

→ GUIDE

ON RIGHTS OF FOREIGNERS IN MONTENEGRO



ABOUT THE OPEN DIALOGUE NETWORK (ODN)



The Open Dialogue Network (MOD) is a Montenegrin non-governmental organisation focused on establishing an innovative approach to democratisation, European integration, and public policy development. Established in 2018, the Open Dialogue Network seeks to enhance social processes in Montenegro and the region, with a particular focus on improving the country's preparedness for EU accession. Recently, the Open Dialogue Network has carried out several key projects aimed at enhancing foreigners' rights, media literacy, gender equality, and combating radicalisation in Montenegro.

The project "Rights of Foreigners in Montenegro," part of which includes this publication, aimed to improve the environment for respecting foreigners' rights, seeking to enhance the knowledge of civil society members and media professionals about these rights and increase the accessibility of information about them through the creation of publications and digital campaigns, as well as training sessions.

The "Reprogram" project explores citizens' needs regarding urban mobility while actively engaging citizens in the development of a new strategic plan for Podgorica. This project includes research, public policy recommendations, and organising forums to reform local governance.

The project "Radical(no) 2" works to improve media literacy, strengthening the capacity of civil society actors to identify misinformation. Through three-month training sessions, media products are created, and campaigns are conducted to raise public awareness of the harmful effects of fake news.

Another project, "Women as Leaders of Change," has contributed to gender equality through educating youth in northern Montenegro, raising awareness of gender equality and combating gender stereotypes.

The project "Radical(no)", supported by the Norwegian Ministry of Foreign Affairs, focuses on improving awareness about radicalisation and regressive social patterns, with special emphasis on changing attitudes towards migrants and refugees.

FOSTER PROJECT



The FOSTER Project (Inclusion of Foreigners in the Western Balkans – Access to Social and Economic Rights), funded by the European Union, supports the Open Dialogue Network (MOD) project and is a regional initiative aimed at strengthening the protection of rights for migrants and refugees in the Western Balkan countries, with a particular focus on vulnerable groups like asylum seekers and foreign workers. The FOSTER partner in Montenegro is the NGO Legal Centre.

Project Objective To enhance alignment with EU human rights principles through the development of inclusive and non-discriminatory policies and effective integration practices for vulnerable foreigners, which is a prerequisite for a successful EU accession process and sustainable development in the Western Balkan region.

Activities

- Identification of civil society organisations (CSOs) and assessment of their capacity to deliver services and protect rights.
- Capacity building and networking of local CSOs and the Institute for Human Rights and Integration (IHRI) across the Western Balkans, focusing on advocacy for social and economic rights and access to services for vulnerable foreigners.
- Provision of grants for up to 24 national and 6 regional projects related to protecting the fundamental rights of foreigners, including mentoring for CSOs.
- Advocacy activities aimed at harmonising legal and policy frameworks and practices in the Western Balkans.

Beyond individual support, the FOSTER project strengthens institutional support by collaborating with government institutions and NGOs to contribute to the development of more inclusive employment policies. The project also conducts awareness campaigns to highlight the challenges faced by migrant workers, promoting a more inclusive social approach that supports safe and fair working conditions for all.

This initiative has proven essential in reducing inequalities and enhancing the social integration of migrants in the Balkans, laying the foundation for long-term changes that support human rights protection in the workplace and security for migrant workers. More information can be found on the [MYLA website](#).



RIGHTS AND OBLIGATIONS OF FOREIGNERS UNDER THE LAW ON FOREIGNERS

The Law on Foreigners in Montenegro regulates the conditions under which foreign nationals can reside, work, and exercise their rights in the country. This law applies to all foreigners, regardless of their purpose for staying, be it work, study, family reunification, or seeking international protection.

Types of Residence Permits

The law recognises several types of residence permits available to foreigners, depending on the purpose of their stay:

- o Short-term residence (up to 90 days): Foreigners can stay in Montenegro for up to 90 days within a 180-day period without requiring a long-term residence permit. This applies primarily to tourists and business visitors.
- o Temporary residence: Foreigners wishing to stay longer than 90 days must apply for a temporary residence permit. Temporary residence may be granted for employment, education, family reunification, or medical treatment. It is issued for a one-year period and may be renewed.
- o Permanent residence: Foreigners who have resided in Montenegro continuously for five years on the basis of a temporary residence permit may apply for permanent residence. This provides a more stable legal status, including the right to work without a special permit, access to health insurance, and social benefits.

