and catering: 46.55%
Agriculture: 20.8%
Civil engineering: 14.3 %
Trade: 9.4%

Irregular migrants

[IOM data]:

2003⁸: 292 irregular migrants registered (275 male; 17 female); and 616 persons deported (588 male; 28 female)

First 6 months of 2004⁹: 133 irregular migrants registered (126 male 7 female); and 336 persons deported (343 male; 13 female)

[European Commission data]

October 2005 to August 2006¹⁰: 327 illegal border crossings prevented by the Montenegrin border authorities

[Border Police data]

2006: 1,845 irregular migrants caught or stopped on the borders of the Republic of Montenegro.

1.3. Main countries of origin

Immigrants to Montenegro mostly originate from other countries within the Western Balkans region. According to the Employment Agency of Montenegro, the majority of labour migrants originate from Serbia (56%), Bosnia and Herzegovina (27%), Kosovo (11%), the former Yugoslav Republic of Macedonia (3%) and another 3% is unknown.¹¹

2. EMIGRANTS ¹²

2.1. Number of emigrants

----- N/A

⁸ IOM/Rebecca Surtees, [2005] *Second Annual Report on Victims of Trafficking in South-Eastern Europe*, p. 402

⁹ IOM/Rebecca Surtees, [2005] *Second Annual Report on Victims of Trafficking in South-Eastern Europe*, p. 402

¹⁰ European Commission, [November 2006], *Commission staff working document. Montenegro 2006 Progress Report* ,http://ec.europa.eu/enlargement/pdf/key_documents/2006/nov/mn_sec_1388_en.pdf

¹¹ Employment Agency of Montenegro [May 2005], Branka Rackovic, *Unemployment in Montenegro*, http://siteresources.worldbank.org/PGLP/Resources/Branca_Rackovic.ppt#256,1

¹² Refer to Migration Profile of the Republic of Serbia and Kosovo Province for further information on this section. (Total number of emigrants from Serbia (including Kosovo Province) and Montenegro: 2,298,352 (World Bank, Development Prospects Group [2005]: *Migration and Remittances Factbook*)

2.2. Status of emigrants

	- - - - - Refugees 135 (2006) ¹³
Asylum seekers	- - - - - 124 (2006) ¹⁴
Labour migrants	
	- - - - - 54.816 (2003) ¹⁵

2.3. Main countries of destination¹⁶

Canada, France, Germany, Luxemburg, Sweden, Switzerland, United States

3. REMITTANCES¹⁷

3.1. Quantitative aspects of remittances

The Central Bank of Montenegro is responsible for collecting data on remittances in Montenegro. It defines worker's remittances as "transfers from citizens who are employed or intend to remain employed for more than half a year in another economy in which they are considered residents". It defines compensation of employees as "transfers from citizens living abroad for less than half a year." Below are several graphs of the Central Bank of Montenegro that illustrate the trends in Worker's remittances and compensation of employees:

¹³ UNCHR [2006]: *Statistical Yearbook 2006. Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*. Figures represent end-2006 statistics. Data are provisional and subject to change. Status as at 15 June 2007. The figure refers to "Persons recognized as refugees under the 1951 UN Convention/1967 Protocol, the 1969 OAU Convention, in accordance with the UNHCR Statute, persons granted a complementary form of protection and those granted temporary protection".

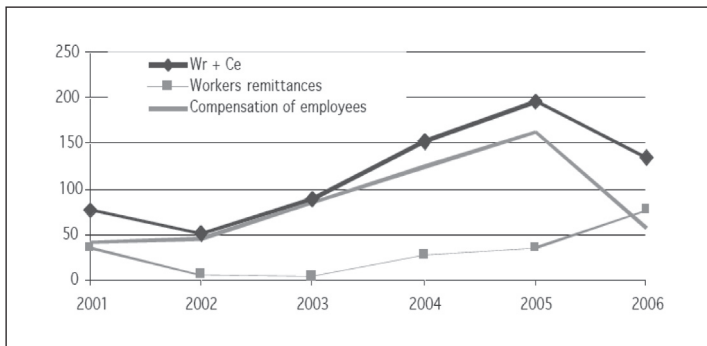
¹⁴ UNCHR [2006]: *Statistical Yearbook 2006. Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*. Figures represent end-2006 statistics. Data are provisional and subject to change. Status as at 15 June 2007. The figure refers to "Persons whose application for asylum or refugee status is pending at any stage in the asylum procedure"

¹⁵ Employment Agency of Montenegro, [Thessaloniki, May 2005], Branka Rackovic, *Unemployment in Montenegro* http://siteresources.worldbank.org/PGLP/Resources/Branca_Rackovic.ppt#256,1, Unemployment in Montenegro. Its source: Montegrin Census 2003

¹⁶ *Unofficial data of the Montenegrin Center for Diaspora*

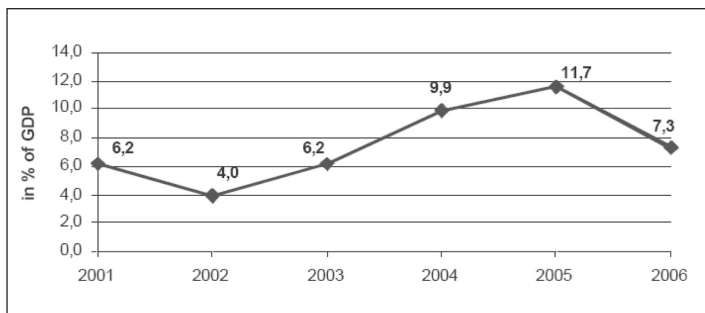
¹⁷ Central Bank of Montenegro, [Ljubljana, February 2007], *Worker's remittances in Montenegro*, <http://www.internationalmonetaryfund.com/external/np/sta/bop/pdf/monteneg.pdf>

Figure 1: Worker's remittances in Montenegro (in million EUR)



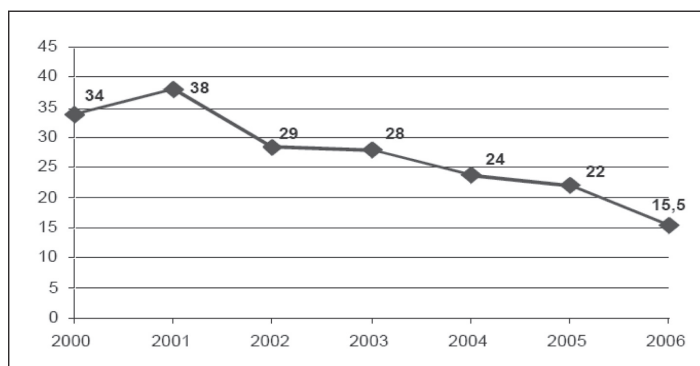
Source: Central Bank of Montenegro

Figure 2: Worker's remittances and comp. of employees in % of GDP



Source: Central Bank of Montenegro

Figure 3: Worker's remittances in total revenues of current account, in %



Source: Central Bank of Montenegro

3.2. Qualitative aspects of remittances

According to the Central Bank of Montenegro, “workers remittances are a major source of external finance and have a positive impact on economic development”

4. MIGRANT COMMUNITIES/DIASPORAS¹⁸

4.1. Numbers/Estimates

[Estimates per censuses and records in selected countries of destination]:

Serbia: 69.049 persons (0.92% of total population) have declared themselves to be Montenegrins (2002, Serbian census)

Croatia: 4.926 persons (0.11% of the total population) have declared themselves to be Montenegrins (2001, Croatian census)

Slovenia: 2.667 persons (0.14% of the total population) have declared themselves to be Montenegrins (2002, Slovenian census)

Albania: 2,000 members of the Montenegro community reside in Albania (2000, Albanian Helsinki Committee)

Australia: 766 persons living on the territory of Australia have declared themselves to be Montenegrins (2001, Australian office for statistics).

