



Montenegro
Ministry of the Interior

STRATEGY
ON MIGRATION AND REINTEGRATION OF RETURNEES IN MONTENEGRO
FOR THE PERIOD 2021-2025, WITH AN ACTION PLAN FOR 2021 AND 2022

Podgorica, September 2021

C O N T E N T:

I.	INTRODUCTION.....	3
1.	Compliance with existing strategic documents.....	6
2.	Compliance with the EU integration process and key EU policies.....	12
3.	Legal framework.....	19
4.	Institutional framework.....	20
II.	SITUATION ANALYSIS.....	27
1.	Presentation of the degree of implementation of previously standing strategic documents.....	27
2.	Legal migrations	31
3.	Asylum.....	37
4.	Illegal migrations.....	44
5.	Permanent resolution of the status of displaced persons and internally displaced persons (refugees from the former Yugoslavia).....	48
6.	Statelessness.....	52
7.	Readmission.....	55
III.	STRATEGIC AND OPERATIONAL OBJECTIVES WITH ACCOMPANYING PERFORMANCE INDICATORS, WITH KEY ACTIVITIES FOR IMPLEMENTATION OF OPERATIONAL OBJECTIVES AND DESCRIPTION OF ACTIVITIES OF COMPETENT AUTHORITIES AND BODIES FOR MONITORING THE IMPLEMENTATION OF THE STRATEGY.....	63
1.	Strategic objective in the field of migration: Harmonize and improve the existing legal framework in line with international standards and further strengthen institutional and administrative capacity for integrated management of mixed migration.....	63
2.	Strategic objective in the field of readmission: Improving the system of readmission and return of Montenegrin and foreign citizens with an efficient assistance process, in accordance with the concluded agreements and protocols on readmission and in cooperation with other countries and international organizations.....	79
IV.	MONITORING, REPORTING, AND STRATEGY EVALUATION	80
V.	RESOURCES NEEDED FOR STRATEGY IMPLEMENTATION.....	80
VI.	INFORMING THE PUBLIC ABOUT THE OBJECTIVES AND EFFECTS OF THE STRATEGY.....	81
VII.	ACTION PLAN FOR IMPLEMENTATION OF THE STRATEGY ON MIGRATION AND REINTEGRATION OF RETURNEES IN MONTENEGRO, FOR THE PERIOD 2021-2022.....	83

I. INTRODUCTION

Strategy on Migration and Reintegration of Returnees in Montenegro, for the period 2021-2025, with the Action Plan for 2021 and 2022, was prepared in accordance with the obligations of the Ministry of the Interior from the Work Program of the Government of Montenegro for the IV quarter of 2020. This Strategy is an expression of continuity with previous strategic documents in this area, which were adopted as planning acts by the Government of Montenegro; it represents the third strategic document in this area, with previous strategies adopted separately by area (one in the field of migration, and the other in the field of readmission of returnees), for the period 2011-2016 and for the period 2016-2020.

As a reminder, in the Accession Program of Montenegro to the European Union 2018-2020, for Negotiating Chapter 24 - Justice, Freedom and Security, the adoption of two strategic documents was envisaged as one of the obligations in the field of migration and readmission, namely: the Strategy for Reintegration of Persons Returned on the Basis of the Readmission Agreement for the period 2016-2020 and the Strategy for Integrated Migration Management in Montenegro for the period 2015-2020. The reason for this planning and approach was because such solutions only followed the previous practice, so that the Strategy for Integrated Migration Management in Montenegro for the period 2016-2020 was adopted, while the Strategy for Reintegration of Persons Returned on the Basis of the Readmission Agreement for the period 2016-2020 was adopted for the area of readmission. Having in mind **the Regulation on the manner and procedure of drafting, harmonizing and monitoring the implementation of strategic documents ("Official Gazette of Montenegro", No. 54/2018)**, and the principles of economic efficiency and rationality in planning and drafting strategic documents, the following strategic document was drafted: **the Strategy on Migration and Reintegration of Returnees in Montenegro**, for the period 2021-2025. Also, it was necessary to improve the policy planning system, by treating thematically related areas through a single strategic document. Additionally, the analysis of the comprehensive framework in Negotiating Chapter 24 - Justice, Freedom and Security, found that there is no explicit requirement that integrated migration management and reintegration of persons returned under readmission agreements be the subject of separate strategic documents.

This Strategy covers mixed migrations, i.e. movements of people traveling together, mostly in an irregular manner, using the same routes and the same means of transport, but for different reasons. Men, women, and children who travel this way are often either driven away from their homes by armed conflict or persecution, or travel in search of a better life. People traveling in mixed migrations have different needs and these movements may include persons seeking international protection, refugees, stateless persons, victims of trafficking, unaccompanied children or children separated from their parents / guardians, as well as irregular migrants or readmission returnees. Mixed movements are often complex and can be a challenge for all involved entities.

In line with the recommendations of the UN, the Council of Europe and the relevant EU bodies, the Strategy uses the theme of "irregular migration" instead of "illegal migration", in order to avoid negative connotations of the term "illegal migration", as well as dehumanization and criminalization of persons coming to Montenegro through mixed migratory movements.

The aim of this Strategy is to recognize that the protection of special groups in the context of mixed movements (eg. refugees) cannot be implemented in isolation from broader trends, policies and practices that shape global mobility. With this in mind, the Strategy seeks to:

- Ensure that migration management policies, practices and discussions take into account Montenegro's international obligations in the protection of persons seeking international protection, refugees and stateless persons, and that it recognizes the established legal framework for the protection of these persons;
- Assist state authorities to address the challenges of international protection (asylum) and mixed migration in a way that takes into account the need to protect certain categories of persons;
- Assist in identifying trends in the areas of migration, trafficking and other mixed movements and early identification of challenges and preparation of responses to them; and
- Ensure public order and peace by early identification of security risks.

Accordingly, this Strategy covers mixed movements of people and is developed in accordance with **the Methodology for policy development, drafting and monitoring the implementation of strategic documents** established by the General Secretariat of the Government of Montenegro.

Previous strategies aimed to establish a normative and institutional framework in the field of migration and readmission, through the adoption of normative acts, alongside institutional strengthening of bodies in charge of these issues, which created preconditions for the systematic regulation of this issue. In the previous period, Montenegro has continuously implemented activities related to improving conditions in the field of legal migration, combating illegal migration, promoting the value of international protection, full integration of persons with international protection, integration of returnees into Montenegrin society, all on the platform intensive regional and international cooperation and harmonization with the *acquis* and best practices of the EU member states.

The Ministry of the Interior of Montenegro has undertaken significant activities in the last few years in order to establish a strategic and normative framework, as well as an institutional structure that will adequately respond to the challenges posed by the increased influx of refugees and migrants. Namely, Montenegro has adopted two key laws: the Law on International and Temporary Protection of Foreigners and the Law on Foreigners, through which European standards have been applied to the greatest extent, which has affected the quality and efficiency of exercising the rights of foreigners, migration flows management and combating illegal migration through coordinated and clearly prescribed procedures.

Migration, in addition to the area of asylum, is in the special focus of the European Union. For that reason, but also in order to preserve its own public order, each candidate country for membership in the European Union must ensure the harmonization of its normative framework with the *acquis* in this area, but also its full implementation. The field of migration includes a wide range of sub-areas, such as: legal migration, prevention of illegal migration, readmission, treatment of foreigners, etc. Asylum is one of the key areas to which the European Union pays a high level of attention. Montenegro, as a candidate for membership in the European Union, has been facing an increasing number of asylum seekers for years.

Readmission is the act of a state accepting the re-entry of an individual (own national, third-country national or stateless person) who has been found to have entered, been present, or resided illegally in another country. The readmission agreement establishes mutual obligations of the contracting parties, through detailed administrative and operational procedures, in order to facilitate the return and transit of persons who do not meet or no longer meet the conditions for entry, presence or stay in the territory of the requesting state. Conclusion and implementation of readmission agreements, i.e. readmission of persons who do not have a residence permit, is one of the obligations of Montenegro, which, among other things, is the basis for control and prevention of illegal migration. Readmission agreements are an important policy instrument for the return of migrants and asylum seekers from EU member states, which defines the obligation of signatory states to readmit their citizens, as well as third-country nationals and stateless persons. Also, Montenegro can fulfill the obligations it has accepted with the Stabilization and Association Agreement and readmission agreements only through the sustainable integration of returnees as the most important link in the migration control chain. Sustainable integration of returnees means an effective state policy, the goal of which is to integrate returnees in an efficient, sustainable and long-term way into Montenegrin society, with full respect for their rights.

Combating illegal migration is a significant challenge for the successful conduct of migration policy, and thus one of the priorities in future activities of the competent authorities, which require more intensive cooperation and exchange of information, both nationally, regionally and internationally. It is important to point out that illegal migration in Montenegro, for now, still has a transit character, and that it mostly concerns economic migrants.

The profile of asylum seekers has changed significantly, so that, in addition to economic migrants, there are those categories of persons who, in accordance with the Convention relating to the Status of Refugees and the Law on International and Temporary Protection of Foreigners, are a classic example of refugees. These are people who come from countries affected by war, civil strife and unrest, undemocratic and authoritarian regimes, countries where customary law practices physical and mental abuse, especially female genital mutilation, tribal conflicts, etc.

By establishing a strategic framework and normative and institutional infrastructure, Montenegro has in a relatively short period of time traced the future course of action in terms of comprehensive management of migration flows, achieving and implementing the principles of effective migration policy based on human rights and freedoms, legality and efficiency, as well as the responsibilities of the state for legal immigration and regulation of the naturalization and integration of migrants.

Overall, Montenegro's legal system is highly aligned with the *acquis*, in the areas of negotiating Chapters 23 (Justice and Fundamental Rights) and 24 (Justice, Freedom and Security). Until full membership, Montenegro plans to undertake normative activities with the aim of full harmonization with the *acquis communautaire* in segments in which it is currently not harmonized, with special emphasis on amendments to the Law on Foreigners and further elaboration of instructions for application of the Law on International and Temporary Protection of Foreigners. Nevertheless, law implementation remains a significant challenge. This is especially true of transparency, efficiency and accountability of the state administration and the judiciary, as highlighted by the European Commission's reports on Montenegro's progress in accession negotiations. Institutional capacity, project and financial management as well as monitoring and evaluation of work are still insufficiently strong, slowing down the implementation of laws and public policies.

In particular, Montenegro needs to strengthen its capacity to manage mixed migration flows, and to develop triage systems for special categories of persons in the context of mixed migration, so that all persons are referred to appropriate procedures, thus relieving the asylum system and further strengthening the expertise of competent state institutions for certain areas, as well as improving the efficiency of the procedures themselves. Also, special attention should be paid to increasing human and material resources dedicated to border management and the system of registration of refugees and migrants, which will certainly contribute to the implementation of necessary reforms for Montenegro's full membership in the European Union.

Special attention should be paid to strengthening capacity and technical equipment, but also to better cooperation and coordination between key actors in the migration system, in order to ensure the development of an integrated migration system. Having in mind the changes in the profile of asylum seekers, and the dynamics of Montenegro's accession to the European Union, it is necessary to constantly improve activities in terms of developing programs for the integration of persons with approved international protection in Montenegro.

The mission of the Strategy is to create a society with an efficient system and recognizable results in the field of migration and reintegration of returnees upon readmission.

The vision implies the establishment of a sustainable, functional and transparent system of migration and reintegration of returnees upon readmission, with the inclusion of all institutions that are fully qualified to be a functional part of the system.

The structure of this Strategy is designed to include the connection of this Strategy with other strategic documents and international obligations in this area, legal and institutional framework in Montenegro, analysis of all issues relevant to this area, review of previous results in migration, review of future activities through realization of strategic and operational objectives, as well as guidelines for establishing an efficient system for the implementation of the Strategy. The accompanying action plans, which will be adopted at the biennial level, will define the strategic objectives, measures and activities necessary for their implementation, as well as clearly assigned competencies for all bodies that will implement the planned activities.

The terms used in this Strategy for natural persons in the masculine gender imply the same terms in the feminine gender.

1. Compliance with existing strategic documents

❖ *Umbrella strategic documents*

- 1) **The National Strategy for Sustainable Development until 2030** represents a vision of sustainable development of Montenegro, in which guidelines for socio-economic development of Montenegro are set. Within the objective #8 of sustainable development - dignified work and economic growth, the following sub-objectives are defined: 8.8.1 Incidence rates of fatal and non-fatal injuries at work, by sex and status of migrant workers, especially migrant women, and persons with precarious employment and 8.8.2. Increasing national respect for labor rights (freedom of association and collective bargaining) based on the textual sources of the International Labor Organization (ILO) and domestic legislation, by gender and migrant status. Also, within the objective #10 of sustainable development - reduction of inequality, sub-objective 10.7.2 is defined, which refers to preventing and mitigating the effects of migration by increasing the number of countries that have implemented well-managed migration policies. In that sense, through increasing the capacity for reception and accommodation of migrants, strengthening administrative capacities for managing mixed migration and providing services to persons in the asylum system, concluding protocols on cooperation with countries of origin of persons coming to Montenegro through mixed migration and strengthening administrative capacities at the local level for the provision of support in the reintegration of persons returned to Montenegro through the readmission procedure, the objectives and sub-objectives indicated in this Strategy are being realized. Namely, through further harmonization of the Law on Foreigners with EU directives, and especially through simplification of procedures for issuing / extending temporary residence and work permits, linking all bodies in this process and improved coordination of competent services will directly / indirectly reduce occupational injuries, increasing national respect for labor rights and reducing inequalities.
- 2) Within one of the priority goals of Montenegro in the **Medium-Term Work Program of the Government of Montenegro 2018-2020**, it is pointed out that Montenegro is a country of economic development and new jobs, while the measure is defined as "Improving the business environment to improve economic competitiveness and businesses while increasing employment". In that sense, and having in mind the increased volume of work during the summer tourist season and the crowds at the counters of regional units and branches for civil status and identity documents, the line ministry is projected to improve and take all necessary administrative measures and actions to reduce congestion and enable faster and more efficient decision-making in administrative proceedings. The goal is to make their services even more accessible to citizens and businessmen, to facilitate access to them, to raise work efficiency to a higher level, all to the satisfaction of the end user. Also, in the future, the Ministry will continue to provide a full contribution to the improvement and modernization of services to all users, in part of its

competencies, in accordance with the principles of relevant regulations, because modernization of public administration is one of the most important processes of Montenegro's accession to the European Union. Regarding Priority 2 of the Medium-Term Program of the Government (Montenegro, the country of rule of law and good governance), and while respecting the principles of equality and fairness, without discrimination, the goal is to continue social empowerment of persons with disabilities, as well as Roma and Egyptian populations, as well as improving the position of women in Montenegrin society, in line with the application of the Law on Gender Equality. In accordance with these obligations of the Medium-Term Government Program, this department undertakes all activities for the continuous implementation of the same, and in that sense, the officials of this Directorate are members of working groups that treat this issue and contribute to affirmative results through both proposing and implementing measures (strategic documents and action plans).

- 3) **The National Security Strategy of Montenegro**, in strategic objective 2 (Prevention and suppression of challenges and threats that may affect the security of Montenegro and its allies), the operational objective 5 provides for the improvement of the system for combating illegal migration. In order to achieve this objective, it is necessary to adopt new and amend the existing strategic and other planning documents for the fight against illegal migration, as well as harmonize the normative framework for the fight against illegal migration and improve the capacity to fight against illegal migration. Through further development of the IT system for the improvement of migration and through the procurement of technical equipment, which will establish electronic databases and improve the system of identification, registration and connection of data on all migrants, a speedy prevention of all threats to security in Montenegro will be enabled. Also, joint and more efficient inspection supervision in the areas of residence and employment of foreigners, which, in addition to representatives of the Police Administration, would also include inspectors of the Tax Administration and the Inspection Administration, would increase the identification of all foreigners illegally residing and working in Montenegro; all in accordance with previously prepared plans and programs, which will all together contribute to the improvement of the fight against illegal migration.

❖ **Sectoral strategic documents**

- 1) **The Schengen Action Plan** is a multi-year development plan, which, among other things, addresses issues of migration, asylum and readmission, as well as the construction of border infrastructure, improvement of border checks, improvement of the state border control system, etc. Thus, the Schengen Action Plan envisages the following activities:
- 2.1.7. Effective and efficient implementation of the Readmission Agreement between the Republic of Montenegro and the European Community on the readmission of persons without a residence permit;
 - 2.1.8. Concluding implementation protocols with other EU member states;
 - 2.1.9. Concluding, ratifying as well as effective and efficient implementation of readmission agreements with third countries, including the Russian Federation, Iceland, Ukraine, Georgia, the People's Republic of China and Azerbaijan;
 - 2.2.2. Develop information material for foreigners seeking international protection and persons with approved protection;
 - 2.2.4. Establish a mechanism for continuous monitoring to monitor the occupancy and assess the adequacy of the capacity of the Center for Asylum Seekers with the support of UNHCR, with special reference to vulnerable categories and preparation of analysis to define additional accommodation needs;
 - 6.3.1. Training of state, border and other police officers in the asylum system and 6.3.2. Train officials of the Asylum Directorate and the State Commission for Resolving Asylum Appeals.

In this strategy, operational objective 1 of the strategic objective 2 envisages the following: **Improving the readmission policy by concluding new readmission agreements and protocols, as well as improving the system of return of foreign nationals who have not been granted residence in Montenegro and systematic work on voluntary return**, which is not in collision, but is compatible with the activities of the Schengen Action Plan, and contributes to its realization.

In this strategy, in operational objective 3 of the strategic objective 1, activity 3.2 is envisaged as follows: **Development of information material for foreigners seeking international protection**, which is compatible with the activities from the Schengen Action Plan, and contributes to its realization.

In this strategy, in operational objective 2 of the strategic objective 1, activity 2.5 is envisaged as follows: **Conduct trainings for judges of the Administrative Court of Montenegro and officials of the Asylum Directorate in the field of international and temporary protection of foreigners; Training of officials of the Ministry of the Interior (Directorate for the Reception of Foreigners Seeking International Protection) and the Police Directorate responsible for registering intentions and requests for international protection**, which is compatible with the activities of the Schengen Action Plan, and contributes to its realization.

- 2) **Integrated Border Management Strategy and Framework Action Plan for its implementation in the period 2020-2024**, within operational objective 1 (Raised level of compliance with European and Schengen standards, in legislative, administrative and institutional terms in the field of integrated border management, especially in the field of border control), defines activity 1.4.3. Training of officials in the system of international protection and procedures, which is logically connected and contributes to the fulfillment of activity 3.2. from the Strategy (Conduct trainings for judges of the Administrative Court of Montenegro and officials of the Asylum Directorate in the field of international and temporary protection of foreigners; Training of officials of the Ministry of the Interior (Directorate for Reception of Foreigners Seeking International Protection) and the Police Directorate responsible for registering intentions and requests for international protection).

Also, operational objective 7 of the Action Plan for the Implementation of the Integrated Border Management Strategy (Improved system of readmission (return and acceptance) of foreign and domestic citizens in accordance with the concluded agreements and in cooperation with diplomatic and consular missions) is logically linked to the strategic objective 2 (Improvement of the system of readmission and return of Montenegrin and foreign citizens with an efficient assistance process, in accordance with the concluded agreements and protocols on readmission and in cooperation with other countries and international organizations).

- 3) In **the Strategy for Social Inclusion of Roma and Egyptians in Montenegro**, in Chapter VIII Legal Status, the following objectives are defined: *Increasing the level of registration in the birth register; Continuation of resolving the requests of IDPs and domicile population of the Roma and Egyptian population for obtaining the status in Montenegro and Assistance in obtaining personal documents*. These objectives are logically linked to operational objective 4 (Resolving the legal status of internally displaced persons (IDPs) as well as other persons not registered in the basic registers and registers of citizens in Montenegro and neighboring countries) and operational objective 5 (Resolving the legal status of persons at risk from statelessness and creating conditions for effective access

to rights for persons with recognized status of stateless persons) which are defined within the strategic objective 1 of this Strategy. The implementation of the activities defined within the operational objectives 4 and 5 of the Strategy, and having in mind the fact that there is a majority of Roma among internally displaced persons from Kosovo, will directly contribute to increasing the level of registration in the birth register and obtaining personal documents.

- 4) **The Strategy for the Development of Official Statistics 2019-2023** determines the development directions and objectives of official statistics of Montenegro. This document was prepared by the Statistical Office, as the coordinator of the official statistics system in cooperation with other producers of official statistics, including the Ministry of the Interior. Operational objective 3 reads: *Further harmonization and innovation of official statistics with international standards / recommendations*, and it is compatible with activity 3.1. which is defined in operational objective 3 and which reads: *"Further development of IT systems for the improvement of migration and procurement of technical equipment"*, therefore it contributes to its implementation, and ultimately to the implementation of the final criteria of Chapter 18 - Statistics.

❖ **International obligations**

- 1) Montenegro supported the **Global Compact on Migration** adopted at the Intergovernmental Conference in Marrakech, 10-11. December 2018. This the first international, legally non-binding framework for migration. It is based on the principles of state sovereignty, shared responsibility, non-discrimination and human rights and recognizes that a cooperative approach is necessary to reap the full benefits of migration, addressing risks and challenges for individuals and communities in countries of origin, transit and final destination. The goal of the Global Compact on Migration is to make migrations happen in a safe, orderly and regular way. It includes concrete actions that will help countries reduce illegal migration, through intensifying cooperation in the field of combating human trafficking and smuggling of migrants. The Global Compact introduces the basic principles of regular migration management, followed by 23 objectives and a catalog of measures that contribute to safe, orderly and regular migration. The realization of strategic and operational objectives from the Strategy will support the realization of certain goals from the Global Agreement on Migration.

Thus, objective 1 of the Global Compact (collection and use of accurate data that will be the basis for the development of migration policies on concrete evidence) will be realized through the implementation of the activity 3.2. (Further development of IT systems for migration improvement and procurement of technical equipment) of the Strategy. The implementation of the measure implies the establishment of an electronic database and the improvement of the system of identification, registration and connection of data for persons from the system of international protection.

Objective 3 of the Global Compact (It is necessary to provide accurate and timely information at all stages of migration both at the state level and between countries, communities and migrants), is to be realized through the implementation of the activity 2.5. (Development of information material for foreigners seeking international protection).

Objective 4 of the Global Compact (Ensure that all migrants have proof of their legal identity and relevant documents in a way that will enable the competent authorities to establish the legal identity of the migrant upon entry, stay and return of the migrant), is to be implemented through the implementation of operational

objective 5 (Resolving the legal status of persons at risk of statelessness and creating conditions for effective access to rights for persons with recognized status of stateless persons).

Objective 14 of the Global Compact (Consular protection, assistance and cooperation need to be improved throughout the whole migration cycle), is to be implemented through the implementation of the activities 4.2. (Continue cooperation with the competent authorities of the Republic of Kosovo in resolving the status of IDPs and other persons in need of this type of support) and 4.3. (Providing assistance to persons in resolving the status of IDPs and other persons in need of this type of support in Montenegro, through the Embassy of the Republic of Serbia / Embassy of the Republic of Kosovo).

Objective 21 of the Global Compact (Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration), will be realized through the implementation of activity 4.5. (Raise awareness and information on the right to voluntary return to the country of origin and ensure voluntary return, with special emphasis on Kosovo for all stakeholders by organizing round tables or through the media).

- 2) Given its experience in accepting large numbers of refugees during the Balkan wars in the 1990s, Montenegro contributed to the definition of **the Global Compact on Refugees** and supported it by committing to the following obligations: 1) Maintain an effective protection regime through harmonization with EU good practices, 2) Increase the reception capacities in Montenegro in accordance with the highest standards of protection, 3) Develop a friendly environment for socio-economic integration of refugees, as to foster their independence and to ensure that no one is left behind in accordance with the Agenda 2030 and 4) Montenegro is committed to supporting regional asylum strengthening efforts with relevant stakeholders. The Global Compact will contribute to the joint action of the international community regarding the mass movements of refugees and providing support to the receiving countries. Namely, the General Assembly of the United Nations adopted the Global Compact on Refugees by a large majority, after 18 months of intensive consultations between member states, experts, civil society and refugees. The adoption of the Compact is foreseen by the New York Declaration from 2016, whose main goal is to improve the management of refugee crises, especially at a time when the number of displaced people in the world exceeds the number of 80 million people. The idea behind the adoption of the Global Compact is the integration of refugees into society through an inclusive response to the refugee crisis, for the benefit of both refugees and refugee-accepting societies themselves.