Right to Work

The right to work is one of the most important rights for foreigners regulated by the Law on Foreigners. Foreigners wishing to work in Montenegro must obtain a work permit, except in cases where they are exempt (e.g., individuals with permanent residence or those under international protection). Work permits vary depending on the type of job and employment:

- o Work permit: Issued to foreigners with a contract of employment in Montenegro.
- o Seasonal work permit: Issued for seasonal work, usually in tourism and agriculture, lasting up to six months.
- o Self-employment: Foreigners may obtain a self-employment permit, allowing them to establish a business or economic entity and operate legally.

Right to Family Reunification

The Law on Foreigners allows foreigners with temporary or permanent residence the right to family reunification. Family members eligible to join include spouses, minor children, and parents. This right allows foreigners to bring their immediate family to Montenegro, providing them with access to basic rights such as education and healthcare.

Registration and Regulation of Stay

Foreigners are required to register their stay with the relevant authorities within 24 hours of arrival. This applies to both short-term and long-term stays. Registration is done at the Ministry of Interior or local police stations, where the foreigner's status is recorded in the database, thus regulating their legal presence in the country.

Additionally, any change of residence must be reported to the authorities. Failure to register or obtain appropriate permits for stays beyond the permitted period can result in fines or deportation.

Obligations of Foreigners

The Law on Foreigners clearly defines the obligations of foreigners during their stay in Montenegro, including:

- Compliance with Montenegro's laws and regulations, including those related to residence registration.
- Health insurance: Foreigners staying longer than 90 days must have health insurance, either through an employer, private insurance, or the national health system.
- Financial self-sufficiency: Foreigners must demonstrate the financial means to support themselves and their families during their stay.

Loss of Residence Rights

The law also specifies conditions under which a foreigner may lose the right to reside in Montenegro.

This may occur if:

- The foreigner violates Montenegrin laws or becomes a threat to public safety.
- The foreigner fails to report a change of residence or overstays without a valid permit.
- The foreigner's financial situation no longer allows for self-support, or if they become dependent on state social services.

In such cases, authorities may revoke the residence permit, and the foreigner may be deported or prohibited from re-entering Montenegro.

LAW ON INTERNATIONAL AND TEMPORARY PROTECTION OF FOREIGNERS



Rights of Foreigners under the Law on International and Temporary Protection of Foreigners

Montenegro has implemented a specific legal framework to regulate the international and temporary protection of foreigners under the Law on International and Temporary Protection of Foreigners. This law governs the rights, obligations, and legal procedures that grant foreigners access to protection when they cannot return to their home countries due to threats such as persecution, conflict, or severe human rights violations.

Right to Asylum and Types of Protection

According to this law, foreigners facing persecution in their home countries can apply for asylum in Montenegro. Asylum is granted to individuals who qualify as refugees or meet the criteria for temporary protection, which includes:

- International protection, granted to foreigners facing persecution due to race, religion, nationality, membership in a particular social group, or political opinion.
- Temporary protection, provided in cases of mass influx when returning to the home country is temporarily impossible.

The rights and obligations for foreigners under temporary protection ensure basic living conditions, while also granting access to certain resources and services, such as education, healthcare, and labour rights.

Procedure for Seeking Protection

The procedure for seeking protection in Montenegro is clearly outlined to facilitate foreigners' access to necessary legal assistance and accommodation throughout the process. The procedure begins with submitting an application to the relevant authorities. Once a foreigner expresses the intent to seek asylum, police and officials process the application as quickly as possible, provide initial assistance, and inform the applicant of their rights throughout the process.

Key steps in the procedure include:

1. Application Submission: The foreigner submits an application at the Asylum Centre or police station.
2. Interview with Officials: Following submission, an interview with the relevant authorities determines the eligibility of the request.
3. Decision on the Application: Authorities evaluate the case and make a decision on granting or denying asylum.

The law also mandates that foreigners have the right to an interpreter and free legal assistance, ensuring that everyone fully understands their obligations and rights.

Rights of Foreigners under Protection

Foreigners granted international or temporary protection in Montenegro have access to various essential services and protections for their rights.

Some of these rights include:

- Access to education: Foreigners under protection can enrol in school and attend educational programmes, with language support provided where necessary.
- Healthcare: Basic healthcare is guaranteed, including access to emergency medical assistance.
- Right to work: Under certain conditions, foreigners under protection may obtain work permits and access the job market.