[Estimates provided by the Government of Montenegro]:¹⁹

Germany: 20,000-30,000

Switzerland: 25,000

Austria: 2000

Scandinavian countries: 10,000

Cyprus: 500

North America: 30,000

Canada: 4,000-5,000

Latin America: 20,000 with Montenegrin Ancestors

¹⁸ Refer to Migration Profile on the Republic of Serbia and Kosovo Province for information on the Serbian and Montenegrin Diaspora.

¹⁹ MARRI, [2006], *Questionnaire on Diaspora*, response by the Government of Montenegro: http://marri-rc.org/documents/Questionnaire%20on%20Diaspora%20_September%202006.pdf

4.2. Description of the relationship between migrant communities/diasporas and the country of origin

In the nineties, contrary to the practice from other ex-Yu republics, the Register of Montenegro Diaspora –matica²⁰– practically ceased with its operations. It represented an organized way of communication with Montenegro Diaspora suitable for the time of its existence. After that, for full twelve years, cooperation with Diaspora appeared to be neglected. After several unsuccessful attempts of institutionalizing the communication with Diaspora, in the mid 2002, the Centre for Montenegro Diaspora was established as an independent governmental body with the purpose of being the bridge for cooperation of Montenegrin emigrants from all over the world with Montenegro. All established contacts are entered into a database which was created at the end of 2002. The database is constantly updated, but because of the inherited mistrust, it appears is difficult to compose accurate information about the number of Montenegrin emigrants.

The Diaspora centre within the Ministry of Foreign Affairs of Montenegro is today the main institution coordinating and promoting Diaspora links with their homeland. The centre helps to organize meetings of emigrants and provides logistical support in the organization of business, cultural and other delegations from emigrant destination countries to Montenegro. Presentations on subjects such as tourism, cultural heritage of Montenegro and investment in Montenegro, inform the Montenegrin Diaspora of their possibilities in their country of origin as well as in their country of destination. The centre has also developed a project called “Fund for Diaspora” that consists in offering loans to help Diasporas start a small or medium-size business.

The centre also organizes humanitarian assistance from Diaspora to Montenegro and solves individual problems of emigrants. Indeed, the latter also have the possibility to make conclusions, suggestions and proposals to state institutions through the Diaspora centre. These lead to the development of local projects.²¹

4.3. Diaspora/Migrant communities’ associations²²:

Note: Please note the list below does not purport to be exhaustive or representative. IOM does not take responsibility for the accuracy of the contact details

²⁰ The principal organisation of the compatriots in the Republic of Serbia and Montenegro was Matica slovenská in Yugoslavia, which was an apolitical social organisation associating about 12,000 members.

²¹ MARRI [2006], *Questionnaire on Diaspora*, response by the Government of Montenegro, http://marri-rc.org/documents/Questionnaire%20on%20Diaspora%20_September%202006.pdf

²² <http://www.montenegro.com/links/Diaspora.html>, and Montenegro Centre for Diasporas: <http://www.diaspora.cg.yu/>

Europe- www.montenegro-world.com: this website contains a very good overview of links to further diaspora links and other useful tools such as employment and other advertisements. Moreover, it displays business information on various countries outside Montenegro. The downloadable file informs about targets and core values of 'Montenegro-world'.

Argentina- Asociacion Argentino Montenegrina ZETA (Buenos Aires): their main goal is to promote Montenegrin culture, history, traditions and customs in Argentina.

<http://www.montenegrinos.com.ar/>

Australia- Montenegrin Ethnic association of Australia: their objectives are to maintain Montenegrin multiculturalism and promote it, as well as to assist in the settlement of Montenegrins in Australia. It also cooperates with other ethnic communities located in Australia. **<http://www.montenegro.org.au/>**

Canada

www.montenegro-canada.com: this website contains links to relevant press and media as well as Montenegrin associations in Argentina, the U.S., Australia, Cyprus and Hungary and it informs about activities linked to the Montenegrin diaspora. It also displays individual migration stories and business information.

www.montenegrin.org: the 'Montenegrin Society of British Columbia' is a non-profit, cultural and educational organization dedicated to promoting Montenegrin culture by organizing cultural events and actively participating in multi-cultural, civic, and charitable events in Canada as well as assisting new Montenegrin immigrants to integrate faster into Canadian societies. They are also engaged in promoting businesses of individuals and conducting public relations to the Canadian media.

Croatia- www.montenegro.hr: this Montenegrin association is located in Rijeka and aims at keeping the national heritage of Montenegrins and maintaining and establishing contacts with the relevant cultural institutions and the like. The (variety of ongoing) activities are described in detail.

Cyprus- <http://www.montenegro-canada.com/articles/article/2016132/26432.htm>: In May 2005, the first association of Montenegrins and friends of Montenegro in Cyprus was established. The main target of this association is to improve the relationship and cooperation between Montenegro and Cyprus, culturally and businesswise. Members and relevant contact data are displayed.

Luxemburg- www.montenegro.lu: the website 'Amities Luxembourg-Montenegro' contains information about Montenegro and Luxemburg, but apart from the 'contact' button, many other other information displayed seems to be not available/deactivated at the moment. There is no information on the background of the homepage and the people behind it.

Serbia - www.krstas.org.yu: the 'World union of ethnic Montenegrins' is located in Serbia. This association is registered with the Serbian ministry for human and minority rights since 2003. It aims at establishing equal rights for all ethnic Montenegrins located in Serbia and Vojvodina. Various contact details are provided for various types of queries; they also list the most relevant links to other diaspora organizations.

United States - Montenegrin Association of America: they estimate that there are "tens of thousands of emigrants" from Montenegro in North America. The goals are to bring together all Montenegrins and their friends to inform them about current events and to encourage them to support Montenegro's development. They establish local organizations and cooperate with Montenegrin organizations all over the world. They support P.E.N and Matica, the independent media. Location: Menlo Park (California)
<http://www.montenegro.org/program.html>

5. IRREGULAR MIGRATION

5.1. Numbers/Estimates of irregular movements²³

N/A

5.2. Figures and information on return migration flows²⁴

829 persons readmitted to Montenegro (2006)²⁵

6. ASSESSMENT AND ANALYSIS OF MIGRATION ISSUES

6.1. Summary assessment of migration issues

First of all, it is necessary to point out the considerable lack of statistics on migration which provide specific information on the Republic of Montenegro. Further to Montenegro independence in May 2006, new institutions have been created. The government is still in its embryonic phase, despite some existing independent institutions already at the time of the Union. The independence has led to the establishment of new administrative and institutional structures, ensuring the rights of minorities (1/3 of the

²³ Refer to the Migration Profile on Serbia and Kosovo Province for information on illegal migration to the EU from Serbia and Montenegro

²⁴ Ibid

²⁵ Data from the Ministry of interior and public administration

population), the establishment of new borders and their effective management, and the development of a new legal framework.

The EU accession has become a political priority since the independence in May 2006. The Government is currently discussing with the EU on its Stabilization and Association agreement. Hence, as prospects of EU integration mature, there will be an important need for EU migration acquis alignment, among other measures.

Montenegro is an origin, transit and destination country for irregular migration. The exact number of irregular migrants crossing Montenegro's border is not available, however we can assume that most of the irregular migrants transit through Montenegro to go to Western Europe.