The Global Compact starts from the position that "the difficult situation of refugees is a general concern of humanity" and that it "seeks to enable a predictable and fair division of burdens and responsibilities." Nine out of ten refugees live in developing countries, such as Turkey, home to 3.5 million refugees, which do not have the capacity to provide services from health to education. The Global Compact on Refugees, although not a legally binding document, is an expression of the political will to activate the principles of shared responsibility and burden. About 85% of refugees live in developing countries where services are already limited. This situation leaves refugees at the mercy of frequent economic oscillations in those countries. The Global Compact is a unique opportunity to strengthen the international response to refugee crises and is based on existing international law, especially the 1951 Convention, which, while setting out refugee rights and states' obligations in this regard, says nothing about international cooperation. The content of the Global Compact on Refugees is based on the experience gained through the pilot implementation of the Comprehensive Refugee Response Framework as an annex to the New York Declaration and a series of thematic meetings

and consultations since 2016. The four key objectives of the Global Compact on Refugees are to reduce pressure on countries that receive refugees, increase the independence of refugees, increase opportunities for legal resettlement in third countries and support problem-solving in countries of origin to ensure safe and dignified return home.

The monitoring of the set objectives of the Global Compact will be enabled through the formation of the Global Refugee Forum, at which the governments of the countries will report on the progress and declare themselves on the measures they plan to take. The Global Compact consists of two parts, the Comprehensive Framework for Response to Refugee Crises, whose "task" is to operationalize field applications, and the Program of Action, which sets guidelines for the international community more broadly. For the first time, in addition to governments and international and local NGOs and the private sector, financial institutions have been involved in responding to refugee crises. A special platform has been established for early support in the mobilization of financial, material and technical resources in the event of a new crisis through cooperation with donors and countries. The platform will be activated and deactivated by UNHCR. The adoption of the Global Compact for Safe, Orderly and Regular Migration with the Global Compact on Refugees will make it clearer to distinguish between the terms "refugee" and "migrant" in the future, but it will also provide adequate protection for both groups.

By implementing the operational objectives 1-3 of the Strategy, the national framework in the field of asylum will be further harmonized with international standards and the internal procedures and capacities of the competent state bodies for work with applicants for international protection and refugees will be strengthened. In addition, by implementing the measures related to increasing and expanding accommodation capacity for foreigners seeking international protection in Montenegro, developing information material for foreigners seeking international protection, providing support to foreigners seeking international protection in Montenegro, providing the required number of housing units for foreigners granted international protection in Montenegro, providing psychosocial, material and legal support to foreigners granted international protection in Montenegro, rendering support to these persons as to enable their economic empowerment and independence, overcoming legislative barriers in accessing their rights, support to children and adult asylum seekers and foreigners under subsidiary protection in order to overcome linguistic, cultural, psychological and other barriers to learning, organizing courses for learning the Montenegrin language, history and culture, in order to include asylum seekers and foreigners under subsidiary protection in Montenegrin society, a contribution will be made to the realization of the goals of the Global Compact on Refugees.

- 3) Through active participation in the global campaign of UNHCR "#IBelong", within which the global plan for the elimination of statelessness in the period 2014-2024 was adopted, and at **the Global Conference on Statelessness**, held in October 2019 in Geneva, Montenegro undertook 4 obligations related to: continuing to implement simplified procedures for obtaining identification documents both at the national level and in cooperation with the countries of origin of persons affected by this issue; ensuring registration in the birth register of children abandoned by their mothers or whose mothers do not have identification documents; strengthening the procedure for determining the status of stateless persons, harmonizing regulations to ensure unhindered access to rights for persons who have been granted stateless status; and exchange of experience in the field of statelessness prevention with other countries in the region.

The realization of these four obligations is possible by implementing operational objectives 4 and 5 within the strategic objective 1 of the Strategy, i.e. by resolving the legal status of internally displaced persons and persons at risk of statelessness and creating conditions for effective access to rights for internally displaced persons and persons with recognized status of statelessness; by reducing the number of persons not yet registered in the register of births or the register of citizens in Montenegro or in the country of origin; by strengthening the capacity of competent state bodies to conduct the procedure for determining the status of stateless persons; by analyzing national legislation access to the rights of stateless persons with recommendations for amendments to the law in order to enable effective access to the rights of these persons; raising awareness and information on registration in birth registers, especially for newborns, and by organizing trainings for officials performing tasks related to determining the status of persons without a citizenship.

2. Compliance with the European integration process and key EU policies

❖ *National level (PAMNE, final benchmarks, negotiating position)*

- 1) The Stabilization and Association Process was launched in 1999, as part of the EU's strategic policy towards the countries of Southeast Europe, which includes Montenegro. **The Stabilization and Association Agreement between the European Communities on the one hand and Montenegro on the other (SAA)** is of great importance for Montenegro, given that this agreement specifically confirms the European perspective of Montenegro. Montenegro signed the SAA on 15 October 2007, which entered into force after ratification by all Member States on 1 May 2010. The SAA recognizes the issue of migration and readmission as priority issues, which occupy a high place in the agreement itself. Thus, in Chapter VII - Justice, Freedom, and Security, Article 82 of the SAA prescribes:

“The Parties shall cooperate in the areas of visa, border control, asylum and migration and shall set up a framework for the cooperation, including at a regional level, in these fields, taking into account and making full use of other existing initiatives in this area as appropriate.

Cooperation in the matters above shall be based on mutual consultations and close coordination between the Parties and should include technical and administrative assistance for:

- (a) the exchange of information on legislation and practices;*
- (b) the drafting of legislation;*
- (c) enhancing the efficiency of the institutions;*
- (d) the training of staff;*

(e) the security of travel documents and detection of false documents;

(f) border management.

Cooperation shall focus in particular:

(a) on the area of asylum on the implementation of national legislation to meet the standards of the Convention relating to the Status of Refugees done at Geneva on 28 July 1951 and the Protocol relating to the Status of Refugees done at New York on 31 January 1967 thereby to ensure that the principle of "non-refoulement" is respected as well as other rights of asylum seekers and refugees;

(b) on the field of legal migration, on admission rules and rights and status of the person admitted. In relation to migration, the Parties agree to the fair treatment of nationals of other countries who reside legally on their territories and to promote an integration policy aiming at making their rights and obligations comparable to those of their citizens."

Article 83 of the SAA prescribes the following:

"1. The Parties shall cooperate in order to prevent and control illegal immigration. To this end, Montenegro and the Member States shall readmit any of their nationals illegally present on their territories and the Parties also agree to conclude and fully implement an Agreement for readmission, including an obligation for the readmission of nationals of other countries and stateless persons.

The Member States and Montenegro shall provide their nationals with appropriate identity documents and shall extend to them the administrative facilities necessary for such purposes.

Specific procedures for the purpose of readmission of nationals, third country nationals and stateless persons shall be laid down in the Agreement between the Community and Montenegro on the readmission of persons residing without authorisation.

2. Montenegro agrees to conclude readmission Agreements with the Stabilisation and Association process countries.

3. Montenegro undertakes to take any necessary measures to ensure the flexible and rapid implementation of all readmission Agreements referred to in this Article.

4. The Stabilisation and Association Council shall establish other joint efforts that can be made to prevent and control illegal immigration, including trafficking and illegal migration networks."

The realization of strategic and operational goals from the Strategy will contribute to the improvement of information exchange, improvement of Montenegrin legislation, increase of efficiency of institutions, further training of officials, and improvement of readmission through concluding new readmission agreements, which is extremely important for Montenegro, as is the implementation of SAA obligations, which recognize the issue of migration and readmission as priority issues.

- 2) **Programme of Accession of Montenegro to the EU (PAMNE)** for the period 2020-2022 adopted at the session of the Government of Montenegro on 6 February 2020, is a two-year strategic document comprising 33 negotiating chapters. As the *acquis communautaire* is constantly changing and evolving, the PAMNE is revised on an annual basis. The structure of PAMNE 2020-2022 includes several segments for each of the 33 negotiating chapters, namely: introduction to the chapter, plans for the strategic framework, plans for the legislative framework, administrative capacities and annexes that are important for the negotiation process, use of EU funds and UN agenda 2030. In Chapter 24 - Justice, Freedom and Security, PAMNE identifies the Strategy on Migration and Reintegration of Returnees in Montenegro for the period 2021-2025 as one of the strategic frameworks for migration in Montenegro. With the adoption of this Strategy, one of the obligations prescribed will be realized.
- 3) Officially, the negotiation process between Montenegro and the European Union began on 29 June 2012, while on 27 June 2013 **the Action Plans for Chapter 23 - Justice and Fundamental Rights and Chapter 24 - Justice, Freedom and Security** were adopted; on 18 December 2013 these two negotiating chapters were officially opened. The issue of migration is closely related to the **Negotiating Chapter 2 - Freedom of Movement of Workers**, which was officially opened on 11 December 2017. The main goal of all activities identified under Chapter 24 is to enable the free movement of people, while guaranteeing their safety, while the main goal of Chapter 23 is to create preconditions for an independent and impartial judiciary, with the necessary administrative capacity to protect the rule of law. Among other things, by improving the protection of human and minority rights, Montenegro takes on the responsibility to provide its citizens with the quality and protection of the rights inherent in developed democratic societies, and thus prevent any form of discrimination. One of the measures in the Action Plan for Negotiating Chapter 23 envisages further securing of the registration of displaced persons from the former Yugoslavia as well as their equal access to social and economic rights and improving the living conditions of displaced persons. The *acquis* for Negotiating Chapter 2 allows citizens of one EU Member State to work in another Member State. Relation to the so-called EU migrant workers must be the same as domestic workers when it comes to working conditions, social and tax benefits. Freedom of movement for workers is one of the fundamental principles of the European Union and is one of the four freedoms of the internal market. Free movement of workers is linked to a number of issues, such as freedom of movement and residence during employment in another Member State, as well as to all branches of social insurance (pension insurance, health insurance, unemployment insurance and the right to family benefits). The main goal of the Negotiating Chapter 2 is to encourage labor mobility between EU member states, which is an important factor in achieving the internal market. Despite guaranteed rights, the EU workforce is characterized by low spatial and professional mobility.
- 4) Pursuant to the negotiating framework for EU accession negotiations, Montenegro regularly reports to the EC on the progress of the implementation of commitments for the chapters "Justice, Freedom and Security" and "Justice and Fundamental Rights", after which the EC compiles an overview of Montenegro's progress. In October 2020, **the Working Document - Report for Montenegro for 2020** was published. In addition to the information provided by the state authorities, a number of other sources were used to draft this document, including expert missions, monitoring reports from international and civil society organizations, as well as contributions from Member States. In general, this working document, in terms of migration and asylum, states that Montenegro is **moderately prepared** in the field of justice, freedom and security and that in the coming year, Montenegro should in particular **further strengthen its capacity to address mixed migration flows and refugee integration; further increase human and material resources dedicated to border management and the migrant registration system**. Also, within the same document, in terms of migration and asylum, it is stated that Montenegro continues to demonstrate its resilience

and commitment in the light of increased migration flows leading through its state territory. The Status Agreement with the European Union has been ratified, which envisages the deployment of European Border and Coast Guard teams with executive powers along Montenegro's border with the EU.

In the area of **migrations and readmission**, among other things, the following is stated: *„Montenegro continued to consolidate its legal framework in the area of migration. Following the amendments to the Law on Foreigners in December 2018, three additional by-laws were adopted in spring 2019, in particular with the goal to simplify the issuance of temporary residence permits for work and seasonal employment, and to prevent unregistered labour migration. The EU-Montenegro readmission agreement is facilitated by 15 implementing protocols on readmission with EU Member States, including the implementing protocol signed with Greece in March 2019. Montenegro has 10 readmission agreements with non EU-countries, including all Western Balkan partners and Turkey, and has finalised the negotiations with Georgia. Requests to start readmission negotiations were sent to Pakistan, Iran, Iraq, Morocco and Algeria. Montenegro's border police still does not have a biometric system of registration and identification of migrants. The risk of double registration of migrants following secondary movements, re-entry and subsequent asylum applications remains a concern. Montenegro should establish an IT and communication infrastructure that has the capacity to support an effective identification and registration process of mixed migration flows in line with the EU standards and best practices. Only 41 voluntary returns from Montenegro took place, including 21 to neighbouring countries, processed directly by Montenegro's border police, and 20 to origin countries, supported by the International Organisation for Migration. The process of voluntary returns is hampered by the absence of consular missions of countries of origin in Montenegro. Despite the administrative obstacles, a more proactive voluntary return policy should be developed and necessary funds allocated to mitigate the migration pressure. Montenegro must continue its efforts to cope with migratory pressure, by further developing its international cooperation on readmission and supporting the successful reintegration of returnees, raising its capacity to prosecute migrant smuggling networks, increasing its reception capacity and enhancing its migrants' data collection system.*

In terms of the **asylum**, this Working Document, among other things, states the following: *„For the second year in a row, Montenegro's reception capacity was under pressure. 7739 people in total were accommodated in 2019, a 73% surge compared with 2018, mainly for short stays, overstressing the system to its limits. 4,5% of them were women. The asylum centre in Spuz, of a capacity of 104 beds, is generally used for families and women, while the alternative centre in Konik, of a capacity of 225 beds, hosts single men. It is a private-owned facility rented out to the asylum authorities at expensive commercial price. 71% of the asylum seekers stayed in the alternative centre, where, despite recent improvements, the standards still do not match the standards of a fully-fledged asylum centre. Between January and April 2020, 1197 migrants were accommodated in the reception facilities. As from March 2020 preventive hygiene and disinfection measures were applied in all the centres to prevent the spread of COVID-19. The budget of the asylum system rose to EUR 1.7 million in 2019 (a twofold increase compared with 2018), 66% of which was spent on the alternative reception centre. Reception costs are entirely paid from Montenegro's budget, with no external support. The number of people under a protection status currently living in Montenegro dropped to 28 people. Nine persons out of 12 adults are working. Language courses are being delivered. Civil servants have limited opportunities to gain operational experience in the implementation of integration measures, due to the small*

numbers of people of concern. Although Montenegro's asylum system has continued to demonstrate its resilience in a very tense context, efforts should be continued to improve the status determination process, further strengthen the reception capacity, and rationalise costs of accommodation in the alternative centre."

Regarding Chapter 23, Judiciary and Fundamental Rights and Chapter and Improvement and Protection of Human and Minority Rights, **the Working Document only provides statistics on displaced and internally displaced persons**, in the sense that a total of 15,247 applications for permanent or temporary residence have been submitted. 15,080 applications have been resolved, including 12,376 persons granted permanent or temporary residence for up to 3 years, while the resolution of 167 applications is still ongoing. About 291 applications were rejected, while 2,413 were temporarily rejected due to the submission of an incomplete or double application.

Concerning statelessness, the Working Document reads: *„ since the beginning of the application of the law on foreigners in 2018, 4 travel documents and 2 temporary residence permits have been issued to stateless persons. The procedure for determining statelessness is ongoing for 9 persons. Identification of potential cases remains a challenge. However, as of October 2019 a new birth registration practice was developed in several municipalities to address the challenge of birth registration of abandoned children or those with mothers lacking identity documents, leading to a number of resolved cases."*

Concerning Chapter 2 - Freedom of movement for workers, the Working Document reads: *“Montenegro is to continue to establish structures and develop administrative capacity to implement the EU acquis in line with the results of the EU support project on social security schemes and the chapter 2 action plan.”* It also states: *„In March 2019, the government adopted an action plan to meet the accession requirement on the freedom of movement for workers. On access to the labour market, amendments were adopted to the Law on foreigners, and to the Decision determining the annual quota for temporary residence and work permits for foreigners, allowing for simplified procedures. Procedures are in preparation for handling foreigners' requests for temporary residence and seasonal employment permits through Montenegro's representations in countries of origin."*

Realization of strategic and operational strategic objectives will contribute to increasing administrative capacities and improving conditions for acceptance and ensuring full access to rights belonging to foreigners seeking international protection and persons granted international protection in Montenegro, in accordance with international standards, which will reduce Budget funds allocated by Montenegro for the accommodation of this category of foreigners. Also, there will be improvement of coordination mechanisms and further development of IT systems for migration improvement, i.e. establishment of electronic databases and improvement of data identification, registration and connection systems for persons from the international protection system, so all systems and software of relevant institutions dealing with migration issues will be connected. Furthermore, the number of persons (IDPs) who have not yet resolved their status in Montenegro, and who are in the process of resolution, will be reduced; access to rights for IRLs will also be improved, while the number of IDPs who have resolved their housing issue will increase. All this will ultimately contribute to the positive treatment of this area during the preparation of the next EC report for Montenegro.

- 5) A total of 83 interim benchmarks have been defined by **the EU Common Position**, 45 in Chapter 23 - Judiciary and Fundamental Rights and 38 in Chapter 24 - Justice, Freedom and Security. Out of 38 interim benchmarks in Chapter 24, four are in the area of regular and irregular migration, four in the area of asylum, two

in the area of visa policy, four in the external borders and Schengen area, five in the area of judicial cooperation in civil and criminal matters, 13 in the area of police co-operation and the fight against organized crime, one in the field of fight against terrorism, four in the area of cooperation in the field of drugs, while one benchmark is a measure of general character. Most of the interim benchmarks relate to the improvement of legislative and institutional framework in line with European standards in the areas covered by chapters 23 and 24, while a smaller part of the activities is devoted to establishing an initial track record in the areas of importance. By fulfilling the interim benchmarks, Montenegro will create the conditions for obtaining the closing benchmarks.

The eight **interim benchmarks under Chapter 24 - Justice, Freedom and Security** in the area of legal, illegal migration, and asylum, read as follows:

- a) Montenegro conducts a comprehensive assessment of its legal, institutional, technical needs as well as training needs in the field of legal migration. Based on this, Montenegro clearly identifies implementation steps and adopts a comprehensive training plan.
- b) As indicated in the Action Plan, at the end of 2013 Montenegro will open a Shelter for Irregular Migrants where the rights of migrants are guaranteed and ensure proper management with the help of trained staff, as well as appropriate accommodation. Montenegro also monitors the adequacy of reception capacity and establishes appropriate measures to prevent and punish the infiltration of human traffickers into the shelter.
- c) Montenegro is conducting a feasibility study, which results in clear recommendations on steps to be taken to strengthen the capacity to accommodate, protect and rehabilitate vulnerable minors and other vulnerable groups of migrants.
- d) Montenegro is negotiating and taking steps to conclude a readmission agreement with third countries in accordance with the set deadlines and continues with the smooth implementation of the readmission agreement it has signed with the EU, including compliance with the set deadlines for responding to individual requests.
- e) Montenegro conducts an impact analysis with EU expert assistance and adopts a new Asylum Law in line with the *acquis* and prepares an analysis of all requirements to be met upon accession to the European Automatic Fingerprint Recognition System (Eurodac) and the Dublin Regulation.
- f) Montenegro provides an initial balance of results related to improved management of its asylum procedure, including a reasonable duration of the procedure in line with EU practices, an improved percentage of asylum cases, improved accommodation, assistance and integration of asylum seekers (including vulnerable categories) into society, as well as prompt and proper handling of rejected applicants.
- g) At the end of 2013, Montenegro will open a Center for Asylum Seekers where the rights of asylum seekers are guaranteed and it will ensure that it is properly managed and offers appropriate accommodation. Montenegro monitors the adequacy of reception capacity and establishes adequate measures to prevent and punish infiltration of human traffickers into the Center.
- h) Montenegro provides training on various key aspects of the *acquis* and asylum procedures.

One interim benchmark under Chapter 23 - Justice and Fundamental Rights, is: Montenegro improves the quality of living conditions for displaced persons, including the simplification of their registration as well as access to education, health, employment and social housing.

The Common Position of the European Union sets a benchmark for **the temporary closure of Chapter 2**, which reads: *Montenegro needs to show that it has adequate structures and capacities for the proper implementation of the acquis in the area of freedom of movement for workers until accession to the European Union.*

When drafting this strategic document, everything stated in the interim benchmarks was taken into account. Most of these benchmarks have been implemented, Montenegro has conducted a comprehensive assessment of its legal, institutional, technical needs through the implementation of measures from the AP for NC 23, 24 and 2, the Shelter for Irregular Migrants has been opened, officials have been trained, accommodation capacity has been strengthened for protection and rehabilitation of vulnerable minors and other vulnerable groups of migrants, Montenegro negotiates and takes steps to conclude readmission agreements with third countries and respects the deadlines set out in the signed agreements, a new Law on Asylum (Law on International and Temporary Protection of Foreigners) was adopted and harmonized with the *Acquis communautaire*, the Reception Center has been opened, the quality of living conditions for IDPs has been improved and only 1% of all submitted applications for permanent residence have remained unresolved.

In accordance with the strategic objectives, and in order to fully implement all the interim benchmarks, in the coming period, readmission protocols should be signed with other EU member states with which Montenegro has not signed protocols. It is also necessary to continue the procedures regarding the conclusion of readmission agreements with third countries, primarily with countries / main sources of irregular migrants, such as Pakistan, Iraq, Iran, Morocco and Algeria. Also, administrative capacities for the reception of foreigners seeking international protection should be strengthened, officials should be further trained, all requirements for permanent residence for IDPs should be resolved, regulations, structures and capacities for proper implementation of freedom of movement of workers should be improved, which will ultimately lead to all interim benchmarks for Negotiating Chapters 2, 24 and 23 being closed.

❖ **EU level policies**

- 1) **The EU Strategy for the Western Balkans** states, among other things, that Montenegro must meet the interim benchmarks in order to successfully complete the EU accession process. It was also pointed out that the social inclusion of ROMA should be more strongly promoted. It was also stated that it is necessary to further improve strategic and operational cooperation with the Western Balkans in the field of migration and border management. This includes providing access to international protection, sharing relevant information (such as risk analyzes), improving border control, ensuring the effective implementation of readmission and return policies, and combating irregular migration and smuggling of migrants. Strengthening international and regional cooperation (including cooperation with EU agencies and relevant liaison officers in the region), as well as further consolidation of border and migration management capacities are also necessary.

In the text below, we will present only some of the activities envisaged in the Strategy on Migration and Reintegration of Returnees in Montenegro, for the period 2021-2025, which are compatible with the EU Strategy for the Western Balkans. They are as follows:

- ✓ **Resolving the legal status of internally displaced persons (IDPs) as well as other persons who are not registered in the basic registers and registers of citizens in Montenegro and in the surrounding countries** (operational objective 1 within the strategic objective 2);
- ✓ **Improving the mechanism of coordination and monitoring of tasks performed by state bodies implementing legislation in the field of migration and conducting training of officials working on migration activities** (operational objective 3 within strategic objective 1);
- ✓ **Increasing administrative capacity and improving the conditions for accepting and ensuring full access to the rights of foreigners seeking international protection and persons granted international protection in Montenegro, in accordance with international standards** (operational objective 2 within strategic objective 1);
- ✓ **Improving the conditions for adequate access to the process of return and reintegration of Montenegrin citizens at all levels, through further strengthening of institutional cooperation and capacity of local governments, with the established system of monitoring returnees** (operational objective 1 within strategic objective 2).

- 2) It should be borne in mind that the European Commission has proposed a new **Migration and Asylum Agreement**, which aims to strike a new balance between accountability and solidarity, as well as a coordinated border procedure. The EU wants to address migration and asylum issues, restore order at its borders and stop illegal migration. This strategy is believed to enable greater coordination between member states, better compliance with EU regulations, but also faster and better treatment of migrants. Faster handling, better cooperation with migrants' countries of origin and transit, ensuring efficient procedures, successful integration and the return of those without the right of residence are just some of the new ideas. The European Commission is proposing the introduction of an integrated border procedure, which for the first time includes the identification of all people crossing EU external borders without a residence permit, checking their health, but also security checks, fingerprinting and registration in the EU database. EU member states are also expected to speed up the decision-making process on asylum applications. Also, the document envisages cooperation, i.e. negotiations with third countries on readmission and illegal transport of migrants. This means that the third country is obliged to accept migrants who entered from its territory into the EU territory illegally. It is clear that the EU must move towards a predictable and sustainable migration management system. The new strategy of the European Commission is only a proposal and the Decision can be final only if all member states agree with it.