These provisions enable foreigners to meet basic living conditions and integrate into society in line with international standards and Montenegro's obligations.

Obligations of Foreigners under Protection

While enjoying their rights and protection, foreigners are required to comply with Montenegrin law, including obligations related to residence registration and public order. Any changes in residence or employment status must be reported to the relevant authorities to maintain transparency and control over the protection process.

Right to Accommodation and Basic Assistance

During the approval process for international protection, foreigners have the right to basic accommodation and financial support for essential needs. Accommodation is typically provided in specialised asylum centres, which offer food, hygiene, and basic social support. These centres serve as a safe environment where foreigners can prepare for integration into the broader Montenegrin community.

Primary forms of support include:

- Temporary accommodation in asylum centres and other approved facilities.
- Financial aid, which is minimal but covers essential needs such as food and hygiene.
- Psychosocial support, which is particularly important for foreigners who have survived trauma, helping them adapt to their new environment.

Access to Legal Assistance

Legal advice and assistance throughout the process of seeking international protection are crucial for safeguarding the rights of foreigners. In Montenegro, foreigners have the right to free legal aid, including counselling, case management, and representation before the relevant authorities. Legal representatives support applicants throughout the procedure, from initial application submission to the final decision, ensuring their rights and safety.

The law also provides for interpreters, which is particularly significant for foreigners who do not speak Montenegrin. Interpreters are present during all key stages, including initial interviews and legal consultations.

Integration of Foreigners into the Local Community

In addition to formal legal aspects of protection, Montenegro implements programmes to facilitate the integration of foreigners into society. Through collaboration with non-governmental and international organisations, projects have been developed for language learning, cultural adaptation, and professional orientation. These programmes aim to help foreigners acquire essential skills needed for life and work in Montenegro, as well as to foster social connections within the local community.

Key aspects of integration include:

- Language learning through Montenegrin language courses, often organised in partnership with local training centres and NGOs.
- Employment support through advisory programmes, CV workshops, and specific job training.
- Cultural activities and educational workshops that ease adaptation to local customs, norms, and laws.

Integration programmes are essential in improving the quality of life for protected foreigners and reducing social barriers, enabling them to become active members of the Montenegrin community.

The Right to Healthcare for Foreigners in Montenegro

Healthcare for foreigners in Montenegro is governed by a legal framework that ensures all residents, including foreign nationals, have access to essential medical services. The right to healthcare for foreigners depends on their legal status, type of residence, and the conditions under which they stay in Montenegro.

Healthcare Insurance Rights for Foreigners in Montenegro Healthcare insurance is structured by Montenegro's Health Insurance Act, which outlines various categories of coverage for foreigners depending on their residency status. The law specifies who is entitled to insurance, under what conditions, and what healthcare services are available for foreigners during their stay.

Foreigners with Permanent and Temporary Residency Under the Health Insurance Act, foreigners with approved permanent residence in Montenegro are entitled to healthcare under the same conditions as Montenegrin citizens, allowing access to primary, secondary, and tertiary healthcare services. Permanent residents can obtain comprehensive healthcare, including:

- Preventative screenings,
- Treatment of illnesses,
- Emergency medical interventions,
- Specialised medical services.



Foreigners with temporary residence have healthcare insurance under specific conditions, often linked to their employers or individual health insurance agreements. Employers must register foreign employees in the health insurance system, granting them the same healthcare rights as Montenegrin citizens.

Healthcare Insurance for Foreign Workers Foreigners residing in Montenegro for employment must be insured by their employers.

Legally, employers are required to register every employee with the Health Insurance Fund of Montenegro, giving foreign workers access to primary and specialised healthcare services, including hospital treatment and emergency assistance. If employers do not provide insurance, foreign nationals have the option to independently obtain insurance through private providers or directly with the Health Insurance Fund.

Healthcare Insurance for Students and Researchers Foreigners residing in Montenegro for studies or research purposes

They are eligible for healthcare insurance, provided they are registered with educational institutions or research centres. Educational institutions in Montenegro often enable students to access state healthcare insurance, or students can obtain coverage through private insurance policies.

Foreign students are entitled to:

- Preventative healthcare,
- Emergency medical assistance,
- Vaccinations as required by law.