Human trafficking is an ongoing issue of concern in Montenegro. Women and children, and men to a lesser extent, are trafficked from, to and within Montenegro. Internal trafficking is an issue of concern and appears to be on the rise. The Government has shown a great political will to fight against human trafficking. It launched the National Strategy to combat trafficking with legislative changes as well as the creation of multiple anti-trafficking units which facilitate the fight against human trafficking.

From a country of emigration, Montenegro has increasingly become a country of immigration which results in the need for adapted policies. The recent macro-economic stability achieved by Montenegro, and increased foreign direct investment has led to an uprise in the number of labour migrants arriving in the country. 90% of labour migrants are thought to come to Montenegro for economic reasons and most of them originate from Serbia, Bosnia and Herzegovina, Kosovo and the Former Yugoslav Republic of Macedonia. The presence of seasonal migrants concentrated in tourism, catering and agriculture, is nowadays an important characteristic of the Montenegrin labour market.

The number of remittances arriving in Montenegro has increased in the past 6 years and today constitute 7.3% of the GDP.

A Migration Office has been established this year within the auspices of the Ministry of Interior. It will have the immediate aim to prepare a Migration Strategy and an Action Plan.

Refugees and IDPs continue to represent a challenge in Montenegro. The conflict arising from the dissolution of Yugoslavia transformed Montenegro into a host country welcoming a considerable amount of refugees and displaced people. Thanks to international organizations and the government of Montenegro, many of them managed to return to their countries of origin and the number is constantly decreasing. However,

a large number of IDPs and refugees remain and are in need to either formalize their status or return home. The Commissariat for Displaced persons was established for this purpose.²⁶

6.2. Government bodies responsible for migration policy

Ministry of Foreign Affairs

Among its functions, the MFA deals with the protection of the interests of its citizens in the foreign countries in cooperation with other relevant institutions; undertaking of the necessary measures for the improvement of the relations with the Diaspora; It also deals with issues of visa, asylum, and illegal migration.

<http://www.vlada.cg.yu/eng/mininos/>

Montenegro Diaspora centre: independent Government body. Its purpose is to connect emigrants worldwide to Montenegro.

<http://www.diaspora.cg.yu/>

Ministry of Interior Affairs and Public administration

It deals with citizen's rights, personal documents, travel documents, refugees, asylum seekers and IDPs. It issues grants, denies IDP status and issues refugee ID cards, and deals with visa related matters. Problems of human trafficking are also in its agenda. Furthermore, it is in charge of the supervision of state borders. The national Police Administration under the supervision of the Ministry of Interior includes as a sub-sector the Border Police. Within the Border Police there is a special Department for foreigners and fighting illegal migration. <http://www.vlada.cg.yu/eng/minunutr/>

Office for migration, visas and readmission: established in January 2007 within the the Ministry of Interior. Staffing is in process. The plan for this office is to prepare a Migration Strategy and Action Plan. The Office will be in incharge for implementation of the Government policy, laws and other legislation and international documents in the area of migration, visas and readmission. The office will prepare draft laws and other legislation will be responsible for managment of the data and records on the three thematic areas.

The Directorate of Police

It is the main law enforcement agency in Montenegro and deals with visa related matters. It is also responsible for border management through the Department of State Border and Borders Affairs.

http://polis.osce.org/countries/details?item_id=48

²⁶ EU [2006], *Cards Action Programme 2006 for Montenegro*, Summary by sector
http://ec.europa.eu/enlargement/pdf/montenegro/summary_cards_ap_2006_montenegro_sector_en.pdf

Ministry of Health, Labour and Social Welfare

It deals with issues concerning refugees, asylum seekers and IDPs related to their general social welfare. It is the coordinator of the National Strategy for Resolving issues of Refugees and IDPs.

<http://www.vlada.cg.yu/eng/minzdr/>

The State Employment Agency

It develops key innovative programmes concerning employment and within its many tasks, it supports migrants in finding job opportunities.

www.zzz.cg.yu

Ministry of Justice

It deals with international legal issues, including human trafficking. It helps draft the proper legislation to combat human trafficking and to protect victims.

<http://www.vlada.cg.yu/eng/minprav/>

Ministry of Education and Science

It carries out awareness campaigns concerning human trafficking.

<http://www.vlada.cg.yu/eng/minprosv/>

Ministry for human and minority rights protection

It deals with the rights of minorities and the most vulnerable share of the population (including migrants). It is also in charge of readmission agreements.

<http://www.vlada.cg.yu/eng/minmanj/>

Office of the National Coordinator for the fight against Trafficking in Human Beings

It collects and distributes information and statistics on human trafficking. It also chairs a National Anti-trafficking Project Board and the Inter Ministerial Working Group for the Implementation of the Anti-trafficking in Person's Strategy (Prevention, protection, prosecution).

National Anti-trafficking Project Board

Government Members: Ministry of Internal Affairs, Governmental Office for gender equality, Ministry of education and science, Ministry of labor and social welfare

Local NGOs: "Safe Women's House"

International organizations: IOM, OSCE, UNICEF, CoE, Save the Children UK, UNHCHR

*Sub group for trafficking in Children: UNICEF-Chair, Save the Children, Ministry of Labor and Social Welfare, Office of National Coordinator, Roma NGO

Inter Ministerial Working Group for the Implementation of the Anti-trafficking in persons Strategy

Government Members: Office of the Deputy Prime Minister, Ministry of Internal Affairs, Ministry of Health, Ministry of Justice, Ministry of Education and Science, Ministry of Labor and Social welfare, Office of the State Prosecutor

NGOs: NGO Montenegrin Women's Lobby

International organizations: OSCE, IOM, CoE

US Consulate as observer

Bureau for the Care of Refugees (since November 2006)

It keeps records, issues IDP ID cards, coordinates support, prepares returns to the country of origin or other determined areas and provides accommodation for IDPs and refugees. Within the context of the new Law on Asylum, its tasks also include assistance in access to education, health, social services, and legal aid for displaced persons, as well as assisting returnees.

www.zzzi.cg.yu

6.3. Migration policies in place

The government of Montenegro is lacking a migration policy which comprehensively covers all areas of migration. The laws on the stay of foreigners are still working according to the federal Foreigners law from the 1980s. A new law is being prepared, but at the time of writing, is still awaiting approval by the Parliament.²⁷

The following migration-related strategies, policies and laws can be highlighted:

Border management

The Ministry of Interior of Montenegro had already taken over the control of the Montenegrin part of the borders of the State Union in 2003. The institutional strengthening of the border police has continued in particular through training. The reconstruction and equipment of nine border crossings is under way, with EU and donor and budget support. Cross-border cooperation with neighbouring countries is in the process of being upgraded with joint patrols and exchange of information. The legal framework has been completed by the adoption of the Law on the State Border in November 2005. A Strategy on integrated border management (IBM) was adopted in February 2006, and an Action plan for the implementation of the Strategy was adopted in December 2006. Four main bodies (Ministry of Interior, Customs, Veterinary Service, Phyto-sanitary Service) are currently controlling its implementation.²⁸

²⁷ EU, [2007], "Peer based Assessment Mission to Montenegro- Justice, Freedom and Security"

²⁸ European Commission, [Brussels 8-11-2006], *Commission staff working document. Montenegro 2006 Progress Report* http://ec.europa.eu/enlargement/pdf/key_documents/2006/nov/mn_sec_1388_en.pdf

Ongoing Tasks on Border Management²⁹:

- Overall implementation of the Action Plan for reinforcement of the Strategy on Integrated Border Management.
- Demarcation of the borderline between Montenegro and neighbouring countries and signing of international Agreements on State Border
- Continuation of activities on building infrastructure facilities for the needs of Border Police, Customs and Inspection services which work at the border.
- Continuation of activities on compiling sub law documents for the implementation of the Law on State Border.
- Construction of the Reception Centre for asylum seekers and refugees.³⁰
- Institutional strengthening through training.
- Nine border crossings are being reconstructed with EU and donor and budget support.
- Cross-border cooperation with neighbouring countries is in the process of being upgraded with joint patrols and exchange of information.³¹

Visas and travel documents

In June 2006, the government of Montenegro established a temporary visa regime and decisions concerning the temporary use of travel documents and visas. The current list of countries for which Montenegro requires a visa for entry to national territory as well as the applied modalities have not yet been harmonised with the EU acquis.