In the text below, we will present only some of the activities envisaged in the Strategy on Migration and Reintegration of Returnees in Montenegro, for the period 2021-2025, which are compatible with the new EC Agreement. They are as follows:

- ✓ **Increasing administrative capacity and improving the conditions for accepting and ensuring full access to the rights of foreigners seeking international protection and persons granted international protection in Montenegro, in accordance with international standards** (operational objective 2 within strategic objective 1);

- ✓ **Improving the mechanism of coordination and monitoring of tasks performed by state bodies implementing legislation in the field of migration and conducting training of officials working on migration activities** (operational objective 3 within the strategic objective 1);
- ✓ **Improving the conditions for adequate access to the process of return and reintegration of Montenegrin citizens at all levels, through further strengthening of institutional cooperation and capacity of local governments, with the established system of monitoring returnees** (operational objective 1 within strategic objective 2).

Therefore, during the drafting of this Strategy, account was taken of compliance with strategic documents provided by the Constitution, strategic and planning documents defining general directions of development of the state, documents setting key political priorities, as well as obligations arising from Montenegro's EU membership.

3. Legal framework

The Constitution, as the highest legal act, fundamental and basic law in Montenegro, stipulates in its Article 44 that an alien who has a well-founded fear of persecution because of his race, language, religion or belonging to a nation or group or because of political beliefs may seek asylum in Montenegro; may not be expelled from Montenegro to a place where, because of his race, religion, language or nationality, he is threatened with the death penalty, torture, inhuman humiliation, persecution or serious violation of the rights guaranteed by this Constitution; he may be expelled from Montenegro only based on the decision of the competent authority and in the procedure prescribed by law. Also, Article 9 of the Constitution of Montenegro regulates the status of ratified international treaties and generally accepted rules of international law, i.e. general international customs, in domestic law, prescribing the primacy of ratified and published international treaties in relation to national legislation. This constitutional provision obliges national institutions to apply these treaties directly when they regulate a situation differently from national legislation. In addition to the Constitution and ratified international agreements, the most important laws in this area are the Law on Foreigners and the Law on International and Temporary Protection of Foreigners.

The Law on Foreigners ("Official Gazette of Montenegro", No. 12/2018 and 03/19) regulates the conditions for entry, exit, movement, stay and work of foreigners in Montenegro. In the last ten years, the legislation in the field of migration has been developing intensively. The area of migration, especially issues of immigration and work of foreigners, was left mainly to national legislation. Today, the legislation of the European Union regulates numerous migration issues, from family reunification, the rights of foreigners with permanent residence and their status, regulating the stay of researchers, students, pupils, volunteers to the immigration of highly skilled labor, issuing a single residence permit, seasonal workers, as well as penalties for employers who employ foreigners residing illegally in the territory of the Member States. In this regard, the relatively frequent changes in the legal framework in the field of residence and work of foreigners in Montenegro are largely due to the need to transpose the *Acquis communautaire* into Montenegrin legislation.

The Law on International and Temporary Protection of Foreigners ("Official Gazette of Montenegro", No. 2/2017 and 03/19) implements European standards in the field of asylum, which is positively assessed by the European Commission and represents a significant step in the European integration of Montenegro. This law

implements the standards of international humanitarian law and human rights standards in the development and implementation of reception policy and the need to create a safe and dignified environment for foreigners seeking international protection; it recognizes the need to establish and apply fair and expeditious international protection procedures, so that those who need international protection and those for whom this is not the case are identified in a timely manner. The Law on International and Temporary Protection of Foreigners defines the following institutes of European legislation: acts of persecution; perpetrators of persecution; reasons for exclusion; safe country of origin; safe third country; a safe European third country; border procedure. Also, this law clearly defines special procedural guarantees that provide appropriate support to foreigners seeking international protection, given their special circumstances, including age, gender, sexual orientation, gender identity, serious illness, mental health or the consequences of torture, rape or other severe forms of psychological, physical or gender-based violence. In order to exercise the rights and obligations under this law, the basic principle of the Dublin Regulation was introduced which determines the state responsible for deciding on the application for international protection, as well as taking and exchanging fingerprints in accordance with the EURODAC Regulation. The Law also regulates the rights and obligations of foreigners granted international protection in Montenegro, such as the right to stay and to be accommodated in Montenegro, the right to work, health care, education, free legal aid, social protection, family reunification, assistance in integration into society, learning the Montenegrin language, history and culture, the right to property, documents and acquiring Montenegrin citizenship.

4. Institutional framework

The Decree on the Organization and Manner of Work of the State Administration ("Official Gazette of Montenegro", No. 87/2018 and 38/2019) establishes ministries and administrative bodies, determines the administrative areas for which state administration bodies are established, as well as the organization and manner of work state administration and regulates other issues of importance for the organization and work of state administration.

The Ministry of the Interior, among others, performs administrative tasks related to: preparation of regulations in the field of civil status, personal and other documents of citizens, migration, international and temporary protection of foreigners and readmission; keeping the Central Population Register; citizenship; travel documents; immigration; approval of international and temporary protection of foreigners, naturalization, identity cards, residence of Montenegrin citizens and keeping the register of residence; work and temporary and permanent residence of foreigners in Montenegro and in connection with that keeping the prescribed records; unique identification number; personal name; registry offices; vehicle and driver records; procurement of weapons and parts for weapons; reception and accommodation of foreigners seeking international protection in the Reception Center or other accommodation facility; accommodation of foreigners granted asylum or subsidiary protection and assistance in integration into society; coordination in exercising the legally prescribed rights of foreigners who have been granted asylum or subsidiary protection; providing support for inclusion in social, economic and cultural life; implementation of national, regional and international documents for resolving refugee issues; assistance in exercising the rights of Montenegrin citizens upon their return to Montenegro in accordance with the obligations set out in the readmission agreement.

Within the Ministry of the Interior, **the Directorate for Civil Status and Personal Documents** has been systematized, and within it the following organizational units deal with migration issues:

- Directorate for Foreigners, Migration and Readmission;
- Asylum Directorate;
- Directorate for the Reception of Foreigners Seeking International Protection;
- Directorate for Integration of Foreigners with Approved International Protection and Reintegration of Returnees upon Readmission.

The Police Directorate, among others, performs tasks related to: protection of the security of citizens and freedoms and rights established by the Constitution; surveillance and security of the state border and border control; control of entry, movement, stay and exit of foreigners; establishing international cooperation with authorized bodies of other states and international organizations; international police cooperation; preparation of analyzes, studies, elaborates and monitoring of certain security issues; as well as other tasks assigned to its competence.

In addition to the Ministry of the Interior and the Police Directorate, as key bodies dealing with migration issues in Montenegro, the following bodies also have a significant role in the organization and manner of work of the state administration: **the Ministry of Foreign Affairs, the Ministry of Labor and Social Welfare, the Ministry of Education, the Ministry of Health, the Ministry of Science, the Tax Administration, Customs Administration, Statistics Administration, Directorate for Inspection Affairs, Secretariat for Development Projects, Employment Bureau of Montenegro** and local self-governments, which perform activities related to meeting the needs of direct and common interest for citizens - local population.

The Security Council adopted a resolution on Montenegro's accession to the UN at its session on June 22, 2006. At its session on June 28, 2006, the United Nations General Assembly decided to approve Montenegro's accession to the UN, making Montenegro the 192nd member of the UN. Following accession to the UN, Montenegro opened its missions and appointed permanent representatives to the UN in New York, Vienna and Geneva. By joining the United Nations, Montenegro has initiated the procedure and, so far, has become a member of almost all UN agencies and specialized organizations from the UN system. With the membership in the UN, the process of defining the list of agreements and conventions to which Montenegro acceded on the basis of succession, and for which the Secretary General of the United Nations acts as a depositary, began. The instrument of accession to these conventions was submitted on October 23, 2006 and includes regulations in various areas: diplomatic and consular relations, protection of human rights, rights of refugees and stateless persons, health, international trade and development, transport, education, maritime rights, commercial arbitration, telecommunications, disarmament, environmental protection, etc.

Since then, the cooperation between Montenegro and the UN system has been continuously developing in numerous areas, with constant improvement in the program and organizational part. During the past years of Montenegro's membership in the United Nations, a strong partnership has been built, which has led to a visible improvement in all segments of Montenegrin society.

The International Organization for Migration (IOM) was founded in 1951 and is a leading global organization in the field of migration. Since its inception, the IOM has operated as an entity outside the UN system. By signing the Agreement on Cooperation with the UN, IOM gained the status of an organization from the UN system. Montenegro cooperates with the International Organization for Migration through the Office of the International Organization for Migration in Montenegro.

The IOM office in Montenegro was established in 2001. Its activities are aimed at including Montenegro in a number of humanitarian and social support programs, as well as regional projects in the field of capacity building, development of institutional and legislative framework in the field of asylum, migration and visa regime, all in the context of regional cooperation in combating illegal migration and organized and cross - border crime, which directly contributes to a higher level of security in the Western Balkans region and beyond. This cooperation is reflected in the following:

- The IOM Office in Montenegro promotes dialogue through workshops on migration-related topics; develops information and training programs for officials; improves cross-border cooperation.
- IOM provides advisory and operational support to the Montenegrin authorities in their efforts to strengthen the country's migration management capacity, including improving border controls, strengthening anti-trafficking efforts through capacity building for the identification of migrants.
- IOM supports the Government in establishing the necessary mechanisms for collecting and exchanging data and information with neighboring countries for the analysis of regional migration flows.

The procedure for full harmonization and signing of **the Memorandum of Cooperation between the Ministry of the Interior of Montenegro, the Police Directorate of Montenegro and the International Organization for Migration** is in progress, in the procedure of voluntary return of foreigners and reintegration with assistance to the country of return. The aim of this Memorandum is to establish mechanisms for long-term cooperation and to enable close cooperation and consultations in the process of returning an alien to the country of origin.

The Ministry of the Interior, in cooperation with the International Organization for Migration (IOM), has developed an **INFORMATOR FOR FOREIGN WORKERS**, which contains detailed information on the types of residence and procedures that must be followed for this purpose. The brochures contain all relevant information on registration of residence, issuance of temporary residence permits, and temporary residence and work permits. Also, IOM financially supported the Ministry of the Interior in the implementation of the Terms of Reference concerning the amendment and development of new program modules in accordance with the new law on administrative procedure.

Organized by the International Organization for Migration (IOM), the Podgorica office of the Regional Project "Regional Support to Protective and Sensitive Migration Management in the Western Balkans and Turkey", funded by IPA II funds, regularly holds meetings of border police chiefs in the region (Montenegro, BiH, Serbia, Kosovo, Albania and Northern Macedonia). Coordination meetings are organized for the purpose of exchanging statistical and other data related to illegal migration, smuggling, trends related to migration flows, as well as the procedure of implementation of signed Agreements on readmission of third-country nationals. The project aims to support sustainable mechanisms and structures in the target countries of the region to independently manage migration and protect vulnerable migrants, and at the same time expand the scope of cooperation and coordination between them. IOM is working with the institutions of the six Western Balkan countries, beneficiaries of the project (WB6), dealing with migration, to develop a service that would offer immediate and reliable access to non-regional translation. The legal basis for the

establishment of this regional translation service is provided through the "Protocol on the Use of a Common Translator Database in the Fields of Migration and Asylum", signed by the WB6 Ministers of the Interior / Security with the assistance of MARRI. Seen as a way to complement translation solutions at the national level, the protocol allows the establishment of a database of non-regional translators (MARRI database) that would be used for customized remote translation services in the areas of migration and asylum. In addition to the above, IOM's activities in Montenegro are focused on the domain of readmission, reintegration of returnees upon readmission, voluntary return of migrants to countries of origin, integrated border management, exchange of non-personal data and other areas related to migration management.

Cooperation between the IOM office in Podgorica, the Ministry of the Interior, the Police Directorate and other relevant institutions is reflected in the implementation of a number of national and regional projects on migration management, aimed at capacity building to improve national migration management mechanisms and harmonization with EU and international standards, as well as improvement of regional cooperation among the countries of the Western Balkans.

Forced displacement and statelessness are unequivocally issues of concern to the international community. In response to these challenges, a decision of the United Nations General Assembly established the Office of the United Nations High Commissioner for Refugees (**UNHCR**) in 1950. The intention of the UN General Assembly was to ensure that the UNHCR "enjoys a special status within the UN ... having the level of independence and reputation required for the effective exercise of its function". For this reason, the mandate of the UNHCR is part of international public law, through the obligation of states to cooperate with the UNHCR, which is explicitly mentioned in international documents and national legislation in the field of asylum. In a broader sense, UNHCR is a surrogate diplomatic and consular mission for refugees and stateless persons. In addition, UNHCR has the authority to "call on the cooperation of various specialized agencies" to assist UNHCR in carrying out its mandate. The UNHCR office in Montenegro was opened in 1992. Since 1992, UNHCR has provided strong support to Montenegro in receiving, caring for and seeking lasting solutions for refugees from the former Yugoslavia and persons registered in the asylum system, preventing statelessness, and building a national legislative and administrative framework that fully meets international obligations Montenegro has in the field of asylum and statelessness. In addition, UNHCR will contribute to the achievement of the defined objectives of the Strategy by implementing assistance programs for persons covered by the Strategy, directly or through partner NGOs. This primarily refers to free legal aid, psychosocial support and integration assistance to persons under the UNHCR mandate.

The Ministry of the Interior, the Ministry of Labor and Social Welfare and **the UNHCR Office** in Montenegro signed a Memorandum of Cooperation on March 6, 2014 and identified a set of measures to be taken to provide assistance to displaced and internally displaced persons living in Montenegro to submit a request for resolving their status. The Memorandum also established the Operational Team, which constantly monitored the situation and took appropriate measures in the area of resolving the legal status of displaced persons. Among the measures and activities taken in the previous period, special mention should be made of the support to the combined mobile biometric teams of the Ministry of the Interior of Montenegro and the Kosovo Civil Registration Agency, which issued documents in the field to displaced persons from Kosovo residing in Montenegro since the late 1990s.

The project "Regional Support to Migration Management with the Protection of Migrants' Rights in the Western Balkans and Turkey" is a program implemented in several countries and funded by the European Union, with the aim of providing comprehensive regional access to effective migration management systems, while

protecting migrants' rights, all within the pre-accession assistance (IPA II) and as part of the EU accession process in seven beneficiary countries of the program, namely Albania, BiH, Macedonia, Kosovo, Serbia, Montenegro and Turkey. All activities within the program are carried out by FRONTEX, EASO, IOM and UNHCR. The implementation of the program began in 2016 and consists of two components, the first of which is led by Frontex and the second by IOM, with a total budget of eight million euros. The general goal of the program is to develop and operationalize a comprehensive migration management system in IPA II beneficiary countries, which is aimed at protection, resilience and promotion of human rights. The specific goal of the program is to upgrade institutional capacities as well as to upgrade the operational activities of relevant institutions that come to the first and second point of contact with migrants and persons in need of international protection, which fully respects fundamental rights and international standards. The program also aims to strengthen the resilience of local communities and promote the social inclusion of migrants, asylum seekers and people in need of international protection.

The component led by **FRONTEX** is aimed at strengthening identification mechanisms in relation to irregular migrants and applicants for international protection, increasing the capacity of beneficiary countries and resources to implement the registration of mixed migration flows in a harmonized manner, establishing appropriate return mechanisms, etc.

The component implemented by IOM is aimed at achieving several results on the topic of non-personal data exchange (the goal is to harmonize regionally harmonized templates for data collection related to migration with EU standards, and enable direct comparison of migration trends in the region); assisted voluntary return of migrants to their countries of origin and their reintegration; strengthening local communities with the aim of improving social cohesion between the local population and asylum seekers, refugees, migrants as well as persons in need of international or other protection; as well as activities on the topic of cultural mediation. As the IOM component also aims to establish regional mechanisms for voluntary return and reintegration, in 2018, voluntary return for 34 foreigners was carried out through IOM, and in 2019, 22 migrants returned voluntarily to their countries of origin.

Within the components organized by the European Asylum Support Office (**EASO**), the officers of the Asylum Directorate are participants in the regional training of trainers for EASO modules. The aim of the training is to create / maintain a base of national trainers who will be able to deliver and distribute basic EASO training modules in their country.

In order to better monitor and review the current situation regarding the state and movement of illegal migration in EU countries and countries in the region, the Ministry of the Interior-Police Directorate of Montenegro pays significant attention to cooperation with EU agencies, especially with FRONTEX. Pursuant to the signed Working Arrangement on the Establishment of Operational Cooperation, on a monthly basis, and from October 2018 also on a daily basis, data on illegal migration are exchanged, risk analysis is participated in, data are submitted within the post-visa liberalization monitoring mechanism and the body participates in joint operations. In coordination with Frontex and FR Germany, in 2018, two operations of return of Montenegrin citizens with illegal residence in the EU were realized. On that occasion, officers of the Border Police Sector from FR Germany took over and safely returned 65 Montenegrin citizens to Montenegro.

Under the auspices of FRONTEX and **DCAF**, several joint coordinated operations on the green border and border crossings of the Western Balkans have been implemented in the previous period. The main goal of the operations was coordinated action of border services in the field of combating illegal migration, human trafficking, drug smuggling, detection of stolen vehicles, forged documents and other forms of cross-border crime, as well as exchange of experience and good practice in policing.

The Ministry of the Interior of Montenegro, **with the support of UNICEF**, organized a training on the application of international standards in the field of health and child protection in support of efforts to help children and families, migrants and refugees (December 2019). The goal of this training, ultimately, was to identify the best interests of the child.

In May 2020, a Memorandum of Cooperation was signed between **the Ministry of the Interior of Montenegro and the NGO Legal Center**. The purpose of the Memorandum is to present the basis on which the Ministry of the Interior and the NGO Legal Center will exchange information and cooperate in the implementation of the project "My Lawyer - Free and Professional Legal Assistance in Accessing Rights for Migrants", supported by the European Commission through the Delegation of the European Union in Montenegro, through the support program of civil society organizations EIDHR 2018. The goal of this cooperation is to improve the active participation and contribution of civil society organizations in the process of implementation of existing migration management policies in Montenegro.

Also, the Ministry of the Interior cooperates with the **NGO "Civic Alliance"** (hereinafter: CA), which is a partner of UNHCR, and which in accordance with the Law on International and Temporary Protection of Foreigners provides free legal assistance in proceedings for international protection of foreigners seeking international protection, before the Ministry of the Interior. This cooperation is realized on a daily basis, and concerns the exchange of information and communication with the officials of the Reception Center, the Asylum Directorate and the Directorate for Integration of Foreigners with Approved International Protection and Reintegration of Returnees upon Readmission regarding foreigners seeking international protection and persons granted protection Montenegro and the exercise of their rights and obligations.

The cooperation between the Civic Alliance and the Ministry of the Interior dates back to 2011, when the Civic Alliance was founded and at the time the Ministry of the Interior recognized the Civic Alliance as a non-governmental organization which had implemented numerous activities in the field of human rights protection. The project implemented by the CA in cooperation with the UNHCR since the beginning of 2019, which refers to the provision of free legal aid to foreigners seeking international protection and foreigners granted international protection, has only further strengthened the cooperation between the Ministry of the Interior and the CA. Through this project, the CA provides free legal assistance to Foreigners residing in the facilities of the Directorate for Reception of Foreigners Seeking International Protection, which encompasses the process of their application for international protection. As an example of positive cooperation, we would also like to point out that two CA officers are available to asylum seekers for consultations and counseling, thereby enabling a holistic application of standards in this area through cooperation.

Since the CA officials represent foreigners seeking international protection before the Asylum Directorate, the cooperation between the CA and the Asylum Directorate is reflected in daily activities related to legal counseling and free legal aid related to the procedure for applying for international protection. Cooperation is extremely important and is also reflected in everyday communication, exchange of information, mutual support and the like. As the CA also works on providing free real

assistance to foreigners granted international protection, the CA closely cooperates with the Directorate for Integration of Foreigners with Approved International Protection and Reintegration of Returnees upon Readmission, and this cooperation is also reflected in almost daily communication for better and more efficient help to our common users, all in the best interest of the users.

From the beginning of 2020 to October 5, 2020, the Civic Alliance was authorized to represent 700 clients, and from the beginning of 2020 to October 5, the CA represented 40 clients before the Asylum Directorate in the international protection procedure. In 2020, 6 persons represented by the CA in the procedure of granting international protection before the Asylum Directorate received international protection.

Also, there is continuous cooperation at the level of communication and data exchange with **the NGO "LGBT Forum Progress" and the NGO "JUVENTAS"**, especially among members of the LGBT population and potentially HIV and AIDS positive people.

Also, on the occasion of the address of the project team Social Inclusion - Hand of Friendship Foundation, regarding the call for cooperation on the project for the competition announced by **the NGO "Young Roma"**, we are ready to support the implementation of this project and thus continue to promote policies for improving the position of the Roma population, especially in the area of regulating the legal status in Montenegro, and thus the right to identification documents.

The long-term cooperation between **the Ministry of the Interior and the Red Cross of Montenegro** is reflected in numerous implemented activities of providing assistance and support to foreigners seeking international protection in Montenegro, foreigners with approved international and subsidiary protection, as well as Montenegrin citizens returned to Montenegro under readmission agreements. Pursuant to the Law on the Red Cross of Montenegro (Official Gazette of the Republic of Montenegro, 28/06), and the public authority of the Red Cross of Montenegro, joint activities are carried out in providing humanitarian assistance to foreigners seeking international protection, persons granted international protection and Montenegrin citizens returned under readmission agreements. In the current cooperation between the Ministry of the Interior and the Red Cross of Montenegro, activities have been implemented through projects funded by international donors, as well as through the own resources of the Red Cross of Montenegro.

Team members of the Red Cross of Montenegro provide assistance and support in assisting and taking foreigners to health care institutions in order to adequately conduct examinations, with the help of interpreters and occasional assistance in providing some medicines and medical devices to fully ensure the right to health care. In addition, in accordance with the needs of the Ministry of the Interior, educational workshops are conducted with foreigners seeking international protection, as well as with persons who have been granted international or subsidiary protection. In addition to supporting the asylum system, the Montenegrin Red Cross, in cooperation with the Ministry of the Interior, is carrying out activities to provide humanitarian assistance to persons in reintegration, the AP for the reintegration of Montenegrin citizens returned after readmission. As part of providing support to migrants in Montenegro, the Red Cross of Montenegro provides support to the Shelter for Foreigners, providing humanitarian assistance and occasionally some medicines for the needs of persons accommodated in the Shelter for Foreigners, Police Directorate.

In addition to the significant financial support provided to the Government of Montenegro by all the above international and domestic actors responsible for mixed migration, their support in the implementation of strategic objectives of the strategy will be reflected in participation in various Interdepartmental working groups preparing / creating laws or bylaws, then organization of various conferences, trainings, seminars, panels, courses, etc. Also, their help will be reflected in the procurement of equipment, development of information material, providing various types of support to foreigners, from psychosocial, material, humanitarian, legal, etc.

Also, their support will be reflected in the provision of translation services - English, French, Spanish, Russian, Arabic and Farsi, as well as other languages as needed. Support will also be provided in providing cooperation in resolving the status of IDPs and other persons in need of this type of support. Significant support will be provided in improving the return system of foreign nationals who have not been granted residence in Montenegro and systematic work on voluntary return, as well as training of the Ministry of the Interior and Police Directorate officers.

II. SITUATION ANALYSIS

1. Presentation of the degree of implementation of previously standing strategic documents

As already pointed out in the introductory part, these two areas have so far been monitored through two strategic documents, the Strategy for Reintegration of Persons Returned on the Basis of Readmission Agreements for the period 2016-2020 and the Strategy for Integrated Migration Management in Montenegro for the period 2015-2020. In this section, we offer an overview of a short degree of their realization that is given separately for each area.