Healthcare Insurance for Asylum Seekers and Refugees

The Health Insurance Act also provides healthcare rights for foreigners who are asylum seekers or have refugee status. These groups have the right to free emergency medical care and basic healthcare services, including vaccinations and preventative screenings.

Additionally, asylum seekers and refugees in vulnerable groups, such as pregnant women, children, or persons with disabilities, have access to specific medical services.

Private Health Insurance for Foreigners For foreigners residing in Montenegro short-term, such as tourists or business travellers, private health insurance is recommended. Private policies cover treatment costs in private healthcare facilities and may provide emergency assistance in state hospitals. This insurance is particularly beneficial for foreigners not employed in Montenegro or without long-term residency status.

Some key addresses and institutions providing support include:

- Montenegrin Ministry of Health – responsible for implementing health policies,
- Health Centres – offer essential healthcare services and emergency assistance,
- NGOs such as the Legal Centre – provide legal and other advice to foreigners in need.

EXERCISING THE RIGHT TO ACCOMMODATION

A specific regulation governs the conditions under which foreigners can exercise their right to accommodation in Montenegro, particularly in the context of social and healthcare support. This regulation is essential for certain groups, such as those under international protection, asylum seekers, and foreigners requiring temporary or long-term accommodation for health reasons.

Temporary Accommodation for Asylum Seekers and Refugees

The regulation stipulates that foreigners applying for asylum or under international or temporary protection are entitled to accommodation provided by the state. This accommodation may include:

- Reception centres for asylum seekers, offering basic living conditions, including food, hygiene, and basic medical care,
- Shelters for vulnerable groups, such as unaccompanied children, pregnant women, the elderly, or individuals with disabilities, who may require additional medical or social support.

While residing in these facilities, foreigners are entitled to healthcare services, including emergency medical care and basic preventative screenings. These facilities operate in coordination with local health centres to ensure consistent healthcare for foreigners.

Accommodation for Foreigners Due to Medical Treatments

The regulation also allows foreigners in Montenegro for medical treatment or those with severe health conditions to access accommodation in healthcare facilities or specialised care centres. This accommodation includes:

- Hospital accommodation for foreigners receiving treatment for serious illnesses or injuries,
- Rehabilitation centres for recovery following medical treatments or surgeries.

Eligibility for this accommodation depends on the health insurance held by the foreign national, whether through public or private insurance systems. In emergencies, foreigners have the right to emergency medical care and accommodation in healthcare facilities regardless of their insurance status.

Accommodation under Social Protection Foreigners facing challenging social situations, including those without stable accommodation or social support,

They may access temporary accommodation through social services.

These facilities provide:

- Short-term housing for homeless foreigners,
- Safe houses and specialised shelters for victims of violence, including women and children, offering both medical and psychological support.

The aim of these accommodation forms is to ensure basic living conditions and healthcare for vulnerable foreign nationals until long-term solutions can be established.





THE RIGHT TO EDUCATION FOR FOREIGNERS IN MONTENEGRO

According to the Law on Foreigners, foreigners residing in Montenegro, whether on a temporary or permanent basis, have the right to access education under certain conditions. This law enables foreigners, including both children and adults, to participate in the education system, fostering their integration into society and offering opportunities for personal and professional development.

Right to Primary and Secondary Education

Foreigners with either temporary or permanent residence in Montenegro, particularly minors, have the right to free primary education, which is mandatory for all children. This right is identical to that of Montenegrin citizens, ensuring that all foreign minors are integrated into the educational system from an early age.

Additionally, foreigners have the right to enrol in secondary schools under the same conditions as Montenegrin citizens. Admission is based on criteria established by the Ministry of Education and educational institutions, and foreigners are entitled to education according to the curricula offered in Montenegro.

Higher education

Foreigners wishing to pursue university-level education have the right to enrol in universities and other higher education institutions in Montenegro. Admission may be based on intergovernmental agreements or on the individual eligibility of foreigners who meet admission requirements.

Higher education for foreign students may be:

Self-financed: Foreign students not covered by intergovernmental agreements are typically responsible for their tuition fees.

Funded through scholarships: Many international organisations and countries offer scholarships for foreign students wishing to study in Montenegro.

Foreign students are also eligible for health insurance during their studies, and higher education institutions often assist in organising the necessary documentation to regulate their residence and insurance.