Montenegro plans to build up a central citizen registry.

The issuance of new travel documents is planned for March 2008, including biometric features.

Legislation

Law on employment and work of foreign nationals: according to which the Government adopts yearly quotas for granting work permits for foreigners³²

Law on Asylum (in effect from 25 January 2007)³³: includes temporary protection, granting of Convention-status, non-refoulement principle and confidentiality. The newly

²⁹ Ibid

³⁰ Dejan Bojic, *The Border Security System of the Republic of Montenegro- Current State and Further Development Perspectives*, http://www.bmlv.gv.at/pdf_pool/publikationen/10_wg13_global-concept_180_bojic.pdf

³¹ The Ministry of Interior and Police Administration of Montenegro is negotiating an agreement on cross-border cooperation with the Ministry of Interior of Albania. Draft agreements on cross-border cooperation with Croatia and Bosnia and Hercegovina are being prepared.

³² EU [2007], *Peer based Assessment Mission to Montenegro- Justice, Freedom and Security*

³³ Ibid

established Asylum Office of the Ministry of Interior shall receive applications, carry out interviews and give first-instance decisions. A State Asylum Appeals Commission is the appeals authority. Four bylaws have been prepared, and are expected to be adopted in the next two months.

Draft Laws on:

- Popular Register
- Montenegrin citizenship
- Identification cards and travel documents
- Foreigners (pending for Parliament approval since May 2006): includes provisions on visa-issuing, on temporary and permanent residence, on cancellation of residence, on illegal stay, detention and removal, on identity and travel documents for foreigners and on gathering of personal data.³⁴

6.4. International legal framework in place, relevant to migration

Montenegro is in an initial stage as regards the establishment of an international legal framework. The number of agreements signed by Montenegro as independent state is still limited. The Minister of Foreign Affairs is working with the International Legal Department on the succession to and implementation of international law. Continuous staff training and the hiring of experts will facilitate this process

The government has already taken part in the following conventions and agreements:

International Instruments

- Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (3 June 2006)
- 1951 Convention relating to the Status of Refugees and the 1967 Protocol (10 October 2006)
- International Convention on the Protection of the Rights of all Migrant Workers and Members (23 October 2006)
- Convention on the Rights of the Child (23 October 2006)
- Optional Protocol to the Convention on the Rights of the Child, on the sale of children, child prostitution and child pornography (23 October 2006)
- The United Nations Convention against Transnational Organized Crime (23 October 2006)
- Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organised Crime (23 October 2006)

³⁴ Ibid

- Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (23 October 2006)
- Serbia and Montenegro has ratified the following Conventions of the International Labour Organization, and Montenegro has taken the responsibility of implementing them³⁵:
 - Convention No 48 on Migrants in Case of Illness, Old Age or Death
 - Convention No 97 on Migration with the Aim of Employment (revised)
 - Convention No 143 on Labour Migrants.

Labour agreements: N/A

Readmission agreements³⁶

Ratified (16, including with 13 EU member states):

- Germany (01.11.2002)
- Switzerland (01.09.1997)
- Sweden (15.03.2003)
- Holland (12.12.2002)
- Belgium (12.12.2002)
- Luxemburg (12.12.2002)
- Italy (28.06.2003)
- Slovenia (21.12.2001)
- Austria (08.03.2003)
- Denmark (08.03.2003)
- Croatia (31.01.2003)
- Hungary (31.01.2003)
- Bulgaria (09.08.2001)
- Slovak Republic (15.06.2001)
- Bosnia and Herzegovina
- France

*Ongoing negotiations on readmission agreements*³⁷:

Negotiations with Czech Republic, Norway and Canada are finished. The process of negotiations with Romania, the Former Yugoslav Republic of Macedonia, Great Britain, Greece, Latvia and Lithuania are under way.

Montenegro has concluded the negotiations for a Readmission Agreement with the European Commission along with a visa facilitation agreement. The Minister of interior

³⁵ MARRI [2006], *Questionnaire on Migration*, reponse provided by the government of Montenegro
http://marri-rc.org/documents/Migration%20Questionnaire%20_December%202006_%20FINAL.pdf

³⁶ Ibid

³⁷ Ibid

and public administration is expected to sign these mentioned agreements on September 18, 2007 in Brussels [* EC Readmission agreement will supercede agreements with EU Member States above]

6.5. Labour market and identified skill shortages

The government is in the process of implementing economic reforms which could lead to structural changes and labour mobility. Privatization is a main component of Montenegro's strategy with 70% to 80% of former publicly owned capital assets sold to private ownership by the end of 2005. The number of employees in the private sector is increasing and the number of state employees is decreasing. Small and medium enterprises also increasingly participate in the economy³⁸ and the programmes have been developed to enhance entrepreneurship capacities and create new job positions.³⁹

On the other hand, the unemployment rate remains high (23%)⁴⁰ with a very large proportion of young persons (15-24 years old) being unemployed (52%). Furthermore, it is estimated that 12.2% of the population is living on up to 3.50 euros per day with a large proportion being Roma, refugees and IDPs. Poverty is concentrated in the North and Center of Montenegro.

Additionally, a large number of people are employed in the informal economy (an average of 30% of the registered unemployed).

A high number of foreigners are working illegally in Montenegro. It was estimated that irregular workers from Albania were predominantly working as field workers, persons from Ukraine and Romania in the construction sector and persons from Bosnia and Herzegovina and the Former Yugoslav Republic of Macedonia in different sectors, including tourism.⁴¹ Competition in seasonal work is high within the grey economy since a large number of workers traveling into or temporarily moving to Montenegro for employment, seek to work in agriculture and tourism.

The Government has introduced policies to bring those working in the grey economy into the formal labour market.⁴² Montenegro is renewing labour legislation in order to improve the flexibility of the labour market⁴³ which could increase the mobility of workers.

³⁸ UNDP [November 2006], *UNDP Country Programme Republic of Montenegro (2007-2011)*, <http://www2.undp.org.yu/montenegro/home/news/Montenegro%20CPD%20Executive%20Board%202007-2011.pdf>

³⁹ Employment Agency of Montenegro [May 2005], Branka Rackovic, *Unemployment in Montenegro*, http://siteresources.worldbank.org/PGLP/Resources/Branca_Rackovic.ppt#256,1

⁴⁰ ETF [2006] *Country Analysis Montenegro*

⁴¹ EU [2007] *Peer based Assessment Mission to Montenegro- Justice, Freedom and Security*

⁴² ETF [2006] *Country Analysis Montenegro*

⁴³ Employment Agency of Montenegro [May 2005], Branka Rackovic, *Unemployment in Montenegro*, http://siteresources.worldbank.org/PGLP/Resources/Branca_Rackovic.ppt#256,1

Overall, unemployment remains high and there is a mismatch between employers' needs and workers' skills.⁴⁴ For 263 occupations for which demand has been expressed, no Montenegrins were identified with the qualifications needed.⁴⁵ The Republic of Montenegro increasingly has a service-oriented economy which requires a broader skills' base, as opposed to occupational-specific skills, which are increasingly restrictive to labour market mobility and a changing economy.⁴⁶

Labour market shortages appear mainly in areas that are unappealing to the Montenegro workforce. Employers have unmet requirements particularly in tourism, catering, construction and trade sectors and face difficulties in attracting the interest of the unemployed.⁴⁷ The labour market can be characterized by a "culture of low mobility" (lack of readiness or ability to relocate in response to existing labour market opportunities). Low mobility workforce together with poor distribution of opportunities leads to difficulties in absorbing the unemployed.