Migrations

The Government of Montenegro, in February 2017, after obtaining the opinion of the EC, **adopted the Strategy for Integrated Migration Management in Montenegro for the period 2017-2020**. It should be noted that this is the second strategic document in the field of migration because the Government of Montenegro, in March 2011, adopted the Strategy for Integrated Migration Management in Montenegro for the period 2011-2016. The main objective of the Strategy is full harmonization and establishment of the legal framework, as well as further strengthening of the institutional framework that provides the possibility of effective implementation of migration control policy in accordance with EU rules and standards, as well as establishment of a monitoring system for monitoring the Strategy and action plans. The ultimate objective of the Strategy is to establish a society with an efficient system and recognizable results in the field of integrated migration management, which will contribute to regional and overall stability in accordance with EU rules and standards.

Certainly, it can be stated that Montenegro in the previous period has continuously implemented activities related to improving conditions in the field of legal migration, combating illegal migration, promoting the value of international protection, full integration of persons with international protection, consistent implementation of

readmission agreements, and all on the platform of intensive regional and international cooperation and harmonization with the *acquis* and best practices of the European Union member states.

During this period, the two most important laws in this area were adopted, namely **the Law on Foreigners** ("Official Gazette of Montenegro", no. 12/2018 and 03/19) and **the Law on International and Temporary Protection of Foreigners** ("Official Gazette of Montenegro", no. 2/2017 and 03/19). The Ministry of the Interior of Montenegro has completed the normative framework by adopting all bylaws based on the Law on International and Temporary Protection of Foreigners and the Law on Foreigners. Through these legal acts, we have largely applied European standards, which has been and continues to be reflected in the quality and efficiency of exercising the rights of foreigners, managing legal migration flows and combating illegal migration through coordinated and clearly prescribed procedures.

Also, at the end of December 2018, the Government of Montenegro passed a new **Decree on the Organization and Manner of Work of the State Administration**, which saw the tasks related to providing assistance in exercising the rights of Montenegrin citizens upon return to Montenegro, from the previous competence of the Ministry of Labor, passed into the jurisdiction of the Ministry of the Interior. Accordingly, in order to create a functional, efficient and comprehensive system of international protection, in addition to implementing international readmission agreements, the provision of assistance in exercising the rights of Montenegrin citizens upon return to Montenegro is the responsibility of one state body (MIA). This solution guarantees successful and quality implementation of standards and policies in this area. In this regard, within the Ministry of the Interior / Directorate for Civil Status and Personal Documents, the Directorate for Integration of Foreigners with Approved International Protection and Reintegration of Returnees upon Readmission has been systematized, in which these activities are performed.

With the adoption of the new Law on Internal Affairs, in June 2021, the Police Directorate again became a part of the Ministry of the Interior, which created the conditions for further strengthening of coordination in the field of mixed migration management in Montenegro.

By establishing a strategic and normative framework, as well as institutional structures, Montenegro has built an efficient migration management system, with the future goal of strengthening these mechanisms. However, no matter how developed a national migration system is, it cannot tackle the problem of illegal migration on its own, without continuous cooperation with the countries of the region and the EU, international organizations and other entities that can contribute to more efficient migration management.

Against the background of achieving the most important foreign policy priority of our country, which is the full membership of Montenegro in the European Union, Montenegro achieves strong cooperation with European institutions, which resulted in signing **the Agreement between Montenegro and the European Union on activities carried out by the European Border and Coast Guard Agency (FRONTEX)**. The implementation of this agreement will greatly contribute to border security and the fight against illegal migration, and, thus, even better protection of our borders from all forms of crime.

Montenegro is undertaking intensive efforts and activities in order to enable all foreigners seeking international protection to exercise all the rights granted to them by the Law on International and Temporary Protection of Foreigners. **Special activities are undertaken in the part of increasing, i.e. expansion of accommodation capacities** through the commissioning of the Temporary Center for Accommodation of Foreigners Seeking International Protection - "container settlement" until the

adaptation of the Watchtower "Božaj", located on the road to Albania. By setting up a container center on the sports field within the Watchtower "Božaj", 60 places have been provided for accommodation. Additional capacities for adequate reception of foreigners seeking international protection in Montenegro will be provided by the adaptation and reconstruction of the "former Watchtower Božaj", which is funded from IPA 2018 and the capital budget of Montenegro. In regular circumstances, accommodation will be provided for 120 people, and in extraordinary circumstances for 200 people. The increased number of foreigners seeking international protection also requires further expansion of the accommodation capacities of the Reception Center in Spuž. In this regard, the Ministry of the Interior has undertaken activities to create conditions for the reconstruction of the existing facility of the Center by upgrading the floors and expanding the capacity of the restaurant. This way, the accommodation capacities will increase by 60 places. Activities have also been undertaken in order to purchase a plot of land bordering the reception center complex, which will increase the Center's space capacity by 60 places.

The Government of Montenegro, with the conclusion number: 08-215 from November 19, 2015, adopted **the Action Plan in case of mass influx of migrants and refugees**. Also, at the same session, a Coordination Board was formed, which will coordinate the activities of state bodies on the implementation of the Action Plan in case of mass influx of refugees and migrants, as well as the Operational Team. In July 2018, the Amended Action Plan in the event of a mass influx of migrants and refugees was adopted. In addition to the Deputy Prime Minister for Political System, Internal and Foreign Policy, Mr. Zoran Pazin, who is the President of the Coordination Board, the members are the Ministers of Interior, Labor and Social Welfare, Transport and Maritime Affairs, Health, Defense and Foreign Affairs. The Government of Montenegro also established the Operations Team. The operational team consists of representatives of: the Ministry of the Interior, the Police Directorate, Ministries of Foreign Affairs, Health, Labor and Social Welfare, Defense, Transport and Maritime Affairs, the Prime Minister's Adviser, the Montenegrin Red Cross, UNHCR and IOM. During the adoption of the Amended Action Plan, the Government instructed the Operational Team to, in accordance with the new situation, amend the Action Plan in case of possible influx of refugees and migrants, but as so far there was no need to change anything in the Action Plan, no amendments were initiated.

When it comes to **resolving the status of displaced persons and internally displaced persons** (granting permanent and temporary residence for up to three years), it should be noted that in the previous period an exceptional result was made, in the sense that in January 2015 there were a total of 2,969 requests; in January 2017, there were a total of 629 requests, while on October 1, 2020 there were a total of 159 requests. From November 7, 2009 (date of entry into force of the Law on Amendments to the Law on Foreigners), ending on October 1, 2020, displaced persons and internally displaced persons submitted a total of 15,248 applications for approval of permanent residence and temporary residence for up to three years. Out of this number, 15,089 requests have been resolved, while 159 requests are in progress, i.e. about 1.0% of these requests are still pending.

Pursuant to the Law on Foreigners from 2018, five (5) travel documents and two (2) temporary residence permits were issued to **stateless persons** (until October 2020), while the procedure for determining statelessness is ongoing for 11 persons.

In the next period, we should certainly work on full harmonization and improvement of the existing legal framework, in accordance with international standards, implementation of activities that were not fully implemented in the previous period, primarily focusing on increasing administrative capacity and improving conditions

for acceptance and ensuring equal access to rights belonging to foreigners seeking international protection and persons granted international protection in Montenegro; as well as on improvement of the mechanism of coordination and monitoring of work performed by state bodies implementing legislation in the field of migration and conducting training for officials working on migration and final settlement of DP/IDP status.

Readmission

In April 2016, the Government of Montenegro adopted the Strategy for Reintegration of Persons Returned on the Basis of the Readmission Agreement for the period 2016-2020. This Strategy is an expression of continuity with the previous strategic document (2011-2016), and the main reason for its adoption is to continue working to improve the preconditions for an adequate approach to the process of return and reintegration of returnees at all levels, further strengthening the administrative and institutional framework. In the previous period, Montenegro has continuously carried out activities related to improving conditions in the field of legal migration, initiating, signing and consistent implementation of readmission agreements, as well as full reintegration of readmission returnees, all on the platform of intensive regional and international cooperation and harmonization with the *acquis* and the best practice of the European Union member states.

In addition to the already signed readmission agreements (EU, Kingdom of Norway, Swiss Confederation, Bosnia and Herzegovina, Albania, Croatia, Serbia, Macedonia, Kosovo, Moldova), in the meantime agreements have been signed with Turkey (applied since 2016), Azerbaijan (applied since 2017), while the text of the agreement has been fully harmonized with Georgia in 2019. Also, in addition to the already concluded implementation protocols with EU member states (Republic of Slovenia, Malta, the Republic of Austria, Bulgaria, the Czech Republic, the Republic of Germany, the Benelux countries, the Slovak Republic, the Republic of Estonia and Italy), protocols were concluded with Hungary, the Kingdom of Spain and Greece. Negotiations have been initiated in order to conclude implementation protocols with all remaining EU member states.

The most significant activity during the period of this strategic document is that the number of Montenegrin citizens for whom consent for return to Montenegro is required is constantly decreasing, so that in 2016 a request for readmission was received for 965 people, in 2017 for 756 people, in 2018 a request for readmission was received for 619 persons, in 2019 a request for readmission was received for 392 persons, while for the first 10 months of 2020 a request for readmission was received for 242 persons, which means that this number decreased by about 70% compared to 2016.

Regarding the key achievements for the implementation of measures and activities from this Strategy, we emphasize that the Government of Montenegro at the end of December 2018 adopted a new **Decree on the organization and manner of work of state administration**, which transferred the tasks of assistance in exercising the rights of Montenegrin citizens upon return in Montenegro, from the previous competence of the Ministry of Labor and Social Welfare, to the competence of the Ministry of the Interior. Accordingly, in order to create a functional, efficient and comprehensive system of international protection, in addition to implementing international readmission agreements, the provision of assistance in exercising the rights of Montenegrin citizens upon return to Montenegro is the responsibility of one state body (MIA). This solution guarantees successful and quality implementation of standards and policies in this area. In this regard, within the Ministry of the

Interior / Directorate for Civil Status and Personal Documents, the Directorate for the Integration of Foreigners with Approved International Protection and Reintegration of Returnees Upon Readmission has been systematized, which, among other tasks, performs assistance in the reintegration of returnees after readmission.

It is commendable that Montenegro has built mechanisms at the central and local levels to provide support to returnees upon readmission. However, one of the biggest problems in adequate aid planning and all future activities proved to be the lack of comprehensive records on this population. This problem arises, first of all, due to the lack of any legal obligation to register returnees, as well as the absence of systematic monitoring of voluntary return. Therefore, the possibility is there to use previous experience and available information on returnees and activities currently underway to improve the collected data and establish an electronic database of persons returned in accordance with readmission agreements which electronically connect all competent bodies dealing with these issues. Also, it is necessary to train officials to use this database.

Despite these achievements, at the end of the implementation period of this strategic document, we still have a situation that the status of the implementation of certain activities is ongoing. Insufficient and imprecise planning of budget items can be cited as an essential challenge for the implementation of planned activities, especially for activities for the implementation of which regular funds of competent institutions are not sufficient, but they require special budget planning or donor funds. In this regard, it is necessary for the Ministry of the Interior, as an umbrella institution in the reintegration of returnees, to significantly involve local governments in implementing measures and activities in the field of integration of returnees in local communities, especially in providing temporary accommodation for returnees upon readmission.

Challenges faced by the competent institutions involved in the process of return of foreign nationals residing illegally in Montenegro relate primarily to the lack of travel documents for persons to be returned upon readmission, the lack of an extensive network of foreign DCMs in Montenegro, lack of translation capacity, cooperation with DCMs of migrant origin should be improved; there are no readmission agreement with third countries with main sources of irregular migrants, such as Pakistan, Iraq, Iran, Morocco and Algeria, and there are difficulties in profiling migrants (determining age and vulnerability) and no existence of electronic databases.

Also, it is necessary for the Ministry of the Interior to intensify activities on signing readmission agreements with third countries with which Montenegro has not signed agreements, as well as signing implementation protocols with other EU member states, with which we have not signed protocols. In this way, the activity prescribed in the AP for CN 24 will be realized.

It is encouraging that in the unofficial working documents on the state of development in Chapters 23 and 24, Montenegro was mostly positively assessed. The positive trend in these areas should be used to maintain the current situation in this area, but also to improve certain activities in order to harmonize the needs of people in migration with the realistic possibilities of pursuing migration policy in both Montenegro and the EU.

Finally, it is important to mention that the last year of implementation of these strategies was marked by unexpected events related to the COVID 19 virus pandemic. Due to the spread of the virus, which is a global challenge, and its consequences, many activities envisaged by the Action Plan for 2020 have not been realized or were slowed down.

2. Legal migrations

The Law on Foreigners ("Official Gazette of Montenegro", No. 12/2018), entered into force on March 3, 2018. This law regulates the conditions for entry, exit, movement, stay and work of foreigners in Montenegro. This law, together with the bylaws adopted for its implementation, is harmonized with the following EU directives, as follows:

❖ fully implemented:

- Council Directive 2004/81 / EC of 29 April 2004 on residence permits issued to third-country nationals who are victims of human trafficking.
- Directive 2004/38 / EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their families to move and reside freely within the territory of a Member State, amending Regulation (EEC) No 2454/93 1612/68 and repealing Directives 64/221 / EEC, 68/360 / EEC, 72/194 / EEC, 73/148 / EEC, 75/34 / EEC, 75/35 / EEC, 90/364 / EEC, 90 / 365 / EEC and 93/96 / EEC - **32004L0038**.
- Council Directive 2009/50 / EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purpose of employing highly qualified labor - **32009L0050**.
- Directive 2011/98 / EU of the European Parliament and of the Council of 13 December 2011 laying down a single procedure for issuing a single permit to third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State - – **32011L0098**.

❖ high level of implementation:

- Council Directive 2003/109 / EC of 25 December 2003 on the status of third-country nationals residing - **32003L0109**.
- Council Directive 2003/86 / EC of 22 September 2003 on the right to family reunification - **32003L0086**.
- Council Directive 2009/52 / EC of 25 June 2009 on minimum standards for sanctions and measures against employers of illegally staying third-country nationals -**32009L0052**.
- Directive 2014/36 / EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and residence of third-country nationals for the purpose of employment as seasonal workers - **32014L0036**.

❖ medium level of implementation:

- Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country-nationals for the purposes of research, studies, training, volunteering, student exchanges or educational projects, and au pair work - **32016L0801**. **The non-compliant part related to the validity of the authorization for researchers, Mobility within the EU, Short-term mobility of researchers, Long-term mobility of researchers, Mobility of researchers' family members, Student mobility, Safeguards and sanctions in cases of mobility, Cooperation between contact points and Statistics remained.**

- Directive 2014/66 / EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of intra-corporate transfers - 32014L0066. **There remains an inconsistent part regarding the definition of long-term mobility permits, the definition of a group of companies, first and second Member States, mobility (long-term and short-term mobility) and Safeguards and sanctions.**
- Directive 96/71 / EC of the European Parliament and of the Council of 16 December 1996 concerning **the referral of workers under the framework of the provision of services.**
- Directive 2018/957 of the European Parliament and of the Council of 28 June 2018 amending **Directive 96/71 / EC on the referral of workers under the framework of the provision of services.**
- **Directive 2014/67 of the European Parliament and of the Council of 15 May 2014 implementing Directive 96/71 / EC on the referral of workers under the framework of the provision of services and amending Regulation (EU) no. 1024/2012 on administrative cooperation through the Internal Market Information System (“IMI Regulation”).**

The adoption of this law established clear, transparent and fair rules in the policy of return of persons residing illegally in Montenegro, which are an integral part of a well-conducted migration policy. Persons staying illegally in Montenegro in the return procedure will have their basic rights and dignity respected. Voluntary leaving of Montenegro will have an advantage over the forced return of a foreigner. Foreigners who are detained will be treated in accordance with international and domestic law.

Certainly, the most significant novelties in the new Law on Foreigners refer to the entry, exit, movement, stay and work of citizens of EU member states and members of their families. These provisions will be applied from the day of Montenegro's accession to the European Union, and it is crucial that these persons will be equal in rights with the citizens of Montenegro. In order to employ highly qualified third-country nationals, this law prescribes the procedures for obtaining temporary residence and work permits. By facilitating the regulation of residence and work for highly qualified workers and their families, our country will become more attractive, which will mean maintaining its competitiveness and economic growth. These norms will be applied from the day of Montenegro's accession to the European Union.

Also, the Parliament of Montenegro adopted **the Law on Amendments to the Law on Foreigners ("Official Gazette of Montenegro", No. 3/2019)**. The main reason for the adoption of this law is the need to simplify the procedure for issuing permits for temporary residence and work of foreigners for employment and seasonal employment. The key novelty in this law, and it concerns the work of foreigners, is that it stipulates that the annual number of temporary residence and work permits for foreigners - the annual quota is determined by activities, not by occupations in which foreigners can be employed. In addition to this novelty, the deadlines for resolving the submitted requests were shortened from 20 to 15 days; furthermore, it was made possible for a foreigner to be able to perform the duties of an executive director with several employers; foreigner entrepreneur and executive director in companies in which they are sole owners or owners of more than 51% of the capital, can be issued a work permit even if they are older than 67 years of age. Also, when submitting an application for the issuance of a temporary residence and work permit, the foreigner or employer won't be required to submit an excerpt from the act on systematization of the employer.

Also, Montenegro has signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence - Istanbul Convention. The Istanbul Convention is the most far-reaching international agreement to combat violence against women and domestic violence. In that sense, this law harmonized the normative framework in the field of migration with the Istanbul Convention, specifically in order to enable these persons to resolve their residence status in Montenegro. Also, in order to attract more tourists, reduce the cost of visas through diplomatic and consular missions of countries with which Montenegro has signed bilateral agreements on consular representation and modernization of the Visa Information System, the Ministry of Foreign Affairs, as the body responsible for visa policy, will develop an application solution which provides an easier way to apply for a visa. With the introduction of electronic visas, Montenegro is creating global competitiveness when it comes to the tourism sector and the accessibility of Montenegro as a tourist destination. The application solution enables a higher degree of security, easier connection of the Visa Information System with the systems of the Schengen member states and other security institutions, which is the obligation of Montenegro in the process of accession to the European Union. An application for a visa to enter Montenegro may be submitted by a foreigner electronically.

Pursuant to the Law on Foreigners, a foreigner in Montenegro may have a stay of up to 90 days, temporary residence (approved for up to one year) and permanent residence (approved permanently). A foreigner may stay in Montenegro for up to 90 days on the basis of a short-stay visa (visa C) or without a visa, in accordance with the regulations on the visa regime. An alien may stay in Montenegro for a maximum of 90 days in a period of 180 days, counting from the day of first entry, unless otherwise provided by this law or an international agreement. A foreigner who has resided in Montenegro for 90 days, may re-enter and reside in Montenegro after the expiration of a period of 180 days, counting from the day of first entry.

The Law on Foreigners stipulates that the Ministry of the Interior approves temporary residence. **Temporary residence** is approved with a validity period of up to one year. The application for the issuance of a temporary residence permit shall be submitted by the alien in person to the Ministry in the place of residence. Temporary residence may be granted to an alien who intends to stay in Montenegro for more than 90 days, for the purpose of: family reunification; secondary education or study; participation in international student exchange programs or other youth programs; specializations, vocational training and practical training; scientific research work; treatment; humanitarian reasons; disposition of the right to real estate he owns in Montenegro; performing religious services; work; other justified reasons, in accordance with the law or an international agreement. A foreigner may be issued a temporary residence permit if: he has means of subsistence, accommodation is provided, he has health insurance, he has a valid foreign travel document or identity card issued by the competent authority of another state, he is not banned from entering and staying in Montenegro, he has not been sentenced to unconditional imprisonment in Montenegro for a term exceeding six months for a criminal offense prosecuted ex officio or the legal consequences of the conviction have ceased, he has not been sentenced to unconditional imprisonment in the country of origin for more than six months for a criminal offense prosecuted ex officio or the legal consequences of the conviction have ceased, there are no obstacles for reasons of national security, public order or public health, and he has proof of the justification of the application for a permit.

There are currently 28,062 foreigners temporarily staying in Montenegro. Article 38 of the Law on Foreigners ("Official Gazette of Montenegro", No. 12/2018 and 3/2019) defines the purpose of a foreigner's stay in Montenegro, while Article 39 of this Law stipulates that in cases referred to in Article 38, paragraph 1, item 1 to 11 and item 13 of this law, a foreigner is issued a temporary residence permit. Article 40 of this Law stipulates that in the case referred to in Article 38, paragraph 1, item 12 of this

Law, a foreigner shall be issued a temporary residence and work permit (paragraph 1). The work of a foreigner, in terms of paragraph 1 of this Article, includes employment, seasonal employment and the work of a seconded worker (paragraph 3).

Of the total number of foreigners who currently have a temporary residence in Montenegro (28,062), i.e. have been issued temporary residence permits and temporary residence and work permits, the statistics classified according to the legal basis from Article 38 of the Law on Foreigners appear to be the following:

- 1) family reunification - 9,926;
- 2) schooling - 367;
- 3) participation in international exchange programs for pupils and students or other youth programs - on this basis there are currently no approved temporary stays;
- 4) specialization, professional training or practical training of foreigners - 7;
- 5) scientific research work - 3;
- 6) treatment - 54;
- 7) humanitarian reasons - 13;
- 8) use and disposal of the right to real estate owned in Montenegro - 1,866;
- 9) performing religious service - 51;
- 10) performing volunteer work within the European Voluntary Service - on this basis there are currently no approved temporary stays;
- 11) residence of stateless persons - 1;
- 12) labor - 15,521;
- 13) in other cases in accordance with the law and the international agreement - 253.

The total number of issued permits in 2018 was - 30,273, while in 2019 there were 44,573 issued. We have also included work permits here.

A permanent residence permit may be issued to a foreign national who, until the date of filing the application for the permit issue, has legally resided in Montenegro, for uninterrupted five years, based on granted temporary residence and recognized refugee status or granted additional protection in accordance with the Law on Asylum ("Official Gazette of the Republic of Montenegro", number 45/06), or the granted asylum or subsidiary protection in accordance with the law governing international and temporary protection of foreign nationals. The foreign national shall be considered to have uninterruptedly resided in Montenegro when in the period of five years he was absent from Montenegro several times, up to ten months in total, or was absent one time, up to six months. A foreign national may be issued a permanent residence permit if he: has a valid travel document i.e. a travel document for a stateless person; has permanent, regular and sufficient funds to support himself; has health insurance; has accommodation provided for; has knowledge of the Montenegrin language at the level which enables elementary communication. A foreign national shall not be issued a permanent residence permit if the reasons of national i.e. internal security so require. A foreign national shall be granted permanent residence in Montenegro for an indefinite period. A permanent residence permit shall be issued with the validity period of five years, with the obligation of extension. A foreign national holding a permanent residence permit has the right to: work, work placement, and the rights during unemployment; education and professional development; recognition of diplomas and certificates; social assistance, health and pension insurance; tax reliefs in accordance with the law; access to the goods and services market; freedom of association,

connection and membership in organisations which represent the interests of workers or employers. These rights shall be exercised in accordance with the laws governing the manner of exercising such rights.

The total number of foreigners who resided in Montenegro on April 12, 2021, is 30,939. For clarification, the total number of approved permanent residences is classified into three categories, as follows:

- 9,952 foreigners were granted permanent residence as displaced persons (BIH and RHR), ie internally displaced persons (Kosovo), which was made possible by the adoption of the Law on Amendments to the Law on Foreigners, from October 2009.
- 14,145 foreigners were granted permanent residence as citizens of the states of the former SFRY who had registered residence in Montenegro, which was made possible by the Law on Foreigners from 2008, as well as the Law on Foreigners from 2014.
- 6,842 foreigners were granted permanent residence by legally residing in Montenegro for a continuous period of five years on the basis of an approved temporary residence until the day of submitting the application for a permanent residence permit, which was provided by the Law on Foreigners from 2008. to foreigners from 2014 and the Law on Foreigners from 2018. This category also includes about 900 who received permanent residence whose one parent, at the time of his birth, is a Montenegrin citizen and has a permanent residence in Montenegro, or whose both parents, at the time of his birth, have been granted permanent residence; or whose one parent, at the time of his birth, has been granted permanent residence and the other parent is unknown or has died.

Pursuant to the Law on Foreigners, a foreigner who intends to stay in Montenegro for employment, seasonal employment, as well as a sent foreign worker (who performs work in Montenegro for a limited period of time), is issued **a residence and work permit as a single document**. The procedure for issuing a temporary residence and work permit for a foreigner is carried out by the Ministry of the Interior.