Special Language Learning Programmes

One challenge foreigners face in integrating into the education system is the language barrier. In accordance with the law, schools and higher education institutions in Montenegro offer Montenegrin language programmes to help foreigners master the curriculum more easily. These programmes are typically organised in primary, secondary schools, and universities, assisting foreigners in adapting to the local educational system.

Right to Education for Children of Asylum Seekers and Refugees

The Law on Foreigners and other relevant legal acts guarantee the right to education for children who have applied for asylum or hold refugee status in Montenegro. Children in these categories are entitled to free primary education, and schools are required to provide necessary support to facilitate their integration into the educational system.

In addition to primary education, refugee and asylum-seeking children have access to secondary schools and can continue their education according to their interests and abilities.

Documentation for School Enrolment

For foreigners to enrol in educational institutions, specific documentation is required, including:

- Residence permit (temporary or permanent)
- Proof of prior education, which may include translations and recognition of foreign diplomas or certificates
- Health insurance for students residing in Montenegro

Educational institutions offer assistance in gathering and verifying documentation, while the Ministry of Education can further facilitate the process of diploma recognition for foreigners from international education systems.





MONTENEGRO'S EU ACCESSION PROCESS

Montenegro has been in the process of joining the European Union (EU) for over a decade, a process involving numerous political, legal, and economic reforms. EU accession is a lengthy and complex endeavour that requires harmonising national legislation with EU laws and fulfilling economic and political criteria set by the European Commission.

Phases of EU Accession

The EU accession process comprises several key phases:

- **Application for Membership:** Montenegro submitted its application for EU membership in 2008.
- **Candidate Status:** Montenegro obtained candidate status in December 2010, beginning preparations to open negotiation chapters.
- **Opening of Negotiations:** Accession negotiations formally began on 29 June 2012. These negotiations cover various aspects of EU law and economic policies, addressed in distinct chapters.
- **Negotiation Chapters :** Montenegro is negotiating EU membership through 35 chapters, covering diverse policies and areas, from free movement of goods, capital, and labour to justice, freedom, security, and foreign policy. Some key negotiation chapters include:

Chapter 23 – Judiciary and Fundamental Rights: This area is critical as it involves reforms in the judiciary, anti-corruption efforts, and strengthening the rule of law.

Chapter 24 – Justice, Freedom, and Security: This chapter addresses internal affairs, migration, asylum, borders, and combating organised crime and terrorism.

Chapter 27 – Environment: Montenegro is aligning its environmental legislation with EU standards, which includes combating climate change and preserving natural resources.

Each chapter is negotiated individually, involving three main steps:

- **Screening:** Review of domestic legislation compliance with EU laws.
- **Chapter Opening:** Once initial criteria are met, chapters are officially opened for negotiation.
- **Temporary Chapter Closure:** Upon implementing necessary reforms and aligning legislation, chapters are temporarily closed until full integration is achieved.

Key Challenges in the Accession Process

Montenegro faces several major challenges on its path to EU membership, including:

- Judicial System Reforms: The EU places a high priority on strengthening the rule of law, fighting corruption, and ensuring judicial independence. Montenegro must continue reforms to meet EU standards in these areas.
- Environmental Protection: Environmental negotiations require significant infrastructure investments and legislative changes to mitigate industry's ecological impact and ensure sustainable use of natural resources.
- Media Freedom: Media freedom is essential for the country's democratic development. The EU closely monitors media freedom and rule of law, and Montenegro must work to safeguard media freedoms and protect journalists.

Benefits for Montenegro from EU Membership

Joining the EU offers numerous benefits for Montenegro, including:

- Economic Growth and Development: EU membership provides access to a single market of over 400 million consumers, increasing opportunities for trade and investment.
- Free Movement of People: Montenegrin citizens will gain the right to free movement, including the ability to work, study, and live in any EU member state.
- Access to EU Funds: As an EU member, Montenegro would have access to various European funds aimed at developing infrastructure, agriculture, education, and other sectors.
- Political Stability: EU membership implies enhanced political stability through alignment with European standards of democratic governance, human rights, and the rule of law.
- Current Status of the Accession Process
- To date, Montenegro has opened 33 of the 35 negotiation chapters and temporarily closed 3 chapters. Although progress has slowed due to demanding reforms in justice and the rule of law, Montenegro continues its efforts to meet EU membership standards. The EU provides substantial technical and financial support to Montenegro through pre-accession assistance programmes.