The sectors in which migrants are working provides an idea of the areas where demand unmet by Montenegrin nationals is high. In 2005, the majority of non-resident persons were engaged during summer (seasonal work) especially in the tourist and catering services 52.5%, agriculture 21.2%, construction work 16.1%, trade 5.8%, manufacturing industry 2.5% and other fields 2.2%. Employment of waiters, bartenders, cooks and aid workers is mostly found in tourist and catering services. Countries of origin of employed non-resident persons are BiH, Kosovo, the Former Yugoslav Republic of Macedonia and other countries from the region.⁴⁸

Due to the increasing need for workers and skills in tourism, the German and Luxembourg authorities fund small institution-building projects in Montenegro to support workforce development in tourism. These projects comprise training programmes as well as the development of occupational standards.⁴⁹

The public sector can be characterized as a sector with skill shortages within the labour market. The government structure is experiencing severe skills shortages (technical and managerial competencies) and according to UNDP, Montenegro has "yet to embark on a much needed re-structuring and modernization of public administration".⁵⁰

⁴⁴ European Commission [8-11-2006], *Commission staff working document. Montenegro 2006 Progress Report*, http://ec.europa.eu/enlargement/pdf/key_documents/2006/nov/mn_sec_1388_en.pdf

⁴⁵ Employment Agency of Montenegro [May 2005], Branka Rackovic, *Unemployment in Montenegro*, http://siteresources.worldbank.org/PGLP/Resources/Branca_Rackovic.ppt#256,1

⁴⁶ ETF [2006] *Country Analysis Montenegro*

⁴⁷ IOM [February 2007], *Security Sector Reform (SSR) in the Republic of Montenegro. Assessment Report in the Field of Personnel Resettlement*

⁴⁸ MARRI [2006], *Questionnaire on Labour Migration towards social cohesion and development in the Western Balkans*, , response provided by the government of Montenegro

⁴⁹ ETF [2006] *Country Analysis Montenegro*

⁵⁰ UNDP [2006], *UNDP Country Programme Republic of Montenegro (2007-2011)*, <http://www2.undp.org.yu/montenegro/home/news/Montenegro%20CPD%20Executive%20Board%202007-2011.pdf>

6.6. Irregular migration routes and policies to address irregular migration⁵¹

It is an acknowledged fact that the terrain of Montenegro, where 92% of the state border extends over mountainous areas, provides favourable conditions for illegal crossings.⁵² However, data on irregular migration focusing merely on the Republic of Montenegro is lacking. It is known that a considerable amount of irregular migrants entering the EU originate from the Balkans. Indeed, Montenegro is one of the Balkan countries used as a transit within the so-called Balkan route⁵³. However, estimates are not available. According to the Montenegrin Ministry of Interior, Montenegro is subject to transit migration, characterized mostly by citizens from Albania and from Serbia (including Kosovo) on their way to the EU. The main methods evolving irregular migration include: falsifying documents, illegal border crossings, smuggling, false marriages, overstaying and irregular employment. The Montenegrin Ministry of Interior and Police Department have established a set of priority activities to fight irregular migration (including developing the border police capabilities, cooperation and exchange of information with neighbouring countries, training of personnel). The government has adopted an Integrated Border Management Strategy. Identified current gaps which the government will be working on in what regards irregular migration refer to inaccessible terrain, lack of legislation, lack of a detention centre, inadequate technical capacities, and need for further training.

6.7. Trafficking in human beings and policies to address it

Montenegro is primarily a country of transit for foreign victims from South-Eastern countries going towards Western Europe. It is increasingly becoming a country of destination. It is also a country of origin with Montenegrins being trafficked abroad (in neighbouring countries such as Albania, Bosnia and Herzegovina, Italy and the Former Yugoslav Republic of Macedonia) as well as internally.⁵⁴

The real number of victims is difficult to know as national statistics on the matter are lacking and most statistics are simple estimates. Existing estimates for 2004/2005 show that internal human trafficking is on the increase⁵⁵. Only a limited amount of victims were identified throughout January 2000 to May 2007 i.e. 60 foreign victims and 32 Montenegrin victims. Mostly, the identified women and girl victims originated

⁵¹ Refer to Migration Profile on Serbia and Kosovo Province for further information on illegal routes of Serbia and Montenegro.

⁵² EU [2007], *Peer based Assessment Mission to Montenegro- Justice, Freedom and Security*

⁵³ INTERPOL [27-07-2007], *People smuggling*,
<http://www.interpol.int/Public/THB/PeopleSmuggling/Default.asp>

⁵⁴ IOM/Rebecca Surtees, [2005] *Second Annual Report on Victims of Trafficking in South-Eastern Europe*, p.398-431

⁵⁵ Austrian Development Agency, *Montenegro: Open Shelter*,
http://www.ada.gv.at/view.php3?f_id=9421&LNG=en&version

from Serbia, Bosnia and Herzegovina, Moldova, Romania, Ukraine and Russia, transit through Montenegro to go to Western Europe (especially Italy).⁵⁶ Minors represent an increasing percentage of assisted victims, especially concerning Montenegrin victims (in 2203-2004, 70% of identified victims were minors)⁵⁷. The most affected cities in Montenegro are Podgorica, Berane, Bar, Ulcinj, Budva, Rožaje and Bijelo Polje.

Policy

The government has given considerable attention to the issue of human trafficking. In December 2003, the Montenegrin Government adopted the National Strategy for Fighting against Trafficking in Human Beings, which consists of three parts: Prevention, Criminal Prosecuting and Protection. It includes the establishment of a working group, as well as public education and awareness campaigns, increased resources for NGOs and International Organizations, a decision within members of the government to speak more about trafficking in human beings and referral of cases to law enforcement agencies.

The Strategy has led to continuous training of police officials, prosecutors, judges and other officials on the issue of Trafficking in persons.

Within the framework of the Strategy, the government has established:

- *a national team* (multidisciplinary unit developing and implementing policy guidelines on the matter). It publicizes the trafficking arrests to deter an increase in trafficking.⁵⁸
- *a national coordinator* to combat human trafficking (coordinating government bodies, national activities and international cooperation).
- *a special crime unit* to deal with the criminal aspects of human trafficking.⁵⁹
- *anti-trafficking police units*, tasked with the identification and referral of trafficked victims and which operate in seven centres located throughout the country. The anti trafficking units have been closed and their staff members were moved to the Organized Crime Unit, and since November 2006 all trafficking cases have been followed by Organized Crime Department.
- an *anti-trafficking tip line* where local citizens can call anonymously to report any activity that could be linked with human trafficking.⁶⁰

⁵⁶ IOM/Rebecca Surtees, [2005] *Second Annual Report on Victims of Trafficking in South-Eastern Europe*, p.398-431

⁵⁷ Ibid

⁵⁸ USAID [23-03-2005], *Anti-trafficking Technical Assistance, Serbia and Montenegro Anti-trafficking Assessment February 28-March 12 2005*

⁵⁹ Council of Europe [2004], Kristina Hemon&Goran Klemencic,Economic crime Division Directorate General, *Programme against Corruption and Organized crime in South-Eastern Europe, Expert opinion on the 2nd draft Programme for combating Corruption and Organized Crime in Montenegro*