The application for the issuance of a temporary residence and work permit shall be submitted by the foreigner personally to the Ministry in the place of residence, on the prescribed form. When submitting a request, a photograph, a fingerprint of two fingers and a digitized handwritten signature are taken from the foreigner, in accordance with the law governing the issuance of an identity card. Exceptionally, an application for a temporary residence and work permit may also be submitted by the employer in the place of the foreigner's intended residence. The application for the issuance of a temporary residence and work permit shall be decided within 15 days from the day of submission of the proper application. From January 1, 2021, the foreign national will be able to submit the application for the issuance of a temporary residence and work permit for seasonal employment to the Ministry of the Interior, through the diplomatic-consular mission in the country of origin.

In Montenegro, the so-called quota system for issuing permits for temporary residence and work of foreigners is applied, which was recognized by the previous Law on Foreigners ("Official Gazette of Montenegro", No. 56/2014, and 28/15 and 16/16 applied from April 1, 2015. At the beginning of the application of this law, the Law on Employment and Work of Foreigners (Official Gazette of Montenegro, No. 22/08 and 32/11), which until then regulated the employment and work of foreigners in Montenegro, ceased to be valid. We state this because before the entry into force of the Law on Employment and Work of Foreigners, Montenegro had an extremely liberal system of employment of foreigners, in accordance with the Regulation on employment of non-resident natural persons ("Official Gazette of the Republic of Montenegro", No. 28/03); during that time, between 50,000 and 60,000 non-residents worked in our labor market annually. Due to the need to preserve the character of

openness in the labor market, and at the same time bring the work of foreigners to an optimal level in accordance with the real needs of the Montenegrin labor market, the Law on Employment and Work of Foreigners from 2008 introduced a quota system for issuing work permits for foreigners. The Government determined the quota of work permits for foreigners on an annual basis, based on the criteria prescribed by the Decree on Criteria and Procedure for Determining the Number of Work Permits for Foreigners ("Official Gazette of Montenegro", No. 69/08). From that time until today, and in accordance with the valid regulations governing the employment and work of foreigners in Montenegro, the Government determines the annual quota.

Thus, Article 76 of the Law on Foreigners ("Official Gazette of Montenegro", No. 12/2018 and 3/2019) stipulates that the annual number of permits for temporary residence and work of foreigners (the so-called annual quota) is determined by the Government, in accordance with migration policy, the situation and trends in the labor market in Montenegro, no later than November 30 of the current year, for the following year. The annual quota determines the activities in which foreigners can be employed. Within the annual quota, the annual quota for employment and for seasonal employment of foreigners is determined separately.

Article 77 of the Law prescribes that the annual quota shall be determined on the proposal of the state administration authority in charge of labour affairs, upon previously obtained opinions of the Employment Bureau of Montenegro, state administration authorities in charge of particular business activities for which annual quota is determined, and the Social Council. The Government may restrict the annual quota, increase the number, or make rearrangements by purposes, if that is conditioned by the changed ratio between labour market supply and demand or due to special conditions in particular business activities. This legal solution enables the protection of the domestic labor force from the spontaneous and unregulated employment of foreigners in Montenegro.

The Decree on Criteria and Procedure for Determining the Annual Number of Permits for Temporary Residence and Work of Foreigners ("Official Gazette of Montenegro", No. 20/19) determines the criteria and procedure for determining the annual number of permits for temporary residence and work of foreigners - annual quota. The criteria for determining the annual quota, prescribed by the said regulation, are:

- the relationship between supply and demand in the labor market;
- the possibility of meeting the demand on the labor market, by employing Montenegrin citizens;
- employment of foreigners in Montenegro in the previous period;
- utilization of the annual quota in the previous year; and
- employers' needs for employment in the coming year.

In 2016, 14,588 work and employment permits for foreigners were issued (10,834 in the quota and 3,754 out of the quota). Of the total permits issued to foreigners in the quota, observed by type of permits, 56.92% were issued for the employment of foreigners (6,167), **31.39% for seasonal employment of foreigners or 3,401 permits** and 11.69% for the provision of contracted services (1,266).

In 2017, 20,969 work and employment permits for foreigners were issued (14,259 in the quota and 6,710 out of the quota). Of the total permits issued to foreigners in the quota, observed by type of permits, 65,96% were issued for the employment of foreigners (9,405), **22,06% for seasonal employment of foreigners or 3,146 permits** and 11,98% for the provision of contracted services (1,708).

In 2018, 26,327 work and employment permits for foreigners were issued (15,132 in the quota and 11,195 out of the quota). Of the total permits issued to foreigners in the quota, observed by type of permits, 77.82% were issued for the employment of foreigners (11,776), 18.96% for seasonal employment of foreigners or 2,869 permits and 3.22% for the provision of contracted services (487) .

In 2019, 27,634 work and employment permits for foreigners were issued (15,582 in the quota and 12,052 out of the quota). Of the total number of issued permits for foreigners, observed by types of permits, 80.30% were issued for employment of foreigners (12,513), and 19.70% for seasonal employment of foreigners or 3,069 permits. In the period from January 1, 2020 to October 9, 2020, a total of 13,925 permits were issued.

In order to achieve the criteria for EU membership, it is necessary to continue efforts to fully align the legislative framework with the EU *acquis*, especially in the field of migration, because the Law on International and Temporary Protection of Foreigners is fully aligned with the EU *acquis*. With the adoption of the Law on Foreigners in 2014, the first step was taken towards the harmonization of national legislation with the *acquis communautaire*, while the adoption of the new Law on Foreigners in 2018 implemented a significant part of the *acquis* in this area. In the forthcoming period, it is necessary to continue with the activities in order to harmonize with the remaining directives in this area, and to make changes to the domestic relevant regulations in order to harmonize with this law. Migrations have great potential and can contribute to the destination countries and their societies, as well as to the countries that send them, but also to the migrants themselves. International migration can be used as a tool to address certain shortcomings in the labor market. Foreign workers can also act as a catalyst to create new jobs and increase labor market efficiency. Adequate implementation of policies in this area can compensate for the lack of labor in certain areas of the Montenegrin labor market. In this regard, it is necessary to prepare appropriate programs for the integration of foreigners seeking international protection, asylum seekers and foreigners with approved subsidiary protection into Montenegrin society primarily through their employment; we also need to continue and strengthen cooperation with the private sector and provide education and training for acquiring craft skills, in order for foreign nationals to get jobs as easily as possible.

The problem of labor shortage exists not only in Montenegro, but also in the countries of the region. It is clear that in Montenegro, from year to year, the need for labor increases, and with the globally increased turnover of employees, it happens that from year to year the participation of foreign nationals in the structure of employed workers is growing. In this regard, we should focus, first of all, on the simplification of procedures for the extension of temporary residence and work permits and consider the possibility that in this procedure not all the evidence required under the current legal solutions is attached. This primarily refers to the attachment of evidence of the acquired level of education and qualifications and evidence of medical fitness, which have already been attached when granting permits.

With regard to the deficit of highly skilled labor, it should be provided that the Chapter in the Law on Foreigners transposing Council Directive 2009/50 / EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purpose of employing highly skilled labor is applied before Montenegro's accession to the European Union. So, this Directive has been transposed into national legislation, but the amendments to the Law on Foreigners should enable its application.

Given the deficit of highly skilled labor force, a way should be envisaged to improve the admission of highly skilled foreigners by considering the possibility of exempting these persons from the annual quota, regardless of their status with the employer.

Amendments to the Law on Foreigners require full transposition of Council Directive 2003/86 / EC of 22 September 2003 on the right to family reunification - 32003L0086, in so far as it relates to the termination of a temporary residence permit - Article 65 (1) (1) 3 and paragraph 2 are not in line with the text of the Directive.

Amendments to the Law on Foreigners require full transposition of Council Directive 2003/109 / EC of 25 December 2003 on the status of third-country nationals residing - 32003L0109, in so far as it relates to the termination of a permanent residence permit due to absence from Montenegro. Above, as well as in the part related to the definition of the permit form, ie notes on the form: "Person with long-term residence in the EU" - this should apply only to permanent residence permits issued in accordance with paragraph 1 of Article 86 of the Foreigners Act.

Prior to Montenegro's accession to the EU, Amendments to the Law on Foreigners require the full transposition of Directive 2004/38 / EC, in the part relating to Article 14 of the Directive.

Through amendments to the Law on Foreigners , full transposition of Council Directives 2009/52 / EC is required, in the part relating to the granting of residence for humanitarian reasons to any alien who is illegally employed.

Through amendments to the Law on Foreigners, it is necessary to fully transpose Directive 2014/36 / EU, in the part related to the submission of documentation for the approval of temporary residence and work permits for seasonal employment, then define that accommodation for seasonal workers must meet health standards and safety (this can also be regulated by a bylaw) and of course define sanctions for employers who do not properly apply this provision.

Through amendments to the Law on Foreigners, full transposition of Directive (EU) 2016/801 is required, in the part related to the validity of authorizations for researchers, Mobility within the EU, Short-term mobility of researchers, Long-term mobility of researchers, Mobility of researchers' family members, Student mobility, Safeguards and sanctions in cases of mobility, Cooperation between contact points and Statistics. Also, through amendments to the Law on Foreigners, it is necessary to fully transpose Directive (EU) 2014/66 / EU, in the part related to the definition of long-term mobility permits, the definition of a group of companies, first and second member states, to mobility (Long-term and short-term mobility) and Safeguards and sanctions. Directive 96/71 / EC of the European Parliament and of the Council of 16 December 1996 on the posting of workers in the framework of the provision of services and Directive 2018/957 of the European Parliament and of the Council of 28 June 2018 amending Directive 96/71 / EC on the posting of workers in the framework of the provision of services, should be transposed through amendments to the Law on Foreigners as well, it being one of the obligations under Negotiating Chapter 2 - Freedom of movement for workers. This Directive ensures the protection of posted workers during their posting in relation to the freedom to provide services, the establishment of mandatory provisions relating to working conditions, as well as the protection of the health and safety of workers which must be respected. Member States shall ensure that, irrespective of the law applicable to employment, workers posted in their territory are guaranteed, on the basis of equal treatment, employment conditions covering certain matters which are determined by law and regulations in the country of employment. **In this way, full harmonization of national regulations with relevant international standards in the field of migration will be realized, the following**

will be fully transposed into the Law on Foreigners: Directive (EU) 2014/66 / EU and Directive (EU) 2016/801, as well as part of Directives 96 / 71 and 2018/957 on posting workers within the provision of services.

Also, difficulties in the coordinated action of all competent authorities in combating the gray economy in the labor market is seen in the lack of their electronic connection and in that sense it is necessary to improve coordination, communication and exchange of information, in order to achieve greater effects in the work of these services.

3. Asylum

Montenegro's commitment to respecting international standards in the field of international protection, especially by improving this area, is reflected, among other things, in the adoption of the new Law on International and Temporary Protection of Foreigners, which began its application on January 1, 2018, and bylaws for its implementation, complementary to the common composition based on the full and inclusive application of the Convention relating to the Status of Refugees - Common European Asylum System (CEAS), which aims to ensure fair and humane treatment of foreigners seeking international protection, harmonize asylum systems and reduce disparities between Member States on the basis of binding laws, as well as strengthening practical cooperation between national authorities responsible for this area and the external dimension of asylum.

The Law on International and Temporary Protection of Foreigners defines the following institutes of European legislation: **acts of persecution; perpetrators of persecution; reasons for exclusion; safe country of origin; safe third country; a secure European third country; border procedure.** This law implements the standards of international humanitarian law and human rights standards in the development and implementation of reception policy and the need to create a safe and dignified environment for foreigners seeking international protection, recognizes the need to establish and apply fair and expeditious international protection procedures, so that those who need international protection and those for whom this is not the case are identified in a timely manner.

As in previous normative decisions, the State Commission for Resolving Asylum Appeals was a second-instance body for dealing with appeals filed against decisions of the Ministry of the Interior; in line with international standards in the field of international and temporary protection of the right to an effective remedy provided by the judiciary, this law introduced **judicial protection**, i.e. the right to file a lawsuit with the Administrative Court, against decisions made in the first instance, thus ensuring compliance with these standards.

Also, this law clearly defines **special procedural guarantees** that provide appropriate support to foreigners seeking international protection, given their special circumstances, including age, gender, sexual orientation, gender identity, serious illness, mental health or the consequences of torture, rape or other severe forms of psychological, physical or gender-based violence. In order to exercise the rights and obligations under this law, the basic principle of the Dublin Regulation was introduced which determines the state responsible for deciding on an application for international protection, as well as taking and exchanging fingerprints in accordance with the EURODAC Regulation.

In order to establish a normative framework that will adequately respond to the challenges posed by the international protection system, the Ministry of the Interior of Montenegro has further strengthened the normative framework by adopting bylaws based on the Law on International and Temporary Protection of Foreigners. Through these legal acts, European standards have been widely incorporated, with the intention of continuously improving the quality and efficiency of exercising the rights of foreigners seeking international protection and persons with approved international protection, through coordinated and clearly prescribed procedures.

The Directive on the conditions of admission of the European Parliament and the Council was adopted in 2013. The Directive on the conditions of admission aims to provide better and harmonized standards of reception conditions across the European Union. It ensures that foreigners seeking international protection have access to housing, food, clothing, health care, juvenile education and access to employment under certain conditions. In addition to the above-mentioned provisions, the Directive also pays special attention to vulnerable persons, especially unaccompanied minors and victims of torture. Member States must, inter alia, conduct an individual assessment to identify the specific admission needs of vulnerable persons and ensure that vulnerable foreigners can access medical and psychological support. It also includes rules relating to the detention of asylum seekers, ensuring that their fundamental rights are fully respected.

The Directive on the conditions of admission still leaves a considerable degree of discretion to define what constitutes an adequate standard of living and how it should be achieved. Therefore, the conditions of admission still vary considerably between Member States, both in terms of the organization of the admission system and in terms of the standards provided to these persons.

During the migration crisis in 2015, the European Agenda on Migration further emphasized the importance of a clear system for the reception of foreigners seeking international protection as part of a strong common European asylum policy. The migration crisis led to the need to ensure greater consistency to better prepare for dealing with large influxes of migration.

Montenegro has transposed into its national system precisely those legal instruments that set common high standards and stronger cooperation to ensure that foreigners seeking international protection are treated equally, within a fair and effective system, regardless of where they apply for international protection. In order to create conditions for full implementation of the Law on International and Temporary Protection of Foreigners, amendments were made to the Decree on the Organization and Manner of Work of the State Administration, which stipulates that the Ministry of the Interior performs administrative tasks related to the acceptance and accommodation of foreigners seeking international protection in a Reception Center or other accommodation facility.

Also, at the end of 2018, the Decree on the organization and manner of work of the state administration in Montenegro was amended. According to the new organization and manner of work of the state administration, in order to create preconditions for full integration of foreigners with approved international protection into Montenegrin society, coordination activities in exercising legally prescribed rights, as well as assistance in exercising the rights of Montenegrin citizens upon return to Montenegro, obligations determined by the readmission agreement, which have so far been performed by the Directorate for the Care of Refugees, were transferred under the competence of the Ministry of the Interior.

In that sense, by taking over these competencies from the Ministry of Labor and Social Welfare, the Ministry of the Interior, through its Rulebook on Internal Organization and Systematization, formed two more organizational units within the Directorate for Civil Status and Personal Documents, in addition to the Asylum Directorate: the Directorate for Reception and Accommodation of Foreigners Seeking International protection and the Directorate for Integration of Foreigners with Approved International Protection and Reintegration of Returnees upon Readmission.

Through the implementation of the Law on International and Temporary Protection of Foreigners (Official Gazette of Montenegro, No. 2/2017 and 3/2019), international protection affairs have been centralized in the Ministry of the Interior: from the reception and accommodation of foreigners seeking international protection, through submission and decision-making upon request, i.e. granting of international protection (asylum or subsidiary protection) to the integration of persons with approved international protection into Montenegrin society. This Law seeks to implement standards of international humanitarian law, standards of human rights protection with the aim of creating a safe and dignified environment.

When it comes to the achieved results, within the competence of the Asylum Directorate, and related to the implementation of the previous strategic document concerning this area, it can be stated that the Asylum Directorate implemented measures within the set goal (during the expert visit, with the support of TAIEX, in the period from 9 to 13 September 2019, an expert from Belgium participated in a working meeting with judges of the Administrative Court of Montenegro. With the support of UNHCR and EUD, an Informant for foreigners seeking international protection in Montenegro was prepared which was translated into 9 languages and published in March 2018). Also, in order to strengthen the capacity of the employees of the Asylum Directorate, during the previous years, the employees of this Directorate participated in various trainings, which were reported in detail to the Government through annual reports.

An asylum seeker is an alien who has been granted asylum in accordance with the Law on International and Temporary Protection of Foreigners (2/17, 3/19), as well as an alien who has been granted refugee status in accordance with previous regulations (Law on Asylum (45/06). **An alien under subsidiary protection** is a third-country national and a stateless person who **has been granted subsidiary protection** (additional protection in accordance with the previous Law on Asylum) (45/06)).

From the establishment of the asylum / international protection system in Montenegro, in 2007, until October 15, 2020, 15,937 applications for international protection were submitted in Montenegro. The largest number of applications was submitted in 2013 (3,554), followed by 2018 (3,104), 2014 (2,312) and 2019 (1,921). In relation to the submitted applications since 2007, 84 protections have been granted, of which 52 are asylum statuses and 32 are granted subsidiary protections. The largest number of asylum seekers comes from Syria (21) and Iran (12). When it comes to the number of persons with approved subsidiary protection, we also have the largest number of persons from Syria (8), followed by Belarus (5).

Based on these data, it is clear that the migration wave, the so-called "Coastal route"; from Greece, across the North Macedonia, Kosovo, Serbia and Bosnia and Herzegovina towards the Western Europe countries; this time did not bypass Montenegro, and during 2017, especially since the beginning of August, there was an increase in the number of requests for international protection compared to 2016, which continued in 2018 and 2019.

The number of arrivals via the Eastern Mediterranean / Western Balkans route increased until the outbreak of the COVID-19 virus, which also affected migratory movements. As a result of the economic consequences of COVID-19, with the gradual lifting of internal travel restrictions, the reopening of borders, illegal migration is, however, on the rise again and could be resumed. We are currently witnessing an increase in migration challenges in the Western Balkans, an unstable situation on the Greek blue and green borders, and increasing pressure on the Greek border towards the countries of the Western Balkans. The number of migrants in the region, which ranges from 120,000 to 140,000, is attracting special attention.

Recognizing the fact that all countries under pressure have already achieved positive results in combating illegal migration and protecting their own borders, and that bilateral support has already been provided by a number of partners, we believe it is in our common interest to ensure coordinated cooperation and support. What is needed is a proactive, lasting and structured common approach, based on concrete steps and achieving concrete results, which includes the European Commission, responsible EU agencies, the European External Action Service (EEAS), Western Balkan partners, EU member states, Schengen partners, UNHCR, IOM and other UN agencies, as well as other international partners who are directly affected by certain developments or are interested in contributing to security and stability along the Eastern Mediterranean / Western Balkan route. For that reason, we should join forces in order to better resolve the migration situation and prevent new migration crises.

Analyzing the above data and comparing the given figures, we can conclude that there is still a relatively weak, but a constant interest of foreigners seeking international protection to obtain protection in Montenegro. Statistical indicators clearly indicate that the majority of persons still view Montenegro as a transit country, and in most cases the proceedings on requests are suspended, since these persons do not want to participate in the procedure, i.e. they leave Montenegro during the proceedings.

Activities have been initiated on the development of a Roadmap for cooperation between EASO and the Ministry of the Interior of Montenegro with the intention of strengthening the international protection system in accordance with the Common European Asylum System (CEAS) and EU standards.

The general objective of the EASO - Montenegro Roadmap is to strengthen the system of international protection and reception conditions in Montenegro in accordance with the CEAS and the practices of the EU Member States. This document will identify priority areas for which EASO supports Montenegro, will have added value and, where relevant, will have a direct impact on the implementation of the recommendations set out in the European Commission's Annual Report on Montenegro in the framework of Chapter 24 accession negotiations: "Justice, Freedom and Security. " The roadmap will contribute to the increased harmonization of the international protection and reception system at the regional level, thus contributing to one of the goals of the wider IPA-funded project "Regional Support to Migration Management in the Western Balkans and Turkey - Instrument for Pre-Accession Assistance" - Phase II. This requires the involvement of all relevant bodies in creating activities in accordance with their responsibilities within the international protection system in Montenegro. Implementation is planned in cooperation with all relevant institutions, in accordance with their responsibilities within that system.

As stated in the introductory part, although the normative framework of Montenegro in the field of asylum is highly harmonized with the *acquis communautaire* and international standards, until full membership in the EU, Montenegro plans to further strengthen normative activities in order to fully comply with the *acquis* in the segments in which it is currently not harmonized, with special emphasis on further elaboration of instructions for the application of the Law on

International and Temporary Protection of Foreigners. In addition, given the challenges in law enforcement, which remain a significant challenge, Montenegro needs to continuously strengthen the human and material capacity of asylum institutions, independence and efficiency in their work and better coordination.

One of the main challenges that needs to be focused on in the coming period is the establishment of an electronic database that would represent an improved system of identification, registration and connection of data for persons from the system of international protection. Establishment of technical solutions for electronic fingerprinting and electronic binding refers to the creation of a single electronic system for the needs of the Asylum Directorate, the Directorate for Reception of Foreigners Seeking International Protection / Reception Center, the Border Police Sector and the Directorate for Integration of Foreigners with Approved International Protection and Reintegration of Returnees upon Readmission. In this way, their internal data processing systems will be connected to a more efficient and flexible system, in order to meet the necessary standards for a faster and more efficient asylum procedure, as well as early identification of persons in real need of international protection, i.e. persons that need special procedural guarantees. Therefore, it is very important in the forthcoming period to undertake activities related to the preparation of the project proposal, preparation of technical documentation and announcing tenders.

By establishing a system for electronic identification and registration, conditions will be created so that the intention to apply for international protection can be expressed at the border crossing in the organizational unit of the administrative body responsible for police affairs in the place where the foreigner is found.

In addition, within the existing legal solutions, the Asylum Directorate should continue to apply accelerated and simplified procedures. In this regard, it is necessary to amend the Rulebook on determining the list of safe countries of origin of Foreigners seeking international protection in order to create conditions for periodic updating of the list of safe countries of origin, which would allow adding new countries to the list.

In order to further improve the implementation of existing laws and bylaws, as well as to improve the coordination of various state bodies dealing with asylum, it is necessary to further develop operational guidelines for the competent authorities in certain, specific issues such as: family reunification, exercising the right to free legal assistance in the procedure before the second instance body, etc. Also, it is necessary to continuously conduct training of persons who conduct first and second instance procedures for determining the status of asylum seekers, in order to further improve the asylum procedure and respond to specific challenges, in particular with regard to: assessment of facts and circumstances, acts of persecution, reasons for persecution, serious injustice, exclusion provisions, applicants in need of special procedural guarantees, the concept of safe countries, providers protection, persecution on the basis of gender equality, subsequent application for international protection, determination of the best interests of the child, cultural mediation, as well as the European Convention for the Protection of Human Rights and Fundamental Freedoms and wider international human rights law.

The Directorate for the Reception of Foreigners Seeking International Protection is an organizational unit of the Ministry of the Interior within the Directorate for Civil Status and Personal Documents, which is responsible for the reception and care of foreigners seeking international protection.