For more information, please visit www.eu.me



OVERVIEW OF PROGRESS IN THE NEGOTIATION PROCESS BASED ON THE LATEST EUROPEAN COMMISSION REPORT ON MONTENEGRO



According to the latest 2024 European Commission report, Montenegro has made some progress in its EU accession journey but faces complex challenges in key areas that require intense reform efforts and improved institutional coordination. The report highlights political instability and ongoing polarisation, which negatively impact the speed and quality of reforms. Additionally, the judicial crisis and high-level corruption remain significant obstacles to aligning with EU standards in rule of law.

Political and Institutional Challenges

In the past year, political instability and issues within government operations hindered the implementation of necessary reforms. Two successive caretaker governments have impeded the passage of key legislative reforms and hindered strategic implementation. Due to this political climate, transparency and governance accountability remain at serious risk. The European Commission stresses the need to establish an efficient institutional framework, strengthen the role of civil society in decision-making, and improve law and policy enforcement consistency. The report warns that these challenges slow down the integration process and complicate the implementation of essential reforms, especially in areas related to combating organised crime and corruption.

Judicial Reform and Anti-Corruption Efforts

Rule of law remains a focus of EU negotiations, but progress in judicial reform remains limited. The institutional crisis in the judiciary results in weak leadership and poor strategic planning, which severely impacts judicial efficiency and impartiality. The European Commission underscores the need for greater accountability and transparency, especially in prosecuting high-level corruption cases. There is deep infiltration of organised crime within state structures, including the judiciary and security sector, which fosters a sense of impunity and undermines public trust.

The Special Prosecutor's Office has initiated several high-profile investigations, but to improve anti-corruption efforts, financial investigations and efficient asset seizure are necessary. The European Commission calls for a stricter penal policy and urgent reforms to ensure transparency and impartiality in criminal justice.

Economic Challenges and Fiscal Stability

On the economic front, Montenegro is experiencing robust growth driven by tourism and private consumption, but inflation and a rising deficit create additional challenges for public finance sustainability. Fiscal policy requires further consolidation, and a medium-term fiscal plan is recommended to ensure stability amid global economic pressures. This approach would improve the credit rating and reduce investment risk, which is crucial for economic growth and integration with the EU market. Additionally, high youth unemployment and regional labour market disparities present serious challenges that demand immediate measures.



Public Administration Reform

In public administration, Montenegro has made limited progress, particularly in financial management reform. The lack of effective accountability lines remains an obstacle, and employment and advancement within public administration are not fully merit-based, leading to a loss of expertise in critical sectors. The European Commission emphasises the importance of merit-based hiring and professional development for officials involved in the EU integration process. Additional measures are needed to ensure stability and efficiency within the administrative apparatus, particularly in sectors related to EU coordination.

Human Rights Protection and Media Freedom

Human rights protection and media freedom in Montenegro show some alignment with international standards, but further implementation efforts are required. Discrimination against vulnerable groups such as Roma, persons with disabilities, and the LGBTIQ community persists, while political polarisation negatively affects professional standards in media. The European Commission highlights the need for more consistent enforcement of laws protecting media freedoms and independence, as well as increasing awareness of the rights of marginalised communities.

LGBTQ RIGHTS IN MONTENEGRO



Montenegro, while making progress in terms of human rights, still faces challenges when it comes to the rights of LGBTQ+ individuals, including foreign nationals residing in the country. According to the 2024 ILGA-Europe report, Montenegro has achieved some progress in legally recognising LGBTQ+ rights. However, actual implementation and everyday practices show that further efforts are necessary to combat discrimination and violence. These rights are also relevant to foreign nationals who are part of the LGBTQ+ community living or staying in Montenegro, whether for work, study, or seeking international protection.

Legal Protection and Recognition

Montenegro has a legal framework that prohibits discrimination based on sexual orientation and gender identity. The Anti-Discrimination Law recognises LGBTQ+ individuals as a protected group, while the Life Partnership Act for Same-Sex Couples, which took effect in 2021, grants same-sex couples rights similar to those enjoyed by heterosexual couples, including the right to live together, inheritance rights, and social benefits. These provisions are crucial for foreign nationals seeking recognition and protection of their rights during their stay in Montenegro.