⁶⁰ USAID [23-03-2005], *Anti-trafficking Technical Assistance, Serbia and Montenegro Anti-trafficking Assessment February 28-March 12 2005*

The National Strategy also comprises a National Plan of Action against Child trafficking. A Working Group for combating trafficking in children was formed in February 2004. It is comprised of representatives of the National Co-ordinator's Office, the Assistant Minister of Health Labour and Social Welfare, UNICEF, Save the Children UK and a Roma NGO (Women's Heart). The objectives include assisting in harmonising laws in line with international law, raising funds, carrying out mediation and developing a situation analysis. The Ministry of Health Labour and Social Welfare also organized a seminar on trafficking in children.⁶¹

Legal framework⁶²

The Government with the cooperation of international organizations, has passed legislation to facilitate the fight against Trafficking in Persons. Along with the International conventions mentioned in 6.4, since December 2003, three articles within the Montenegrin Criminal Code and other legal provisions define human trafficking as a criminal offence. In 2004 the Government passed a Law on Programme of Witness Protection valid for victims of human trafficking. It contains physical and technical protection, and temporary residence status is being developed. The government is also discussing the possible resettlement of witnesses in neighbouring countries.⁶³ There is currently a draft law on Foreigners, which outlines, in Article 62, the provision of temporary residence for foreign victims of trafficking. This involves a 3-month reflection period, followed by the 6-month stay period if the victim participates in the criminal procedure.⁶⁴

The Ministry of Internal Affairs signed a *Memorandum of Understanding with civil society organizations*, for the provision of protection and assistance to victims.⁶⁵ It should assure cooperation in counter-trafficking activities.

A *Ministerial Action Plan of the Ministry of Education⁶⁶* was set up with the objective of raising awareness on trafficking and ways to recognize potential risks through workshops within school programmes (extra-curricular activities and events organized by teachers and NGOs with operational expert teams in each school).

⁶¹ Government of the United States of America, U.S Department of State Publication 11335, Office of the Under Secretary for Global Affairs [June 2006], *Trafficking in Persons Report*, <http://www.state.gov/documents/organization/66086.pdf>

⁶² Council of Europe [2004], Kristina Hemon&Goran Klemencic, Economic crime Division Directorate General, Programme against Corruption and Organized crime in South-Eastern Europe, *Expert opinion on the 2nd draft Programme for combating Corruption and Organized Crime in Montenegro*

⁶³ USAID [23-03-2005]: Anti-trafficking Technical Assistance, Serbia and Montenegro Anti-trafficking Assessment

⁶⁴ IOM/Rebecca Surtees, [2005], *Second Annual Report on Victims of Trafficking in South-Eastern Europe*, p.398-341

⁶⁵ Government of the United States of America, U.S Department of State Publication 11335, Office of the Under Secretary for Global Affairs [June 2006], *Trafficking in Persons Report*” <http://www.state.gov/documents/organization/66086.pdf>

Assistance available to VoTs

There are three shelters for victims in Montenegro, all three are located in Podgorica. One shelter is managed by the Women's Safe House NGO (the shelter for victims of Domestic violence and they were working with VoTs up to 2004), the second one was established in April 2004 and run by the Montenegrin Women's Lobby in cooperation with IOM. In 2004, the government started funding one of the shelters in Podgorica which housed 28 victims in 2005 and five potential victims as of February 2006.⁶⁷ The Office of the National coordinator for trafficking in human beings has coordinated the activities of opening a Government-established shelter for the victims of trafficking. To that end, in cooperation with the OSCE and IOM, a non-governmental organization Montenegrin Women's Lobby was selected on a tender for the executive agency of the shelter.

In September 2006 IOM established the Reintegration Facility in coordination with the NGO Centre Plus and that is the first open facility in Montenegro.

6.8. Presence of refugees, asylum seekers and internally displaced persons in the country and policies in place

There are currently 16,196 IDPs assisted by UNHCR in Montenegro (mostly from Kosovo) and 199 IDPs returned, according to 2006 statistics⁶⁸.

During the conflict, Montenegro became a host country to many refugees and displaced people. Thanks to international organizations and the government of Montenegro, many of them managed to return to their countries or areas of origin and the number is currently decreasing. However, a large number of IDPs⁶⁹ and refugees remain. Many are in the need to formalize their status or return home. The Commissariat for Displaced persons was established to manage this challenge. Further to Montenegro's independence, the Montenegrin Bureau for the Care of Refugees was created in November 2006.⁷⁰

⁶⁶ UNICEF, UNOHCHR, OSCE, ODIHR, Barbara Limanowska [2004], *Trafficking in Human Beings in South Eastern Europe- Focus on Prevention*, published by UNDP in 2005

⁶⁷ Government of the United States of America, U.S Department of State Publication 11335, Office of the Under Secretary for Global Affairs [June 2006], *Trafficking in Persons Report*
<http://www.state.gov/documents/organization/66086.pdf>

⁶⁸ UNHCR [2006]: *Statistical Yearbook 2006*. Note: Although counted as IDPs here (and officially referred to as such by the Montenegrin Government), this population consists of persons displaced from Serbia (Kosovo) who are not being accorded the same rights as Montenegrin citizens in practice.

⁶⁹ Although referred to as IDPs here (and officially referred to as such by the Montenegrin Government), this population consists of persons displaced from Serbia (Kosovo) who are not being accorded the same rights as Montenegrin citizens in practice.

⁷⁰ EU [2006], *Cards Action Programme 2006 for Montenegro, Summary by sector*,
http://ec.europa.eu/enlargement/pdf/montenegro/summary_cards_ap_2006_montenegro_sector_en.pdf

There is a considerable need to create new structures and decide how to establish the most appropriate institutional and legislative framework since the main structures were situated in Belgrade previous to Montenegro's independence.⁷¹ Montenegro is in a transition period and the integration of refugees and IDPs⁷² requires increased efforts in the areas of housing, employment, health etc.

The majority of IDPs⁷³ declare themselves of Montenegrin or Serb origin, and 17% (around 4,500 persons) are of Roma, Ashkali or Egyptian ethnicity. Most refugees originate from Croatia and Bosnia and Herzegovina, and most IDPs⁷⁴ originate from the Province of Kosovo (Republic of Serbia). They are concentrated in the municipalities of Podgorica, Berane and Bar. The majority are living in poor quality private accommodation (78.5%)⁷⁵. In addition, 5.5% are living in family settlements and 16% are residing in 32 informal collective centre and camps.⁷⁶

The 2006 European Training Foundation (ETF) report mentions that refugees represent 33% of the unemployment rates and IDPs⁷⁷ represent 39%. Furthermore, 29% of refugees and 8% of IDPs which have low educational levels represent core poverty risk groups. Refugees and IDPs are generally poor and do not have the same social insurances which renders them even more vulnerable. The government mentioned that it was focusing on the "economic empowerment of refugees and IDPs" in relation with labour migration. It wants to initiate additional training programmes as well as self-employment programmes through mini credit arrangements.⁷⁸

Most of the IDPs, ethnic minorities and refugees live in the two most underdeveloped regions; the North and the Center of the country. There are also a large number of refugees living on the coast because most used to live in towns by the sea with their families before (Dubrovnik, Split, Makarska and other) or came from the south Croatian region. An additional reason for staying at the coast is the economic activity of the region and better employment opportunities.

⁷¹ EU [2007], *Peer based Assessment Mission to Montenegro- Justice, Freedom and Security*

⁷² Although referred to as IDPs here (and officially referred to as such by the Montenegrin Government), this population consists of persons displaced from Serbia (Kosovo) who are not being accorded the same rights as Montenegrin citizens in practice.