For the accommodation of foreigners seeking international protection, the Ministry of the Interior has a capacity of 104 places in the Reception Center in Spuž and 60 places in the Reception Center in Božaj. In situations when the Center's capacities are fulfilled, alternative accommodation capacities are engaged in Vreli Ribnički in Podgorica, where mostly adult men are accommodated. The Reception Center for Foreigners Seeking International Protection provides foreigners seeking international protection with:

- appropriate accommodation (separate accommodation for men, women, families and vulnerable groups (unaccompanied women, unaccompanied minors, persons with disabilities, etc.
- continuously providing primary health care (twenty-four-hour presence of medical workers with additional engagement of doctors and medical workers from the VMC, with referral, if necessary, to the provision of health care at higher levels in public health institutions in Montenegro), in the presence of an interpreter if the need arises;
- nutrition (three meals a day and afternoon snacks for pregnant women, mothers and minors up to 16 years of age, with the possibility of adjusting the diet to religious customs and health problems of foreigners seeking international protection);
- articles of necessary clothing and footwear, means for maintaining personal and collective hygiene;
- continuously providing psycho-social assistance and psychological counseling, as well as assistance in crisis situations. Within psychosocial assistance, occupational therapy workshops, first aid workshops in cooperation with the Red Cross of Montenegro and NGO workshops on prevention of human trafficking, art workshops are also organized.
- assistance in exercising the right to education and creative workshops for preschool children in the playroom of the Reception Center;
- transportation for the purpose of exercising rights;
- informing and legal advice regarding the procedure upon the submitted request for international protection and the right to free legal aid as well as other rights guaranteed to them by the Law on International and Temporary Protection of Foreigners.

The Ministry of the Interior is continuously working on strengthening the capacity of officials working with foreigners seeking international protection by organizing training and workshops.

The number of persons admitted

Year	Number
2016	259
2017	799
2018	4570
2019	7832

Taking into account the statistical data of previous years, it should be noted that the number of persons admitted to admission in 2018 and 2019 has greatly increased and this growth trend has continued in the following period.

In order to provide accommodation for all persons, alternative accommodation capacities were continuously engaged, because the capacities of the Reception Center were not sufficient to accommodate all foreigners seeking international protection. To the extent possible, the same reception standards are applied in alternative accommodation capacities as in the Reception Center in Spuž. The administrative part of admission and initial psycho-social assistance is provided to them in the Reception Center, and further psycho-social assistance and support and health care are provided in the clinic of the Reception Center or in public health institutions, for which they are provided with transportation. Support in exercising their rights is provided by the team of the Reception Center - social worker, medical worker, accommodation officer, psychologist and, as needed, other officials. Reception standards in alternative accommodation have been increased through activities that increase accommodation capacity to 250 and improve the quality of space, the presence of reception center staff to coordinate activities to meet the needs of foreigners seeking international protection, the twenty-four-hour security presence of police officers.

The capacities of the Reception Center have been increased from 80 places (as many as this facility had in 2014 when it was put into operation) to 104 places by installing 4 mobile buildings (houses with 6 beds each) in the yard of the Center and two containers for sanitary needs. The challenge of the increased influx of foreigners seeking international protection has resulted in further steps by the Ministry of the Interior to increase accommodation capacity through the construction of new facilities and the reconstruction of existing ones.

In July 2020, a container settlement was established until the adaptation of the Watchtower "Božaj" through an EU funded project implemented by IOM. By setting up a container center on the sports field within the Watchtower "Božaj", 60 places have been provided for accommodation in which the same acceptance standards apply. The Ministry of the Interior has undertaken activities to create conditions for the reconstruction of the existing facility of the Reception Center in Spuž by upgrading the mezzanine - attic and expanding the dimensions of the restaurant. This activity will increase accommodation capacity by 60 places. Activities have also been undertaken in order to purchase a land plot that borders the reception center complex, which will increase the Center's space capacity by 60 places.

Activities to increase accommodation capacities are also aimed at the reconstruction of the Watchtower "Božaj", for which part of the funds will be provided from the capital budget for 2020 and part from the funds approved from IPA 2018. In regular circumstances, accommodation will be provided for 120 people and in extraordinary situations, for 200 persons. The pace of application of the same reception standards will be maintained in these accommodation capacities as well. Accordingly, it is planned to amend the Rulebook on Systematization of the Ministry of the Interior, within the Directorate for the Reception of Foreigners Seeking International Protection, to form a new Department for the Reception of Foreigners Seeking International Protection - Božaj, which will initially employ eight (8) officials.

The table below shows data on budget allocations for the Directorate for the Reception of Foreigners Seeking International Protection and data on gross salaries for officials of the Asylum Directorate, the Directorate for the Reception of Foreigners Seeking International Protection and the Directorate for Integration of Foreigners with Approved International Protection and Reintegration of Returnees upon Readmission:

Expense type	2018	2019
costs for accommodation of persons seeking international protection - alternative accommodation - Konik	382035.85	1,142,459.84
water	6080.81	18,034.85
electricity	42210.01	51,987.57
total	430,326.67	1,212,482.26
food	66,531.96	83,761.55
total	496,858.63	1,296,243.81
gross salaries	325,413.12	426,976.54
total cost	822,271.75	1,723,220.35

The problem is that the total costs for 2019 are higher in the amount of 900,948.60 euros compared to 2018, and only the costs of accommodation for 2019 are higher by about 760,000 euros compared to 2018. This is one of the reasons that urgent work is needed to increase and improve the conditions for the reception of a larger number of foreigners seeking international protection; the facilities would be primarily owned by state bodies.

The realization of this operational goal implies undertaking the activities of the Ministry of the Interior in the part of increasing and expanding accommodation capacities, which will provide the same standard of reception in all accommodation facilities.

The Directorate for Integration of Foreigners with Approved International Protection and Reintegration of Returnees upon Readmission is an organizational unit of the Ministry of the Interior within the Directorate for Civil Status and Personal Documents, which is responsible for accommodating foreigners granted international protection and assistance in integration into society; coordination in exercising the rights prescribed by law; providing support for inclusion in social, economic, cultural life; providing support for the implementation of initiated programs and plans for permanent resolution of refugee status; providing assistance in the reintegration of returnees upon readmission; implementation of national, regional and international documents for resolving refugee issues.

Asylum seekers and foreigners under subsidiary protection, in accordance with the Rulebook on accommodation conditions and manner of providing accommodation for asylum seekers and foreigners under subsidiary protection, shall be provided with appropriate accommodation, for a maximum of two years from the date of delivery of the decision on granting international protection; in the case where legally prescribed conditions for granting accommodation are met, accommodation is extended for the time for which these reasons exist. Assistance in integration into society is provided for a maximum of three years and is reflected in the development of the integration plan, providing assistance in the implementation of the plan and monitoring the implementation of the plan.

In 2018, accommodation and assistance in integration was provided for 10 people, and in 2019 for 12 people. In addition to these persons, integration assistance was provided to 22 persons who received international protection under the previous Asylum Law. These persons are provided with assistance in exercising the rights prescribed by law: financial assistance with the competent center for social work and the right to material assistance, registration with the competent Labor Bureau, professional training and gaining practical work experience, registration with the competent health insurance fund and election of the selected doctor of medicine and dentist, enrollment in an appropriate educational institution and recognition of foreign educational documents, learning the Montenegrin language, history and cultural heritage, etc. Training and workshops are continuously organized in order to strengthen the capacity of officials working with foreigners with approved international protection.

Note + Directorate for Integration to add a section related to what to do after 2 years of exercising the right to accommodation.

The key problems in this area are: untimely issuance of identity documents, lack of accommodation capacities and difficult employment due to the low and inadequate qualification structure of these persons and insufficient supply of jobs on the labor market for the employment of these persons. In the following period, activities should focus on:

- **timely issuance of personal documents to foreigners who have been granted international protection,**
- **providing the necessary accommodation capacity,**
- **providing continuous learning of the Montenegrin language, history and cultural heritage, available independently of the municipality in which the person granted international protection is residing in Montenegro,**
- **providing conditions for professional training and gaining practical work experience,**
- **facilitating the process of diploma nostrification or expert qualifications for foreigners with granted protection,**
- **providing conditions for education of children of asylum seekers and foreigners with granted international protection,**
- **creating conditions for facilitated employment, through the adoption of adequate programs, as key prerequisites for the full integration of these persons,**
- **continuous organization of employee training in order to raise administrative capacity.**

In order to achieve the conditions for full integration of these persons, it is necessary to strengthen communication and cooperation of all state bodies and local government bodies that are responsible, each in its own domain, for the integration of persons granted international protection. In this regard, it would be desirable to develop Standard Operating Procedures (SOPs) that would define post-recognition procedures to be undertaken to ensure the best possible conditions for integration. Also, it would be necessary to hold continuous workshops of all actors in the field of integration, which would deal with creating conditions for successful integration of asylum seekers and foreigners under subsidiary protection.

Article 54 of the Law on International and Temporary Protection of Foreigners stipulates, inter alia, that asylum will cease if the asylum seeker voluntarily returns and settles in the country he left or outside for fear of persecution. In order for the Asylum Directorate of the Ministry of the Interior to be able to make a decision on the termination of international protection for this person, it is necessary for the Police Directorate, Border Police Sector, to inform the Asylum

Directorate without delay about the realized voluntary return. In this way, the abuse of the right to international protection would be prevented to those persons who have exercised their right to voluntary return.

4. Illegal migrations

The Law on Foreigners ("Official Gazette of Montenegro", No. 12/2018), entered into force on March 3, 2018. This law regulates the conditions for entry, exit, movement, stay and work of foreigners in Montenegro. This law, together with the by-laws adopted for its implementation, is fully in line with Directive 2008/115 / EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals - **32008L0115** .

The migration wave from the Middle East, Central Asia and North Africa to Europe began in 2011, intensified in 2014, and in 2015 reached unprecedented proportions. During the mentioned period, 9,000 asylum applications were submitted in Montenegro, and most of them were citizens from: Syria, Eritrea, Somalia, Afghanistan, etc. Closing the transit corridor was the first important measure to restore control over the migration crisis. Despite a significant reduction in flow from the outset, the closure of the corridor did not provide complete control.

The accumulated migratory pressure in Greece and Turkey has conditioned the natural tendency of migrants to look for alternative routes to Western Europe. During this period in the course of the Western Balkan route, Montenegro was not significantly affected by illegal migration, given that the number in the countries of the region was measured in hundreds of thousands of migrants. However, the increased movement of migrants has been registered in Montenegro as well.

In most cases, these are subsequent movements of illegal migrants from the area of war-affected and economically endangered countries, who come to the Republic of Albania from the territory of Greece, and then enter Montenegro illegally. The growth trend of the movement of migrants has been recorded again since August 2017, so the focus of the work of the border police is focused on the suppression and control of this phenomenon.

Montenegro has undertaken a number of activities in line with its capacity to prepare a border security system, migration and asylum system, in the event of a large-scale influx of migrants. The conclusions of the Government of Montenegro determined the Action Plan in case of mass influx of migrants and refugees in transit through the territory of Montenegro and constituted the Operational Team. At the beginning of March 2016, the Information was adopted with conclusions defining the obligations of the competent institutions in the event of a mass influx of migrants. Obligations related to the registration of persons at the border, security of migrants, reception and accommodation, medical protection and hygiene, informing migrants and the public, etc. were also defined. The Border Police Sector has started and is continuously implementing the Plan of Enhanced State Border Surveillance, through the increased presence of patrols at the border and checkpoints of the main roads to the border. Surveillance of the state border is performed through stationary and mobile patrols, surveillance in fortified areas, regular police activities, intensified surveillance and organization of criminal-tactical actions such as blockades, ambushes, chases and raids.

In order to adequately respond to the possible strengthening of the route to the territory of Montenegro, two police facilities on the border with Albania - Krenza near Tuzi and Zoganje - near Ulcinj were reconstructed with funds from the budget. The facilities are intended to accommodate additional security forces in case of increased influx on the route to Montenegro. Also, containers have been provided to accommodate staff and migrants in the area of the former Bozaje watchtower, on the border with Albania, which will house the Center for the Reception of Foreigners Seeking International Protection.

In recent years, with funds from the Sectoral Budget Support of the European Union, donations and the Budget of Montenegro, other important infrastructure projects were started; mobility of border police units in the field was improved, as well as equipment on border crossings. Electronic systems and technical means for state border surveillance have been partially put to use.

We remind you that an Agreement was signed between the Ministry of the Interior of Montenegro and the Ministry of the Interior of Hungary on the donation of equipment for the protection of the state border, which provided 25 km of protective fencing. The protective fence was delivered, stored, and its use is planned as a final measure of the Government of Montenegro. Due to global flows, the increased movement of migrants through Montenegro continued during 2018 and 2019. Migrants from the direction of Albania enter Montenegro illegally, most often in the area around BC Božaj and the wider land border near Tuzi, less often around ZGP Sukobin - Murićani near Ulcinj. Migrants most often enter Montenegro illegally on foot, in small groups, after which they continue to move to the first major settlement, often using a railway or local roads as a landmark. At the exit from Montenegro, these people most often move towards Bosnia and Herzegovina, where they use the land border area around GP Ilino Brdo, Vraćenovići and Krstac near Nikšić, as well as the area of Metaljka near Pljevlja, after which they continue moving towards European Union countries.

With the aim of better control of migration, on two occasions from August 2018 to the end of 2018 and from July 2019 to the end of December 2019, in accordance with the Decision of the Council for Defense and Security, the Army of Montenegro was invited to the state border with Albania. Its members patrolled the border with the Republic of Albania together with the border police officers. In addition to better coverage of the territory and preventive character, the increased presence of patrols at the border has resulted in the deterrence of a large number of persons from illegally crossing the state border and their return to the territory of Albania.

A significant strengthening of the movement of migrants from the direction of Albania was recorded during 2019. Namely, in 2019, 7978 migrants were registered (2018 - 4753), and the largest number of registered persons were from these countries: Morocco - 2694, Syria - 1637, Algeria - 1315, Iraq - 528, Pakistan - 397. Through the work of border police, 6,249 were deterred from illegal entry into Montenegro (2018 - 4,217).

It is important to note that in accordance with the current Agreements on return and acceptance of persons whose entry or stay is illegal, all persons caught by the border police of neighboring countries in illegal crossing of the state border from Montenegro are accepted in summary proceedings at the border, as provided for in the agreements. With this, Montenegro is consistently fulfilling its international obligations. Pursuant to the agreements on readmission in a shortened procedure, 15 persons were accepted by the border police of the Republic of Croatia, 43 persons by the border police of Serbia and 1970 persons by Bosnia and Herzegovina. One person was handed over to the Serbian border police and 349 to the Albanian border police. We can state that the cooperation on the implementation of the Readmission Agreement with the Republic of Albania has also improved.

We also remind you that the Joint Center for Police Cooperation between Montenegro, Bosnia and Herzegovina and Serbia in Trebinje and the Joint Center for Police Cooperation between Montenegro, Albania and Kosovo were opened in Plav. The Centers enable the exchange of data and information on the current situation and cases related to border control, illegal migration and cross-border crime, joint risk analysis and cooperation with other Centers for Police Cooperation of the European Union.

Operations "Tuzi 1 and 2" and "Sukobin 1" had an important impact on the movement of migration through Montenegro, but also on strengthening the capacity of the border police for the organization and implementation of joint operations. The joint operations focused primarily on detecting illegal migration and conducting interviews with migrants, but also cross-border criminal activities, in a selected part of Montenegro's border with the Republic of Albania.

In order to more effectively combat illegal migration, as well as combat illegal work of foreigners, the Department for Foreigners and Suppression of Illegal Migration in cooperation with local border police units and inspection services in 2019 implemented 802 (681) actions to control the movement and residence of foreigners. 3448 (2690) persons were prosecuted.

With the introduction of the electronic records of registration of residence of foreigners - RB 90, the system of registration and deregistration of residence of foreigners has been significantly modernized. During 2019, 2,399,504 foreigners registered their stay, 27% more than in the previous year (1,892,087), which indicates the efficiency of the new system. In order to create conditions for a more efficient fight against the gray economy in the field of tourism and catering, due to identified irregularities in work, which are related to the legal registration / deregistration of foreign nationals, a total of 379 measures were taken against individuals and legal entities. 2961 foreign nationals, who were found not to use the services of the accommodation provider, had misdemeanor charges filed or misdemeanor warrants for a payment of fine issued against them, due to an unregistered stay of up to 90 days.

In 2019, the following measures were taken in regards to foreigners:

- Decisions on return were made for 1047
- Forced removal 149
- Decisions on expulsion made for 149
- Misdemeanor charges filed for illegal residence 900

Current situation

In the first two months of 2020, 1,153 migrants were registered (583 - January, 570 - February), which is at the level of last year's monthly average. Frequent fighting in northern Syria and the further escalation of the conflict in that area have raised the level of risk for another refugee crisis to a higher level. Turkish authorities announced the possibility of opening the border with Greece, which affected the concentration of a large number of migrants in the border areas. With this chain reaction, the Greece-Albania route continues to increase the risk of re-strengthening the Western Balkan route, which crosses Montenegro with one of its branches.

The Border Police exchanges information on the movement of migrants with international partners, neighboring border police, meetings of regional border chiefs, meetings at the regional and local level, but also electronically, and monitors the threat to the state border of Montenegro on a daily basis. In this international exchange of information, we make a significant contribution as a reliable and trusted partner, which is confirmed by all relevant international organizations. Finally, we conclude that despite the increased influx of migrants during 2019, the situation at the state border is stable, and the movement of migrants is controlled.

Having in mind the current events on the Greek-Turkish border, we are of the opinion that additional attention of all competent state bodies involved in the security system, asylum and health system is necessary in order to react adequately in case of opening a route to Montenegro. We believe that, if Turkey opens the border with Greece, the increased movement of migrants will be reflected in the region of the Western Balkans.

Illegal entry

Article 67 of the Law on Border Control stipulates that a fine of 100 to 1,100 euros will be imposed on a natural person if he crosses the state border outside the border crossing or crosses or attempts to cross the border without a valid travel document or other document prescribed for crossing the state border, outside of the time determined for the traffic at the border crossing or contrary to the purpose of the border crossing, if he/she does not express intention to seek asylum in Montenegro.

The same article also stipulates that a fine of 100 to 1,100 euros will be imposed on a natural person for a misdemeanor if he does not present the documents prescribed for crossing the state border or undergoes a border check or leaves the border crossing area until a border check is carried out or avoided, that is, if he tries to avoid the border check.

The most common attempts to illegally cross the state border at border crossings are:

- attempt to cross using a forged travel document;
- attempt to cross with a valid travel document in which a forged visa has been entered;
- attempt to cross using someone else's travel document;
- not having the necessary visa;
- hiding in a vehicle; and
- lack of identification documents.

In 2019, 516 foreigners were prosecuted for illegally crossing the state border.

Article 13 of the Law on International and Temporary Protection of Foreigners stipulates that a third-country national or stateless person who entered Montenegro illegally and came directly from an area where he fears persecution shall not be punished for illegal entry or residence, if expressed without delay the intention to apply for international protection and justify the reasons for illegal entry or stay in Montenegro.

Prohibition of entry into the country

The new Law on Foreigners ("Official Gazette of Montenegro" No. 12/18 and 3/19) is in force. Article 8 stipulates that an alien will not be allowed to enter Montenegro if:

- he does not possess a valid travel or another document referred to in Article 9 of this Law;
- he uses somebody else's, an invalid i.e. a forged travel or another document;
- he does not hold a valid visa or a residence permit;
- he uses somebody else's, an invalid i.e. a forged visa or a residence permit;
- he does not hold evidence satisfying the purpose and requirements of the intended stay;
- within a 180-day period he already stayed for 90 days in the territory of Montenegro;
- he lacks sufficient resources both to support himself during the intended stay in Montenegro and for returning to the state from which he has come or for a travel to a third country;
- where there is the expulsion of a foreign national from the country as a security measure or the expulsion of a foreign national from the territory of Montenegro as a protection measure or the measure referred to in Article 110 of this Law is in force;
- where national i.e. internal security or public health-related reasons require that.

Through the envisaged objectives in the Strategy, mechanisms for the collection and use of accurate data will be established, which will be the basis for the development of migration policies on concrete evidence. These databases should be reliable, comparable and disaggregated by gender, age, status, and other characteristics of the migrant, all in accordance with Regulation 862/2007 on Community statistics on migration and international protection, protecting the migrant's personal data.

Given the fact that there is a large difference in the number of expressed "intentions" for international protection in relation to the actual number of applications submitted, and especially having in mind the costs of accommodation and food for these persons, in the next two-year Action Plan for 2023 and In 2024, it is necessary to further develop internal administrative procedures.

It is necessary to strengthen legal security and predictability in migration procedures in order to facilitate access to appropriate procedures in accordance with international law, by increasing transparency and availability of information on migration through publicly available information on conditions for entry, stay, exit, work, study and the like; through the introduction of technologies to simplify the procedures for registration of residence, all in order to avoid unnecessary delays and costs for both states and migrants, it is necessary to conduct targeted training on human rights and conduct of law enforcement officers (border officials, ministries, consular representatives, judges, etc.); it is necessary to develop standard operating procedures for dealing with gender-sensitive migrants and children, all in order to improve screening measures and individual assessments at borders and places of first contact / arrival, in cooperation with human rights institutions and NGOs; it needs to be ensured that migrants are immediately identified at the places of first arrival and referred to child protection authorities or other services.

5. Permanent resolution of the status of displaced persons and internally displaced persons (refugees from the former Yugoslavia)

Activities related to the permanent solution of the issue of displaced and internally displaced persons are planned in the appropriate strategic documents. The permanent resolution of the issue is strategically set as: local integration and voluntary sustainable return to the country of origin. Local integration is reflected in acquiring the legal status of a foreigner with permanent residence, providing conditions for effective access to socio-economic rights (right to work, education, health care, social protection, etc.) and further addressing housing needs as a segment of local integration, primarily through the Regional Housing Program (RHP), as well as through the so-called Skopje Process for Displaced Persons in Kosovo in 1999. Activities are also reflected in raising awareness of the importance and benefits of return to the country of origin and creating the necessary conditions for sustainable return.

On March 26, 2020, the Government of Montenegro adopted the **Final Report on the Implementation of the Strategy for Permanent Solutions to Issues Concerning Displaced and Internally Displaced Persons in Montenegro, with special reference to the Konik area for the period of 2017-2019** and it instructed the Ministry of the Interior, within the strategic document and the Action Plan for Integrated Migration Management, to continue with the implementation of activities related to resolving the legal status of displaced persons from Croatia and Bosnia and Herzegovina and internally displaced persons from Kosovo, who submitted a request for approval temporary residence for up to three years, ending on December 31, 2014, that is, whose requests are still in the procedure with that body. Also, the Government instructed the Ministry of Labor and Social Welfare to continue solving the housing needs for displaced and internally displaced persons in accordance with regulations, strategic and program documents in the field of housing, as well as the strategic document and Action Plan for Integrated Migration Management. Additionally, the Government instructed the Ministry of the Interior to continue providing assistance to internally displaced persons from Kosovo for voluntary and sustainable return with special emphasis on Kosovo, within the framework of the strategic document and the Action Plan for Integrated Migration Management. The Government instructed the Police Directorate to continue strengthening the security model and improve compliance with the legislative framework, all within the strategic document and action plan for integrated migration management.

In the period from November 7, 2009 (date of entry into force of the Law on Amendments to the Law on Foreigners), ending on October 01, 2020, displaced persons and internally displaced persons submitted a total of 15,248 applications for approval of permanent residence and temporary residence for up to three years. Out of this number, 15,089 requests have been resolved, while 159 requests are in progress. Out of 15,089 resolved cases, for 12,380 persons the request was adopted and permanent residence or temporary residence up to three years was approved, 293 requests were rejected, while 2,416 cases were rejected / suspended (these are double or incomplete requests).

Among the 15,089 resolved applications, there is a number of persons who have been granted temporary residence for up to 3 years, as a transitional measure until the acquisition of the status of a foreigner with permanent residence. In accordance with the strategic commitment of the Government, the situation of these persons will be individually reviewed in order to provide assistance for acquiring the status of a foreigner with permanent residence to those persons who need assistance.

In order to establish mechanisms for cooperation in resolving the status of internally displaced persons from Kosovo residing in Montenegro, in the part of subsequent registration in the basic registers (births, marriages and deaths) and the register of citizens of the Republic of Kosovo, in 2013 **an Agreement was signed between the Government of Montenegro and the Government of the Republic of Kosovo on the subsequent registration of internally displaced persons** from Kosovo residing in Montenegro in the basic registers and the register of citizens of the Republic of Kosovo.