However, according to the ILGA-Europe Annual Review for 2024, issues with implementing these laws persist. In practice, the legal framework often lags behind, and LGBTQ+ individuals, including foreigners, face discrimination in daily life, particularly regarding access to healthcare and social services.

Violence and Discrimination

Although the laws provide basic protection, ILGA-Europe reports that violence and hate speech against LGBTQ+ individuals remain a serious problem. The police and judicial systems often fail to adequately respond to cases of violence against LGBTQ+ individuals, and hate crimes are prosecuted slowly. This situation is particularly challenging for foreign nationals, who may face isolation and have less access to legal resources. There is also concern that LGBTQ+ foreigners, especially those from more conservative countries, are additionally vulnerable and may experience dual discrimination—as foreigners and as LGBTQ+ individuals.

Healthcare and Support

In terms of healthcare, reports show that LGBTQ+ individuals, including foreigners, often encounter barriers in accessing healthcare services, especially for treatments specific to transgender individuals. A lack of education and awareness among medical professionals about the needs of LGBTQ+ people can lead to uncomfortable experiences and, at times, refusal of appropriate care. Foreign nationals who are LGBTQ+ may also face additional challenges due to language barriers or fear of reporting discrimination for concern over their legal status in the country.

Support from Non-Governmental Organisations

In Montenegro, active non-governmental organisations like LGBT Forum Progres and Queer Montenegro provide support to LGBTQ+ individuals, including foreigners. These organisations work on rights advocacy, provide legal and psychological support, and organise events like pride marches. For foreign nationals, these organisations can be a vital source of information and assistance regarding legal, social, and healthcare issues.

According to ILGA-Europe and international evaluations, Montenegro must continue improving law enforcement and increasing awareness of LGBTQ+ rights. This includes educating police, judicial officials, and healthcare workers to ensure that all citizens and foreigners, regardless of sexual orientation or gender identity, are treated with dignity and equal rights.

More info <https://www.ilga-europe.org/>



WOMEN'S RIGHTS IN MONTENEGRO



The 2023 European Commission report highlights significant challenges in protecting women's rights in Montenegro, despite efforts to align the legal framework with European standards. A major issue is gender-based violence, including femicide, domestic violence, and misogyny. Although anti-discrimination and anti-violence laws exist, they are often inconsistently applied, and serious cases of violence and discrimination against women frequently lack adequate legal follow-up. This situation fosters a perception of impunity regarding violence against women, which puts the most vulnerable groups at risk, particularly women from marginalised communities, such as Roma and Egyptian communities.

Economic Empowerment and Women's Representation

Women in Montenegro face considerable obstacles in the labour market, with pervasive gender stereotypes and limited access to resources for establishing and growing entrepreneurial ventures. The Women's Entrepreneurship Strategy (2021–2025) aims to enhance access to financial resources and train women in digital and green industries, but implementation remains in its early stages. The low representation of women in leadership positions across social, economic, and political sectors indicates the need for further institutional reforms and training programmes to help women more easily attain leadership roles.

EU Support and Strategic Goals

Through the EU Gender Equality Action Plan III (2021–2025), Montenegro receives support for gender-responsive budgeting, directing public funds more effectively towards initiatives supporting women and combating gender-based violence. The EU also supports collaboration with non-governmental organisations, which play a crucial role in collecting data and raising public awareness on gender equality issues. NGOs actively provide assistance to women victims of violence, particularly in gathering data on gender inequality, which is essential for developing effective policies.

Recommendations and Next Steps

The European Commission recommends that Montenegro strengthen the operational capacities of its institutions to systematically address gender inequalities. This includes improving coordination among institutions, enforcing anti-discrimination laws more rigorously, and providing education to reduce gender stereotypes. Additionally, the Commission suggests that Montenegro improve access to support services for women who have experienced violence, including shelters, legal aid, and mental health support. These steps are necessary for Montenegro to meet European standards and ensure equality for all women.



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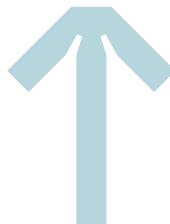
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PLEASE NOTE THAT THERE ARE MANY ORGANISATIONS AND INSTITUTIONS THAT CAN PROVIDE YOU WITH ASSISTANCE.

CONTACT THE OPEN DIALOGUE NETWORK (MOD) VIA EMAIL AT
OPENDIALOGUENETWORK@GMAIL.COM FOR ADVICE AND ADDITIONAL INFORMATION.

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