⁷³ Although referred to as IDPs here (and officially referred to as such by the Montenegrin Government), this population consists of persons displaced from Serbia (Kosovo) who are not being accorded the same rights as Montenegrin citizens in practice.

⁷⁴ Although counted as IDPs here (and officially referred to as such by the Montenegrin Government), this population consists of persons displaced from Serbia (Kosovo) who are not being accorded the same rights as Montenegrin citizens in practice.

⁷⁵ European Agency for Reconstruction [2006], *Assistance for the Displaced in Montenegro through the provision of Durable Solutions. Guidelines for grant applicants responding to the call for proposals for 2006*

⁷⁶ Ibid

⁷⁷ Although referred to as IDPs here (and officially referred to as such by the Montenegrin Government), this population consists of persons displaced from Serbia (Kosovo) who are not being accorded the same rights as Montenegrin citizens in practice.

⁷⁸ MARRI, [2006] *Questionnaire on Labour Migration towards social cohesion and development in the Western Balkans*, response provided by the government of Montenegro

According to UNHCR, in 2006 4,210 “persons of concern to UNHCR” lived in camps and 10 in an urban environment. The major camps and centers are located in Bar, Berane, Budva, Herceg Novi, Niksic, Plav, Podgorica, Tivat and Ulcinj,⁷⁹

The majority of the refugees are women (55.3%), aged between 18 and 60 years (62.8%).⁸⁰

Within the labour market, refugees are involved in wholesale and retail trade, handicraft services, catering services and education. Thanks to a Regulation on employment of non-residents the employment rights for refugees and IDPs have become closer to those of economic migrants coming to Montenegro for employment reasons.⁸¹

In response to the refugee crisis of the early nineties, a decree regulating the provision of assistance for the displaced persons was put in place through the establishment of an independent government agency, the Commissariat for Displaced Persons (see 6.2).⁸²

A national Strategy for Resolving the Problems of Refugees and IDPs was adopted by the government in 2005, according to which 100 million euros was to be pledged for securing durable solutions for refugees and IDPs⁸³, mainly through return and local integration.⁸⁴ Its objective is to respect and come into line with the existing international standards and principles.⁸⁵ The focus of this intervention is on the remaining residents of the only remaining official collective center in Niksic, on refugees and IDPs⁸⁶ living in poor quality private accommodation and on the displaced living in 32 informal collective centres as well as addressing the needs of displaced persons in elderly homes and other social institutions.

There are three possible solutions for the permanent settlement of refugees and IDPs⁸⁷ residing temporarily in Montenegro: repatriation and return to Kosovo and Metohija,

⁷⁹ UNHCR [2006], *Statistical Yearbook*

⁸⁰ MARRI, *Questionnaire on Labour Migration towards social cohesion and development in the Western Balkans*, response provided by the government of Montenegro

⁸¹ Ibid

⁸² Council of Europe [24-05-2007], Parliamentary Assembly, doc 11289 rev., *Situation of longstanding refugees and displaced persons in South East Europe*

⁸³ Although referred to as IDPs here (and officially referred to as such by the Montenegrin Government), this population consists of persons displaced from Serbia (Kosovo) who are not being accorded the same rights as Montenegrin citizens in practice.

⁸⁴ European Agency for Reconstruction [2006], *Assistance for the Displaced in Montenegro through the provision of Durable Solutions. Guidelines for grant applicants responding to the call for proposals for 2006*

⁸⁵ The Government of Montenegro [20-07-2007], Prime Minister, Press release: “Prime Minister Zeljko Sturanovic meets UNHCR Representative in Montenegro Serge Ducasse.”, <http://www.gom.cg.yu/eng/premijer/index.php?akcija=vijesti&id=24757>

⁸⁶ Although referred to as IDPs here (and officially referred to as such by the Montenegrin Government), this population consists of persons displaced from Serbia (Kosovo) who are not being accorded the same rights as Montenegrin citizens in practice.

⁸⁷ Although referred to as IDPs here (and officially referred to as such by the Montenegrin Government), this population consists of persons displaced from Serbia (Kosovo) who are not being accorded the same rights as Montenegrin citizens in practice.

local integration and resettlement to third countries.⁸⁸

Activities in the Action Plan for Resolving the Problems of Refugees and IDPs⁸⁹ include: the signing of multilateral agreements regarding the previously gained rights of refugees, by intensifying multilateral cooperation of Montenegro with BiH, Croatia and International Organizations. It also includes the need to define basic directives of sustainable return and reintegration procedure, to establish Protocol on organized return and to monitor the implementation of signed agreements between Montenegro and refugees' countries of origin.⁹⁰

Under the current legal and institutional framework, the full enjoyment of IDPs'⁹¹ rights, including access to civil registration, employment, Montenegrin citizenship, documentation, and property/ownership rights are seriously reduced, due to the fact that permanent residence, an essential requirement for access to rights in Montenegro, is not granted to displaced persons from Kosovo. The draft Montenegro Citizenship Law has incorporated provisions for the facilitation of naturalization of persons with "lawful and habitual residence" in Montenegro as opposed to "permanent residence", in line with Article 6 of the 1997 European Convention on Nationality.

The Asylum Law which came into force in January 2007 is in line with international and European standards. It refers to: the principle of non-refoulement, non-punishment of illegal entry or stay of asylum seekers, subsidiary protection, the principle of the best interests for the child and family unity, access to the asylum procedure for unaccompanied or separated minors and other persons with special needs, the obligation to inform asylum seekers about the procedure, the right to legal aid, confidentiality of data and the right to an interpreter and interviewing officer of the same sex.⁹²

6.9. Projects and programmes on migration and development

Temporary Return of Qualified Nationals (TRQN)

A project developed by IOM the Hague and funded by the government of the Netherlands. The project lasts from April 2006 to March 2008 and focuses on integrating migrants in

⁸⁸ MARRI, [2006], *Questionnaire on Labour Migration towards social cohesion and development in the Western Balkans, response provided by the government of Montenegro*

⁸⁹ Although referred to as IDPs here (and officially referred to as such by the Montenegrin Government), this population consists of persons displaced from Serbia (Kosovo) who are not being accorded the same rights as Montenegrin citizens in practice

⁹⁰ Ibid

⁹¹ Although referred to as IDPs here (and officially referred to as such by the Montenegrin Government), this population consists of persons displaced from Serbia (Kosovo) who are not being accorded the same rights as Montenegrin citizens in practice

⁹² MARRI, [2006], *Asylum Report*
<http://marri-rc.org/documents/MARRI%20Asylum%20Report%202006.pdf>

the Netherlands originating from Serbia (including Kosovo province) and Montenegro into development cooperation activities of their home communities.

Piloting Solutions for Alleviating Brain Drain in Montenegro (UNESCO, 2004)⁹³

The project consisted in: establishing a website to identify young scientists having left Montenegro in the last 10 to 15 years; creating a data base of experts in the disciplines identified who have left the country and have expressed interest in contributing to the project; stopping mass emigration of young intellectuals; maintaining effective two-way communication between young people that have left and their colleagues that have remained; promoting contacts and offering opportunities for short and long-term positions or returning experts; creating virtual links with experts outside the country for their “virtual presence” and their continued contribution to the cultural, scientific and economic life of Montenegro.

The Partners to this initiative were: the University of Montenegro (Faculty of Electrical Engineering and Faculty of Natural Science & Mathematics) and Hewlett-Packard

Diaspora fund

The Action plan for the implementation of the government Strategy on development and poverty reduction integrates among its objectives the establishment of a Diaspora Fund to attract investments from Montenegrin emigrants. This should encourage them to get involved in new businesses, new investments and job creation.