In accordance with this document, the combined mobile biometric teams of the Ministry of the Interior of Montenegro and the Ministry of the Interior of the Kosovo Civil Registration Agency have been intensively providing legal and practical assistance to IDPs from Kosovo residing in Montenegro since May 2014. With the support of the UNHCR and the OSCE, 22 visits of the Kosovo MUP mobile team to Montenegro were organized, **during which cases of about 1,380 persons were considered.** This number of persons is divided into three categories, as follows:

- completed applications - persons who have been served with a Kosovo travel document – 1.221
- remaining cases - persons in ongoing procedures – 39
- deferred cases - deceased and persons who moved from Montenegro – 120

Please note that all these procedures are free of charge for internally displaced persons, as the competent authorities of the Republic of Kosovo issued all documents, except for passports, free of fees and other costs, and the costs of issuing passports for all persons are covered by UNHCR.

Given the temporary nature of this solution, continuous efforts are being made to strengthen the capacity of consular services of the Embassy of the Republic of Kosovo in Montenegro, so that all future cases of (subsequent) civil registration and notarization are resolved through the consular department, within the protection of the interests of their interests citizens in Montenegro. The validity of the 2011 agreement and the model of cooperation through the work of mobile teams need to be preserved only for the most complicated cases, which cannot be supported through regular consular services.

In addition to persons in need of obtaining documents from Kosovo, in practice, a smaller group of persons has been observed who cannot obtain identification documents of the Republic of Serbia even though they have birth certificates and citizenship certificates for the Republic of Serbia, or even ID cards for a foreigner with a temporary residence in Montenegro. These are persons who came to Montenegro as displaced persons and who never had an identification document of the Republic of Serbia. Communication with the competent authorities of the Republic of Serbia was initiated through the UNHCR Representation in Montenegro, in order to find a solution for this group of persons in terms of obtaining identification documents of the Republic of Serbia, which are a prerequisite for regulating legal residence in Montenegro. In addition, Montenegro should continue to apply simplified procedures for obtaining identification documents for all displaced and internally displaced persons who have not yet acquired the status of a permanent resident alien, both at the national level and through cooperation with neighboring countries, in order to this process was brought to an end.

Acquiring the legal status of a permanent resident alien is only the beginning, not the end of the process of local integration, and it is necessary that the competent state institutions and local governments continuously monitor access to rights for all displaced and internally displaced persons, to ensure that these persons achieve effective

access to the rights that belong to them by law. In this regard, it is necessary to ensure that displaced and internally displaced persons, who have acquired the status of a foreigner with permanent or temporary residence, are included in all development and strategic documents of state institutions and local self-government bodies, which relate to socio-economic rights. belonging to these persons. In order to ensure this, and to better understand the possible challenges faced by displaced and internally displaced persons in regulating their status and access to socio-economic rights, it is necessary to organize a tour of all persons whose cases for foreigner status are still in operation. have acquired the status of a foreigner with a temporary residence of up to 3 years. Persons who have acquired the status of a foreigner with permanent residence will be visited at the level of a representative sample.

Also, it is necessary to make a new or extend the validity of the previous Regulation on the manner of exercising the rights of displaced persons from the former Yugoslav republics and internally displaced persons from Kosovo residing in Montenegro, in order to enable persons to have alien status and access to basic socio-economic rights, **if there is a need for that based on all of the data collected from the field.**

Through the Project "Sustainable Return and Integration of Displaced Persons and Refugees in BiH, Montenegro and Serbia" - a contribution to the Regional Housing Project (October 2018 - October 2020) in order to provide free legal aid, establishing a sustainable social housing system in local level and empowerment of RSP beneficiaries in H. Novi through self-employment, the Legal Center carried out the following activities: Providing free legal aid, obtaining documentation from countries of origin, paying administrative fees in order to permanently regulate the legal status in Montenegro, and exercising rights in the field of social and health care for DP/IDPs with special reference to RHP users; Preparation of "Guidelines for the management of social housing facilities built under the IPA and RHP programs"; Education of local government officials regarding the establishment of the social housing system; Support to the tenants of the buildings in Camp Konik in order to preserve and improve the living and living conditions and Organization, training and awarding of mini-grants for self-employment. The total number of users was 126 and the following was realized:

- 173 different documents were obtained (passport, ID card, citizenship certificates, excerpt from the birth register, title deeds, certificates of social status from countries of origin, permanent and temporary residence permits ..)
- notary services were paid for 37 persons for the purposes of concluding a lease agreement for inhabitants of the RSP building in Camp Konik;
- CRS and the Legal Center, with the support of the Housing Agency from Podgorica, have prepared Guidelines for the management of social housing facilities built under the IPA and RHP programs. The document was presented to representatives of municipalities and relevant ministries within four workshops held in the fourth quarter in H. Novi, Nikšić, Berane and Podgorica;
- for representatives of the Municipalities of Podgorica and Herceg Novi, in the period from 8-10. August 2019, a study visit was organized to the City of Tuzla and the Municipality of Kladanj entitled "Experiences and practice in the field of social housing";
- in cooperation with the Ministry of Labor and Social Welfare, the Legal Center hired one worker to work with the tenants of buildings in Camp Konik until the end of September 2019 in order to motivate RSP users to keep up the facilities in which they live and regularly perform monthly obligations to pay rent, utilities, etc. .);
- 31 people from Herceg Novi were awarded a mini-grant for self-employment. All persons received training in drafting Business Plans for performing a certain activity;

Activities related to the permanent solution of the refugee issue are planned in the appropriate strategic documents. The ongoing resolution of the issue is strategically set as: local integration and voluntary sustainable return to the country of origin. Local integration is reflected in providing conditions for access to socio-economic rights (right to work, education, health care, social protection, etc.) and further addressing housing needs as a segment of local integration planned in the future in accordance with the Regional Housing Program (RHP)), the so-called Sarajevo Process. Activities are also reflected in raising awareness of the importance and benefits of return to the country of origin and creating the necessary conditions for sustainable return. In 2017, 31 people returned to Kosovo, in 2018, there was no organized return, and in 2019, 27 people were interested in returning to Kosovo, but the return was not realized.

Such a modest return result in recent years is due to the following reasons:

- The integration of IDPs into Montenegrin society, through resolving their legal status, ensuring full access to socio-economic rights, and especially the successful resolution of housing issues of these persons, disincentivized these persons from the possibility of returning,
- Lack of political will to allocate land and housing, limited financial resources, as well as security circumstances in Kosovo, also adversely affected both the interest and the very realization of the return of those who expressed a desire and intention to return.

In the coming period, activities should focus on: continuing the application of simplified procedures for obtaining identification documents for displaced and internally displaced persons whose requests for alien status are still in progress, strengthening cooperation with the countries of origin of these persons in order to obtain documents necessary for regulating the legal status in Montenegro, visiting persons, further addressing the housing needs of refugees in accordance with the Regional Housing Program (RHP), raising awareness and affirmation of the right to voluntary return, strengthening bilateral cooperation between the competent authorities of Montenegro and the Republic of Kosovo, in order to create better conditions for sustainable return, intensification of activities through the regional initiative for permanent solution of the issue of displaced persons-Skopje process.

6. Statelessness

By implementing the Convention on the Status of Stateless Persons as well as acceding to the Convention on the Reduction of Statelessness, the European Convention on Citizenship and the CoE Convention on the Avoidance of Statelessness in Situations of State Succession, Montenegro has greatly strengthened its legal framework for prevention and reduction of statelessness.

With the adoption of the Law on Montenegrin Citizenship in 2008, Montenegro provided for a number of protective mechanisms to avoid the occurrence of statelessness in Montenegro.

However, the underdeveloped system of registration in the birth register, especially when it comes to persons born outside the health system, or persons whose one or both parents do not have identification documents, has in practice led to cases when persons are at risk of becoming stateless. Although, in theory, these persons had the right to citizenship of Montenegro or another state with which they have a connection, they could not register in the registry of births in Montenegro or in the country of origin,

which prevented them from participating in further registration activities for the purposes of registering in the register of citizens and acquisition of other identification documents.

In order to overcome these problems, in 2015, through amendments to the Law on Out-of-Court Procedure, Montenegro, with the support of UNHCR, legally established court proceedings to determine the time and place of birth of persons born in Montenegro and outside the health system. The introduction of this procedure has almost completely removed the obstacles to entry in the register of births of those persons born in Montenegro, which were previously encountered in practice. However, a small group of persons could not register in the birth register in this way either, because they were persons born within the health system, for whom there is data on the time and place of birth, but for whom it was not possible to register into the birth register because their mothers did not have identification documents, or because the mothers were no longer in contact with them. In October 2019, with the support of UNHCR, and in accordance with the Family Law of Montenegro and the principle of the best interests of the child, the Ministry of the Interior introduced a new practice related to registration in the register of children whose mothers do not have an identity document or parental rights. According to the Family Law, guardianship authorities, i.e. municipal centers for social work, take measures to protect the rights and best interests of the child by taking on the role of the missing mother, i.e. the mother whose identity cannot be established.

The strategy makes a clear distinction between the procedure of registration in the register of births and registration in the register of citizens in such a way that the acquisition of citizenship of Montenegro is a special procedure in relation to the procedure of registration in the register of births. While the aim of the activities envisaged by this Strategy is to ensure that everyone born in Montenegro is registered in the birth register, immediately after birth, regardless of their legal status of residence, citizenship status, parental status or any additional conditions, registration should be observed in the context of the connection of that person with Montenegro or another state, and the fulfillment of the conditions for acquiring the citizenship of the state to whose citizenship that person is entitled, according to the regulations in the field of citizenship. Citizenship of Montenegro can be acquired only by a person who meets the conditions provided by the Law on Montenegrin Citizenship and relevant bylaws.

In this context, the Strategy specifically considered the meaning and application of Article 7 of the Law on Montenegrin Citizenship, which opens the possibility of acquiring Montenegrin citizenship to children born or found in the territory of Montenegro if both parents are unknown or of unknown citizenship, or if the child remains without citizenship. In order to ensure the proper application of this article, but also to avoid its abuse, it is necessary to make instructions for MIA officials to apply this article, which will propose concrete steps to overcome practical or administrative obstacles to the application of this article, especially in the loss proceedings. Montenegrin citizenship of a child who acquired Montenegrin citizenship by birth in the territory of Montenegro and the burden of proving the fact whether the child has acquired, on any grounds, the citizenship of another state.

With the adoption of the Law on Montenegrin Citizenship in 2008, Montenegro provided for a number of protective mechanisms to avoid the occurrence of statelessness in Montenegro, dismissal or loss of Montenegrin citizenship by force of law. Among other things, it is stipulated that release from citizenship cannot be given to a person who does not already have another citizenship or proof that he will be admitted to citizenship of another state, leaving the possibility to annul the decision on release, at the request of that person, if within a year does not acquire the citizenship of another state, while the loss of Montenegrin citizenship refers only to persons who have acquired or have the citizenship of another state.

With the adoption of the Law on Foreigners in 2018, Montenegro introduced a procedure for determining the status of stateless persons into its legal system. During a little more than two years of application of this procedure, 8 persons acquired the status of stateless persons, while for 13 persons the procedure is still in progress. At the international meeting on statelessness, held in Geneva in 2019, Montenegro committed itself to strengthening the capacities of state institutions responsible for conducting this procedure. In addition, the application of the procedure showed certain doubts, especially in the part of deadlines for decision-making, burden of proof, exchange of information with relevant countries, etc. In order to remove these doubts and further strengthen the procedure for determining the status of stateless persons, Montenegro will, in cooperation with UNHCR, develop appropriate training for officials conducting the procedure. In addition, it is necessary to approach the amendments to the Law on Foreigners as well as the development of instructions for MIA officers to conduct the procedure for determining the status of stateless persons.

conclusion

Based on all the above related to legal migration, asylum, illegal migration, resolving the status of IDPs and stateless persons, it can be concluded that the management system of mixed migration in Montenegro is not fully functional. The reasons are as follows:

- **the existing legal framework is incompletely harmonized with international standards and the institutional and administrative capacities of integrated management of mixed migration are insufficiently strengthened.** In order to meet the criteria for EU membership, efforts need to be continued to bring the legislative framework fully in line with the EU acquis. The amendments to the Law on Foreigners need to fully transpose the following: Directive (EU) 2016/801, Directive (EU) 2014/66 / EU, Directive 96/71 / EC and Directive 2018/957.
- **competent authorities dealing with mixed migration issues are not fully electronically linked** and in that sense it is necessary to improve coordination, communication and exchange of information, in order to achieve the greatest possible effects in the work of these services. We need to continue with inter-ministerial cooperation in the field of combating illegal migration, especially between the Police Directorate and the Tax Administration and the Directorate for Inspection Affairs, through joint controls of foreigners; then with international organizations especially IOM, then UNHCR, through procurement of equipment, organization of trainings and meetings, promotion of voluntary return of foreigners , exchange of information and experiences.
- **one of the main challenges that needs to be focused on in the coming period is the establishment of an electronic database that would represent an improved system of identification, registration and connection of data for persons from the system of international protection.** Establishment of technical solutions for electronic fingerprinting and electronic networking refers to the creation of a single electronic system for the needs of the Asylum Directorate, the Directorate for Reception of Foreigners Seeking International Protection / Reception Center, the Border Police Sector and the Directorate for Integration of Foreigners with Approved International Protection and Reintegration of Returnees upon Readmission. In this way, their internal data processing systems will be connected into a more efficient and flexible system, in order to meet the necessary standards for a faster and more efficient asylum procedure, as well as early identification of persons in real need of international protection and special procedural guarantees. Therefore, it is very important in the forthcoming period to undertake activities related to the preparation of the project proposal, preparation of technical documentation and announcing tenders.

- **statistics are not collected in accordance with Regulation 862/2007 on Community statistics on migration and international protection, which makes it difficult to develop migration policies based on concrete evidence.** In this sense, it is necessary to finally establish an electronic database within the Ministry of the Interior and improve the system of identification, registration and connection of data for persons from the system of international protection.
- **Another problem is the lack of accommodation capacities for persons seeking international protection in Montenegro; in 2019, just for accommodation expenses, 1,700,000 euros were allocated. This is one of the reasons that urgent work is needed to increase and improve conditions for the reception of a larger number of foreigners seeking international protection; these facilities would be owned by state bodies.**
- **it is necessary to continuously undertake activities to provide psychosocial, material, legal support in accessing rights for persons in need of international protection, as well as through the provision of translation services in the process of granting international protection.**
- **Foreigners who have received international protection are not fully integrated into Montenegrin society,** so in that sense it is necessary to undertake activities to ensure learning of Montenegrin language, history and culture, to include asylum seekers and foreigners under subsidiary protection in Montenegrin society; identification of necessary occupations in sectors lacking workforce; identification of available trainings, with an emphasis on vocational training, employment of persons approved for international protection and production and printing of brochures for Montenegrin language, history and culture (based on the adopted program) and providing courses for learning Montenegrin language, history and culture to persons granted international protection, as well as the distribution of humanitarian aid packages for these persons. The key problems in this area are: untimely issuance of identity documents, lack of accommodation capacities and difficult employment due to the low and inadequate qualification structure of these persons and insufficient supply of jobs on the labor market for employment of these persons.
- **Another problem is a small number of IDPs who have not yet resolved their legal status in Montenegro, and have applied for temporary residence for up to three years and permanent residence, as of December 31, 2014, and whose requests are still in the process of being resolved by the Ministry of the Interior.** It is necessary to undertake activities on the final resolution of the legal status of displaced and internally displaced persons who have submitted applications for approval of temporary residence for up to three years and permanent residence, as of December 31, 2014, and whose requests are still in the process of being resolved by the Ministry of the Interior. In that sense, we should continue to cooperate with the competent authorities of the surrounding countries and continuously identify and provide support to vulnerable persons who lack personal documents, initiate administrative and judicial proceedings for registration in Montenegro or in the countries of origin. Assistance for voluntary and permanent return should also be provided, with a special focus on Kosovo, as well as continuing to address the housing needs of internally displaced persons (IDPs), through the selection of beneficiaries, construction and housing construction.
- **Another problem is that a number of people live in Montenegro and are at risk of becoming stateless.** In this regard, activities should also be continued with the aim of preventing the risk of statelessness in Montenegro by providing assistance to children who are not registered in the registry of births due to parental abandonment or whose parents do not have personal documents, providing assistance to persons in proceedings for determining the status of stateless persons and raising awareness and information about registration in registry books – birth and citizenship registry, especially of newborn children. Also, it is necessary to create new and supplement the existing information material (brochures, flyers, banners on the official website of the Ministry of the Interior) and distribute it to officials and target groups in order to familiarize them with new regulations and standards in the field of registration in birth registers and registers of citizens and areas of statelessness

- In addition, an instruction for MoIA **officials on the application of Article 7 of the Law on Montenegrin Citizenship** should be drawn up, proposing concrete steps to overcome practical or administrative obstacles to the application of this Article, in particular as regards how to determine whether the child has acquired the citizenship of another state. In addition, the application of the procedure showed certain doubts, especially in the part of decision deadlines, in the part of the procedure of loss of Montenegrin citizenship of a child who acquired Montenegrin citizenship by birth in Montenegro and the burden of proving whether the child acquired, on any grounds, citizenship of another country, exchange of information with relevant countries, etc. In order to remove these doubts and further strengthen the procedure for determining the status of stateless persons, Montenegro will, in cooperation with UNHCR, develop appropriate training for officials conducting the procedure. In addition, it is necessary to approach the amendments to the Law on Foreigners as well as the development of instructions for MoI officials to conduct the procedure for determining the status of stateless persons.

7. Readmission

In addition to the Agreement between **Montenegro and the European Community** on readmission (return and acceptance) of persons without a residence permit, which applies from 1 January 2008, Montenegro has signed readmission agreements with the following countries: **the Kingdom of Norway, the Swiss Confederation, Bosnia and Herzegovina, Albania, Croatia, Kosovo, Macedonia, Serbia, Moldova, Turkey and Azerbaijan.**

Readmission agreements have been fully agreed with the Russian Federation and Georgia and are ready for signing, so it is necessary to re-initiate the signing of these agreements.

In early July 2019, the signing of readmission agreements was initiated with the main sources of irregular migrants, such as Pakistan, Morocco, Algeria, Iran and Iraq, with the latter two countries, for now, with less priority in the implementation of these agreements. Also, an attempt should be made to find an alternative mechanism for the return of these citizens to their countries of origin. Regarding the procedure of signing a readmission agreement with Pakistan, since we are aware that Bosnia and Herzegovina has made a step forward on this issue, it is necessary to hold a joint meeting to exchange experiences regarding cooperation in the field of readmission with this country.

The Action Plan for Negotiating Chapter 24 - Justice, Freedom and Security, as one of the obligations of the Ministry of the Interior, envisages initiating negotiations with the aim of concluding implementation protocols with EU member states with which we have not signed protocols.

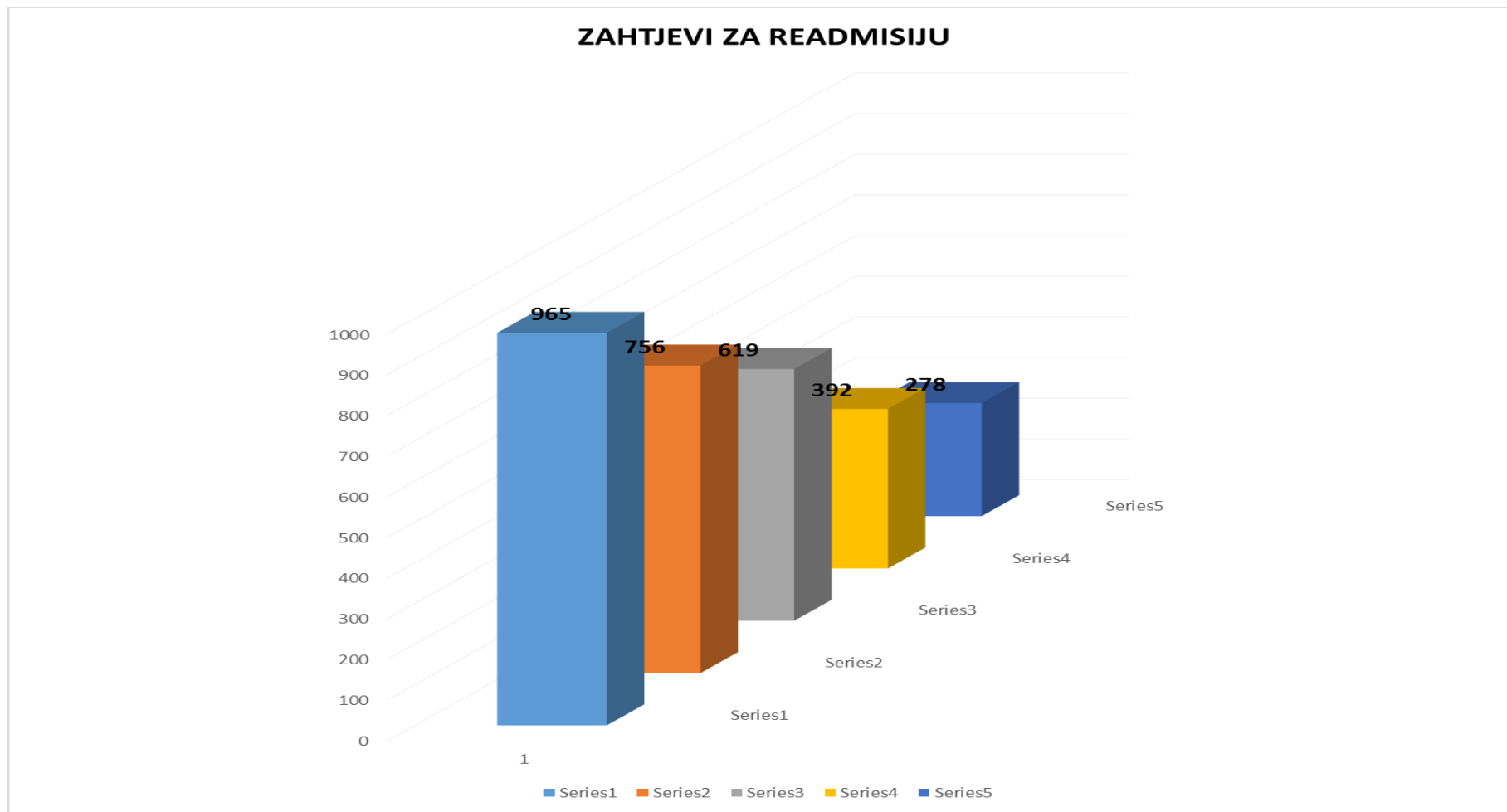
Pursuant to Article 19 of the Agreement, implementation protocols have been concluded with the following countries: **the Republic of Slovenia, Malta, the Republic of Austria, Bulgaria, the Czech Republic, the Republic of Germany, the Benelux countries, the Slovak Republic, the Republic of Estonia, Italy, Hungary, the Kingdom of Spain and Greece.** Negotiations have been initiated in order to conclude such protocols with the remaining EU member states.

The Agreement between **Montenegro and the European Community** on readmission (return and acceptance) of persons without a residence permit entered into force and came into force on 1 January 2008 and is the leading legal instrument governing readmission issues in the context of relations with the EU. It aims to facilitate the return process of illegal migrants, i.e. persons residing illegally in an EU Member State or in Montenegro. The same applies not only to nationals of the requested country, but also to any individual who has entered the requesting country illegally after his or her stay or transit in the requested country. Montenegro is an area with significant population movements both in the country and abroad, and the reasons for these movements were based on political, religious, ethnic, economic and demographic circumstances. The agreement between Montenegro and the European Community on readmission and bilateral agreements with non-EU countries partially enable the establishment of appropriate statistics, but an appropriate mechanism for collecting relevant data on readmission returnees has not yet been established so that an appropriate database could be formed.

Certainly, the most important thing in the previous period is that the number of Montenegrin citizens for whom consent for return to Montenegro is required is decreasing, so that in 2016 a request for readmission was received for 965 people, in 2017 for 756 people, in 2018 for 619, in 2019 for 392 persons, which means that this number decreased by about 60% compared to 2016.

Also, the number of Montenegrin citizens seeking asylum in EU member states is significantly decreasing, so that the EU has recorded a positive trend of reducing the number of asylum applications by Montenegrin citizens. In 2015 there were about 4,000, in 2016 about 1,500, in 2017 there were about 500, while in 2018 there were 375, which means that this number decreased compared to 2015 by about 90%. (This was stated at the fifth meeting of the Joint Readmission Committee of Montenegro and the EU, which was held on July 22, 2019 in Podgorica).