6.10. Other important migration actors within the country

Main external donors on migration issues

USAID

It is a member of the Project Board established within the context of the National Strategy to combat human trafficking. It has been a donor for projects concerning the return and reintegration of trafficked victims as well as training and capacity building of migration management.

http://www.usaid.gov/pubs/bj2001/ee/yu/montenegro_index.html

EU (essentially from CARDS and EAR)

The EU supports Integrated Border Management and its funds have been mainly

⁹³ UNESCO-Hewlett Packard Partnership, Prof.dr Sreten Škuletić, University of Montenegro, [19-10-04] Piloting Solutions for Alleviating Brain Drain in Montenegro”, http://portal.unesco.org/es/file_download.php/10d6276d7e706f55e3ef1bb48ccf53cbSkuletic.pdf

committed to used to rehabilitate and/or equip selected priority international border crossing points including access infrastructure. The EU has equally substantially supported the local integration of IDPs through assistance in housing, training, employment access and income generation. Also, the return of displaced persons through cross-border linkages and referral systems.

Swiss government, the UK Home office and the Dutch government
Assisted Voluntary Return

Austrian Government

The Austrian funds for migration-related projects originate mostly from the Austrian Development Cooperation. A counter-trafficking project in Montenegro which they are co-funding with the Cooperation in Eastern Europe, focuses on capacity building (awareness campaigns and training) and reintegration (shelters).

http://www.ada.gv.at/view.php3?f_id=9421&LNG=en&version=

International Organizations

The European Agency for Reconstruction (EAR)

Montenegro benefits from the European Union since 1998. The EAR established an operational centre in 2001 in Podgorica. The objective of the EAR in Montenegro is mainly to identify durable solutions for IDPs and refugees as well as strengthening the borders. It assists the Commissariat for Displaced persons. Its' objectives include the promotion of social dialogue, strengthening governmental institutions and the promotion of economic growth to attract investments.

Within the context of integrated border management, the EAR launched an EU-funded assistance programme for Montenegro's border police. The projects will supply €1.7 million of equipment, including general IT and more specialised devices for Border Police (e.g. devices for checking passports, etc). Technical assistance worth €300,000 will be provided for the Border police training and for the joint initiative with IOM. The European Agency for Reconstruction is working with IOM to raise awareness among border police officials on how to counter trafficking.

http://www.ear.europa.eu/montenegro/montenegro.htm_

International Organization for Migration (IOM)

IOM is present in Podgorica since 1992. It supports the government of Montenegro through technical cooperation on migration activities. Its activities consist in combating trafficking in persons, assisting vulnerable migrants to return voluntarily, providing help to displaced persons and establishing programmes to reintegrate redundant defense personnel. It also worked on a project with the Ministry of Interior which consists in training border officials.

The Organization for Security and Cooperation in Europe (OSCE)

The Mission in Montenegro was opened in June 2006 and has its headquarters in Podgorica and the Police Training Centre in Danilovgrad. It cooperates with a number of governmental and non-governmental bodies from the Ministry of Foreign Affairs to the Roma Scholarship Foundation. Its activities include anti-trafficking programmes in the context of combating organized crime with the Office of the National Co-ordinator for Anti-Trafficking. It assists in the development of a witness protection programme and a criminal intelligence system. It has contributed to the creation of the Anti-Trafficking Interagency Working group ("The Project Board") within the framework of the National Strategy for combating human Trafficking. It manages the "Project Board" in cooperation with the National Co-ordinator. It also supports the Commissariat for Refugees and Displaced Persons.

<http://www.osce.org/montenegro/19696.html>

United Nations High Commissioner for Refugees (UNHCR)

UNHCR is present in Montenegro since 1992. Its' objective is to establish durable solutions for refugees and displaced people in Montenegro. It has worked with the Ministry of Interior in providing accommodation for asylum seekers and in interviewing new applicants. It provides legal expertise on the asylum issue to the government as well as technical assistance. It has also contributed to projects to combat Trafficking in persons.

http://www.unhcr.org_

The United Nations Children's Fund (UNICEF)

Since 1993, UNICEF supports Montenegro in achieving UN and EU standards in policies concerning children. It has contributed to programmes dealing with trafficking in persons and is a member of the anti-trafficking Project Board in Montenegro.

http://www.unicef.org/montenegro/_

NGOs**Cooperative Housing Foundation**

It has established the Community Revitalization through Democratic Action (CRDA) program in Montenegro to help communities recover from the previous conflicts. It has implemented a Reproductive Health Center (RHC) for victims of trafficking, in cooperation with the Ministry of Health and the World Bank's health reform program. This project is funded by USAID. The RHC provides health service as well as counseling and referral services to women and adolescents victim of trafficking.

http://www.chfhq.org/section/montenegro_

Female Heart («Žensko Srce»)

This NGO was formed in Podgorica in 2002. Its actions are concentrated around women within the Roma Community. It is a member of the Project Board for Fighting against

trafficking of Human Beings and it thus takes part in the National Strategy to combat human trafficking.

http://www.ceeol.com/aspx/getdocument.aspx?logid=5&id=2f68a35f-960e-4cd8-bbdd-d2aad08e656d_

Foundation Open Society Institute–Representative Office Montenegro

It helps Montenegro develop in accordance with EU standards. Its objectives include counter-trafficking through awareness campaigns.

http://www.soros.org/about/foundations/montenegro_

HELP

German non-governmental charity organization. Help is mainly focused on improving the life conditions of socially vulnerable categories of citizens including refugees and IDPs in Montenegro. Help opened an office in April 1999. Through different projects they invested more than 10 millions EUR. Main donors are: Government of the Republic of Germany, EAR, UNHCR.

www.help-ev.cg.yu

Montenegrin Women’s Lobby

This is another NGO which fights for women’s rights. It deals with Trafficking in women and manages a shelter for victims with IOM’s support.

http://www.stopvaw.org/12Jan200511.html_

MPDL

Spanish NGO involved in several development projects in Montenegro concerning refugees.

www.mpdl.org

The Red Cross of Montenegro

It is divided into 21 local branches and is mostly dedicated to prevent and alleviate human suffering. It has worked on the issue of refugees and IDPs within the framework of the Strategy for durable solutions of refugee and IDP related issues.

<http://www.ilsf.org/members/142.htm>; <http://www.ckcg.cg.yu/>

Save the Children UK

They focus on the protection of children including the alleviation of child trafficking. They provide psychological support and material needs to internally displaced children as well. They have published a report called “Stealing the Childhood: Combating child trafficking in Montenegro” and have launched several awareness campaigns against Trafficking in Children.

http://www.savethechildren.org.uk/en/docs/mont.pdf_

Women's safe house

This NGO has offices in Niksic and Podgorica. Its objective is to respect and promote international principles on women's and children's rights. In relation to this, it is dedicated to assist victims of trafficking in Montenegro. It manages a shelter for trafficked victims, offers them psychological support and trains them to acquire economic independence. It is part of the Montenegrin Anti-trafficking Victim Protection Program and is an active member of the Project Board.

<http://www.sigurna-zenska-kuca.cg.yu/sve/eng/vision.htm>

World Vision

Christian humanitarian organization. It is a member of the Project Board of the National strategy to combat human trafficking. World Vision Montenegro through AgroInvest has implemented more than 90 projects in Montenegro and made more than US\$126,000 in donations to schools, nurseries, kindergartens and health work. Within the migration context, it mostly supports the fight against child trafficking in Montenegro.

http://meero.worldvision.org/news_article.php?newsID=1207&countryID=7