Statistical presentation on the number of persons for whom a readmission application was submitted for 2016, 2017, 2018, 2019, and 2020



Article 11 of the Agreement between Montenegro and the European Community on readmission stipulates that before the return of the person for whom consent has been given for acceptance, the competent authorities of Montenegro and the interested Member State shall make a written agreement in advance regarding the transfer date,

entry point, possible escort and other information relevant to the transfer. This means that the state that submitted the request for acceptance, after receiving a positive response for acceptance from the competent authority of Montenegro, is obliged to submit a notice with information relevant to the transfer. In practice, a small number of announcements are submitted to the Ministry of the Interior. The lack of this information makes it difficult to adequately plan and organize their reception in Montenegro.

Based on the available data, it can be estimated that the places of origin of migrants are precisely those municipalities in which there is a higher rate of poverty and unemployment. These are objectively perceived as the main so-called push factors. In order to avoid such situations, and to provide structured assistance to the municipalities where it is most needed, the coordination role of the state should be strengthened, and the practice of the countries from which the returnees come should be harmonized. In other parts of Montenegro, the problem of returnees has not proved so significant so far, so the municipal authorities and institutions do not have much experience with such persons. Experiences are reduced to individual cases, which did not require the keeping of special records on these persons by the Ministry of the Interior. In such a situation, efficient solutions cannot be expected, which would result in the desired effects of reintegration. Employees in most state institutions do not have the necessary knowledge, equipment, resources and ability to adequately respond to solving problems that will arise in working with a very sensitive and vulnerable category of returnees in the reintegration process.

An additional burden is the fact that a significant number of economically vulnerable people live in Montenegro in a state of extreme social need. These are mainly members of the Roma and Egyptians (hereinafter: RE population) who traditionally represent a highly migratory community. Also, Montenegro has accepted on its national territory a large number of displaced persons from Croatia and Bosnia and Herzegovina, as well as internally displaced persons from Kosovo.

One of the preconditions for eliminating these shortcomings is **the more significant involvement of local self-governments** in the creation and implementation of measures in the field of reintegration of returnees. It has been observed that local development strategies rarely address this problem, which makes it very difficult to direct local development efforts towards solving the problems faced by returnees. Bodies responsible for migration issues are at the state level, but responsibilities for issues such as health care, employment, social protection, housing and education exist at lower levels (municipalities). Coordination between bodies at different levels is insufficient, and some of the reasons for this are the lack of adequate procedures, poor information, insufficient financial, human and material-technical resources.

The lack of personal documents and the difficulties encountered by returnees in obtaining them are one of the main causes of problems in accessing and exercising other rights of returnees. A certain number of returnees do not have a permanent residence due to the lack of documents necessary for the registration of residence because they are not registered in the appropriate registers. Others, despite being able to register their residence, do not do so because they are not provided with housing and do not have a residential address. This problem is especially visible in the part of the Roma population living in improvised settlements. The Montenegrin diplomatic and consular mission issues a travel document for the purpose of return for Montenegrin citizens who find themselves abroad without valid documents. The travel document is often the only identification document that the returnee has and on the basis of which he exercises his rights in the field of social and health care until he obtains personal documents. Furthermore, obtaining personal documents, registering residence, as well as nostrifying diplomas issued in countries from which Montenegrin citizens return, requires financial expenses, which is a special problem for returnees with a large number of family members. In order to overcome these problems, it is necessary to inform returnees about their legal obligations and rights immediately upon return to the country. In that sense, the active role of the competent institutions, in cooperation

with non-governmental organizations, can give good results. The issue of personal documents is extremely important because it directly affects access to and exercise of all other rights important for the sustainable integration of returnees, ie access to basic health care, education, social assistance and employment. An identity card is a public document by which a citizen who has Montenegrin citizenship proves his identity and citizenship, and the request for issuance is submitted to the Ministry of the Interior at the place of residence of the person. A citizen who has reached the age of 18 and has a permanent residence in Montenegro is obliged to have an identity card. A Montenegrin citizen over the age of sixteen is entitled to an identity card. Also, the citizen is obliged to submit a request for the issuance of an ID card, within eight days from the day of termination, declaring it invalid or determining the reasons for replacing the ID card.

A special problem is **the continuation of education** that children of returnees encounter after readmission. A number of them do not speak Montenegrin well or at all because they were born abroad, so they need additional courses in order to be able to attend classes. The school curriculum in places of return is different from that attended in the countries from which they return. The lack of accurate data on the structure of returnees, including age and education, makes it impossible to assess the educational needs of children as well as adults in need of additional education. As in the case of exercising other rights, the lack of personal documents and the cost of recognizing educational documents of diplomas obtained abroad are an additional problem when it comes to continuing education in places of return. In the previous period, the Ministry of Education provided support and supported the reintegration of returnees by timely and transparently resolving all submitted applications for recognition of foreign educational documents obtained by these persons abroad. Based on the Ministry's instructions, schools included all returnees in regular education even before the completion of the procedure for recognition of foreign educational documents. The Ministry does not keep special records of how many returnees on the basis of readmission from abroad requested the recognition of a foreign educational document for the purpose of continuing education or employment.

In many cases, after returning to the country, returnees rent private accommodation if they have the money, or move in with relatives and friends. **Meeting housing needs** is considered one of the basic conditions for sustainable reintegration of returnees. As for some members of the RE population, they find accommodation within unhygienic settlements on the outskirts of cities, without basic infrastructure, i.e. electricity network, water supply and sewerage. It is necessary to point out some of the basic problems related to the housing issue of the RE population. The problem of most members of the RE population is that a large number of houses cannot be legalized due to unresolved property and legal status of land or buildings, inadequate construction documentation, lack of infrastructure, etc. Therefore, these properties are only in the factual ownership of these persons, while they hold no no property rights over them. Some NGOs implement programs that include improving living conditions and quality of life in impoverished Roma settlements.

When it comes to **the services of the health system**, the system is set on such a basis that it does not recognize any diversity of users of health services on any basis - the provision of health services is available for all. This means that all returnees, whether Montenegrin citizens or third-country nationals, are provided with appropriate health services for the period of their stay in the territory of Montenegro. Therefore, taking into account the specifics of each individual returnee, no person is left, nor will be left in the future, without the provision of appropriate health services from the health system of Montenegro.

The lack of precise and systematized data **on the number and socio-economic status of returnees** prevents a realistic analysis of their needs and, accordingly, the establishment of a basic framework for this problem. The establishment of a single database on returnees under readmission agreements is the basis for planning and

implementation of activities aimed at their full integration in places of return. The fact that readmission is often accompanied by human rights violations imposes the need to establish better cooperation with the civil sector within a clearly defined state policy in the field of reintegration. NGOs can, as part of their activities to protect the rights of returnees, participate in informing returnees in the most important segments of reintegration such as health care, education, employment conditions, social protection, etc. Furthermore, NGOs can help research the reasons for leaving countries in order to act through state institutions to eliminate them. NGOs can play a particularly important role as intermediaries between local communities and potential donors by assisting local communities in identifying and preparing returnee integration projects and finding funding for their implementation.

Regulations governing **the field of work and employment** do not recognize returnees as a special target group to which they apply. The Law on Employment Mediation and Rights During Unemployment ("Official Gazette of Montenegro", No. 24/19) stipulates that an unemployed person is a person aged 15 to 67, who is a Montenegrin citizen, is on the records of the Employment Bureau of Montenegro, is able or partially able to work, who has not established an employment relationship, is actively seeking employment and is available for work. An unemployed person is also defined to be a foreigner who meets the stated conditions and who, in accordance with a special law, has: a permanent residence permit; temporary residence permit for a stateless person; temporary residence permit for up to three years, in accordance with Article 220 of the Law on Foreigners ("Official Gazette of Montenegro", No. 12/18 and 3/19); temporary residence permit for the purpose of family reunification with a Montenegrin citizen or with a foreigner who has a permanent residence permit; temporary residence permit for humanitarian reasons; recognized refugee status or granted subsidiary protection; granted asylum, subsidiary protection or seeking international protection, within a period of nine months from the date of application for international protection. Returnees who register in the register of unemployed persons at the Employment Bureau may use labor market services, exercise their rights during unemployment and be included in active employment policy programs, in accordance with this law. Labor market services, provided by the Employment Bureau, are preparation for employment and employment mediation. Unemployed persons are included in active employment policy programs, implemented by the Employment Bureau, with the aim of raising the level of their employability and faster inclusion in the labor market. Active employment policy measures are: adult education and training; employment incentives; direct job creation and employment incentives. The Employment Bureau may implement other measures and activities depending on the needs of the labor market and the identification of target group, which are determined in the Action Plan and the Work Program of the Institute.

The Labor Law ("Official Gazette of Montenegro", No. 74/19) regulates the rights and obligations of employees from employment, i.e. on the basis of work, as well as the manner and procedure of their exercising. This Law applies to: employees who work in the territory of Montenegro with a domestic or foreign legal or natural person, as well as to employees who are sent to work abroad by an employer based in Montenegro, unless otherwise provided by a special law; employees in state bodies, state administration bodies, local self-government units and public services, unless otherwise determined by a special law; employed foreigners working for an employer in the territory of Montenegro, unless otherwise provided by a special law; natural persons who are engaged in economic activity for the purpose of gaining profit, and do not perform that activity on behalf of another. The said law stipulates that a foreigner may conclude an employment contract if he meets the conditions determined by this law, a special law and international agreements.

Centers for social work are the first stop when it comes to exercising rights in the field of social protection. Insufficient education of competent institutions at all levels that are not sufficiently familiar with the readmission process results in their unwillingness to be systematically involved in the process of reintegration of returnees. On

the other hand, returnees are not sufficiently informed about their rights or obligations of the competent institutions in terms of providing support for their integration in places of return. The lack of precise and systematized data on the number and socio-economic status of returnees prevents a realistic analysis of their needs and, accordingly, the establishment of a basic framework for this problem. The establishment of a single database on returnees under readmission agreements is the basis for planning and implementation of activities aimed at their full integration in places of return.

The rights related to social and child protection and the performance of social and child protection activities are exercised under the conditions and in the manner prescribed by the Law on Social and Child Protection (Official Gazette of Montenegro, No. 27/13, 1/15, 42/15, 47/15 , 56/16, 66/16, 1/17, 42/17, 50/17). In line with Article 5 of this law, the rights granted therein can be exercised by: a Montenegrin national with the permanent place of residence at the territory of Montenegro; in line with this law and international treaties, a foreigner with granted temporary or permanent residence in the state, a person granted asylum and a foreigner granted subsidiary protection. In accordance with Article 7 of the said law, social and child protection is based on the principles of: respect for the integrity and dignity of beneficiaries of social and child protection; non-discrimination; informing of beneficiaries; individual approach to beneficiaries; active participation of beneficiaries; respect for the best interest of the beneficiaries; prevention of institutionalisation and availability of services; pluralism of services and providers of social and child protection; partnerships and joining of different entities responsible for activities and programs; transparency with regard to informing the public. The social and child protection aims at ensuring protection of an individual, family, children at risk and persons with special social needs or social exclusion, and in particular: those unable to work and materially lacking, children without parental care; children with disabilities; abused and neglected children; children with behavioral problems; those who abuse alcohol, drugs or other intoxicants; victims of human trafficking, etc.; young person who was a child without parental care and who needs an appropriate form of protection due to special circumstances and social risk, adult and old person: with a disability, who abuses alcohol, drugs or other intoxicants, a victim of human trafficking, who is homeless, single a parent without family support and adequate living conditions; and who, due to special circumstances, need an appropriate form of social protection. The basic material benefits in social protection are as follows: financial support; personal disability allowance; care and support allowance; health protection; funeral costs; nonrecurring financial assistance; parental or guardian's allowance of the personal disability beneficiary. The state may also provide other kinds of material support in social protection, in accordance with financial possibilities. The basic rights from child protection are: compensation for a newborn child; food costs in preschool institutions, assistance for the upbringing and education of children and youth with special educational needs, reimbursement of wage compensation and wage compensation, childbirth benefit, reimbursement of wage compensation and wage compensation for part-time work; the state may provide other rights and forms of child protection in accordance with financial possibilities. Services in the field of social and child protection are: support for community living; counseling-therapeutic and social-educational, accommodation, urgent interventions and other services. Institutions of social and child protection are: center for social work, institution for children and youth, institution for adults and the elderly; institution for rest and recreation of children. The founder of the institution may be the state, municipality and other legal or natural person. The Center for Social Work, as an institution, can only be established by the state. The system of financing and planning of financial resources is centralized and all services are financed from the state budget, except for smaller funds provided by the local self-government for certain services that it has established or for one-time cash benefits.

The protection of children without parental care is regulated by the Family Law and the Law on Social and Child Protection. In accordance with the provisions of these laws, a child without parental care is a child who has no parents, a child whose parents are unknown or whose whereabouts are unknown and a child whose parents are

deprived of parental rights or legal capacity. A child without a parent is placed under guardianship by the competent center for social work. When appointing a guardian, the guardianship authority will carefully examine the circumstances of the persons placed under guardianship and appoint a person as the guardian who, given those circumstances, will be best able to perform the guardianship duty. The basic types of family legal protection of children without parental care, according to the Family Law, are: adoption and placement in another family. The Law on Social and Child Protection prescribes the right to placement in another family and the right to placement in a social protection institution, with priority given to placement in another family. The most common reasons for the absence of parental care, according to the records of the centers for social work, are: abandonment of children, illness of parents, death of parents. A child without parental care and a child whose development is hindered by family circumstances in his / her own family may be placed in another family for custody, care and upbringing, in the manner and according to the procedure provided by the Family Law. The competent center for social work, as the guardianship authority, decides on the placement in another family, if it is in the best interest of the child. If a child is physically and mentally handicapped or neglected, he may be placed in another family only if it has been established that the members of that family, by their personal characteristics, are capable of caring for and raising such a child.

The RE population in Montenegro is characterized by the highest rates of poverty and unemployment compared to other social groups and its members represent one of the most difficult to employ categories. The main obstacles in the employment of these persons are: lack of education and educational opportunities, lack of identity documents, difficult economic and social situation due to which they are unable to accept longer trainings, discrimination and non-acceptance by members of other populations and employers and living in insecure and non-standardized residences. Members of the RE population are mostly unskilled, i.e. with a low level of education, and as such do not meet the needs of the modern labor market. Factors that could positively influence the inclusion of this population in the labor market are: organizing projects that take into account the real situation in this population; opportunities to obtain appropriate qualifications for a shorter period of time; programs that include functional literacy and all forms of education; work on reducing prejudice (through joint work of RE and non-Roma population, especially employers); troubleshooting documentation. Having in mind the above, the Employment Bureau in its Work Program specifically addressed the issue of the Roma population and envisaged measures aimed at increasing the employability and employment of this vulnerable group of unemployed persons.

Current activities in the reintegration of returnees coordinated by **the Directorate for Integration of Foreigners with Approved International Protection and Reintegration of Returnees upon Readmission** are reflected in: providing temporary accommodation when necessary, distributing humanitarian aid, providing psychosocial support to readmission returnees for reintegration, and providing assistance in establishing family ties, providing health insurance and education, support for employment and self-employment in accordance with existing programs, keeping appropriate records, cooperation between state bodies, public institutions of local government and NGOs. In the coming period, activities should focus on:

- providing conditions for exercising the right to education, health care, social protection, etc.
- creating conditions for sustainable existence, through employment and self-employment,
- strengthening the cooperation of all entities involved in the process of reintegration of returnees. Exchange of relevant information for the process of reintegration of returnees between entities involved in the reintegration process,
- continuous organization of trainings in order to increase administrative capacity.

From the above, it should be concluded that it is necessary that the Ministry of the Interior should intensify activities on signing readmission agreements with third countries with which Montenegro has not signed agreements, as well as signing implementation protocols with other EU member states with which we do not have signed protocols. In this way, the activity prescribed in the AP for NC 24 will be realized.

It is commendable that Montenegro has built mechanisms at the central and local levels to provide support to returnees upon readmission. However, one of the biggest problems in adequate aid planning and all future activities proved to be the lack of comprehensive records of this population. This problem arises, first of all, due to the lack of any legal obligation to register returnees, as well as the absence of systematic monitoring of voluntary return.

So, there is room to, based on previous experience and available information on returnees and activities currently carried out, improve the collected data in terms of establishing an electronic database of persons returned in accordance with readmission agreements and electronically importing all competent bodies dealing with these issues. Also, it is necessary to train officials to use this database.

It is necessary for the Ministry of the Interior, as an umbrella institution in the reintegration of returnees, to significantly involve local self-government units in implementing measures and activities in the field of integration of returnees in local communities, especially in providing temporary accommodation for returnees upon readmission.

III. STRATEGIC AND OPERATIONAL OBJECTIVES WITH ACCOMPANYING PERFORMANCE INDICATORS, WITH KEY ACTIVITIES FOR IMPLEMENTATION OF OPERATIONAL OBJECTIVES AND DESCRIPTION OF ACTIVITIES OF COMPETENT AUTHORITIES AND BODIES FOR MONITORING THE IMPLEMENTATION OF THE STRATEGY

Strategic objective 1: Creating a fully functional mixed migration management system and ensuring full access to rights

To create a fully functional mixed migration management system and ensure full access to rights, it is necessary to:

Operational objective 1:	It is necessary to transpose into the national legislative framework all European regulations governing the field of mixed migration and guarantee its full implementation through the adaptation of the administrative system.		
Performance indicator	Start value (2021)	Target value in the middle of the implementation of the strategic document (2023)	Target value at the end of the implementation of the strategic document (2025)
Migration legislation is fully in line with the <i>acquis</i> .	5 EU directives have been fully transposed into the legal framework of Montenegro.		14 EU directives have been fully transposed into the legal framework of Montenegro.

		10 EU directives have been fully transposed into the legal framework of Montenegro.	
--	--	---	--

For the realization of Operational Objective 1 it is necessary to undertake the following activities:

- ✓ The Ministry of Interior should improve the existing normative framework by initiating amendments to the Law on Foreigners, ie the legislative framework will be fully harmonized with the *acquis communautaire*. First of all, it is necessary to amend the Law on Foreigners and fully transpose Directive 96/71 / EC of the European Parliament and of the Council of 16 December 1996 on the posting of workers in the framework of the provision of services, Directive (EE) 2018/957 of the European Parliament and of the Council of 28 June 2018 amending Directive 96/71 / EC on the posting of workers in the framework of the provision of services, Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for research, studies , training, volunteering, exchange of students or educational projects, and performing au pair work, Directive 2014/66 / EU of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of intra-corporate transfers.
- ✓ In addition, it is necessary to transpose Directive 2014/67 of the European Parliament and of the Council of 15 May 2014 on the implementation of Directive 96/71 / EC on the posting of workers in the framework of the provision of services and amending Regulation (EU) no. 1024/2012 on administrative cooperation through the Internal Market Information System (“IMI Regulation”).
- ✓ Amend the Law on Foreigners and make it possible to simplify the procedure for issuing / extending temporary residence and work permits.
- ✓ Adopt decisions on determining the annual number of permits for temporary residence and work of foreigners in Montenegro.
- ✓ Adopt the National Employment Strategy, with annual employment action plans, which will define active employment policy measures for foreigners granted international protection, as well as for foreigners seeking international protection, within nine months from the date of application for international protection , which are on the records of unemployed persons at the Employment Bureau. Adopt active employment policy programs (adult education and training, employment incentives, direct job creation and employment incentives), in which these persons will be involved.
- ✓ Adopt Standard Operating Procedures (SOPs), which would be followed after the approval of international protection in order to ensure the best possible conditions for integration.
- ✓ Periodically update the list of safe countries of origin.
- ✓ Develop an analysis and then adopt Standard Operating Procedures that will define family reunification procedures and competencies of relevant actors for foreigners granted international protection
- ✓ **Develop a Roadmap for cooperation between EASO and Montenegro in the field of international protection and implement a two-year cooperation plan**
- ✓ Amend the Law on Montenegrin Citizenship in order to be aligned with the Law on International and Temporary Protection of Foreigners
- ✓ Amend the legal framework to facilitate access to social protection rights for persons granted international protection in Montenegro (do not ask for documents from the country of origin).

- ✓ Adjust the legal framework governing the recognition of foreign diplomas to the fact that persons granted international protection in Montenegro cannot obtain all the documents necessary for the recognition of foreign diplomas.
- ✓ Adopt Standard Operating Procedures that will define procedures for family reunification and responsibilities of relevant actors.
- ✓ Develop a guide for officials of the Asylum Directorate for the application of Article 69 of the Law on International and Temporary Protection of Foreigners (exercising the right to free legal aid in proceedings before a second instance body regarding requests for international protection).
- ✓ Create preconditions for recognition of qualifications for foreigners granted international protection, those who are not able to provide diplomas and certificates.
- ✓ Amendment of the Regulation on the amount of financial compensation for an alien seeking international protection and an asylum seeker and an alien under subsidiary protection by elaborating "procedural" aspects - for what purposes the assistance is provided, to whom the application is made „
- ✓ Amendments to the Law on Foreigners require full transposition of Council Directives 2009/52 / EC, in the part relating to the granting of residence permits for humanitarian reasons to any alien who is illegally employed.
- ✓ Given the deficit and highly skilled workforce, a way should be envisaged to improve the admission of highly qualified foreigners by considering the possibility of exempting these persons from the annual quota, regardless of their status with the employer.
- ✓ Amendments to the Law on Foreigners require full transposition of Council Directive 2003/86 / EC of 22 September 2003 on the right to family reunification - 32003L0086, in so far as it relates to the termination of a temporary residence permit - Article 65 (1) point 3 and paragraph 2 are not in line with the text of the Directive.
- ✓ Through amendments to the Law on Foreigners , it is necessary to fully transpose Directive 2014/36 / EU, in the part related to the submission of documentation for the approval of temporary residence and work permits for seasonal employment, then define that accommodation for seasonal workers must meet standards health and safety (this can also be regulated by a bylaw) and of course define sanctions for employers who do not properly apply this provision.
- ✓ Prior to Montenegro's accession to the EU, amendments to the Law on Foreigners require full transposition of Council Directive 2003/109 / EC of 25 December 2003 on the status of third-country nationals residing - 32003L0109, in the part relating to termination permanent residence permits due to absence from Montenegro, as well as in the part related to the definition of the permit form, ie notes on the form: "Person with long-term residence in the EU" - this applies only to permanent residence permits issued in accordance with paragraph 1 of Article 86 of the Law on Foreigners.
- ✓ Before Montenegro's accession to the EU, through amendments to the Law on Foreigners , full transposition of Directive 2004/38 / EC is required, in the part related to Article 14 of the Directive.
- ✓ Before Montenegro's accession to the EU, through amendments to the Law on Foreigners, full transposition of Directive (EU) 2016/801 is required, in the part related to the validity of authorizations for researchers, Mobility within the EU, Short-term mobility of researchers, Long-term researcher mobility, mobility of family members of researchers, student mobility, safeguards and sanctions in cases of mobility, cooperation between contact points and statistics. Also, through amendments to the Foreigners Act, it is necessary to fully transpose Directive (EU) 2014/66 / EU, in the part related to the

definition of long-term mobility permits, the definition of a group of companies, first and second member states, to mobility (Long-term and short-term mobility) and Safeguards and sanctions.

- ✓ **Amend the Rulebook on the rules of residence and house rules in the Reception Center (in the part related to the complaint of an alien regarding his rights in the Center),**

The Ministry of the Interior should improve the existing normative framework by initiating amendments to the Law on Foreigners, i.e. the legislative framework should be fully harmonized with the *acquis communautaire*. First of all, it is necessary to amend the Law on Foreigners and fully transpose Directive 96/71 / EC of the European Parliament and of the Council of 16 December 1996 on the posting of workers in the framework of the provision of services, Directive (EE) 2018/957 of the European Parliament and of the Council of 28 June 2018 amending Directive 96/71 / EC on the posting of workers in the framework of the provision of services, Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for research, studies, training, volunteering, exchange of students or educational projects, and performing au pair work, Directive 2014/66 / EU of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of intra-corporate transfers. It is also necessary to amend the Law on Foreigners to allow for the application of Council Directive 2009/50 / EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purpose of employing highly qualified workers. By the way, this directive has been fully transposed into the current Law on Foreigners and a bylaw has been enacted which prescribes a form of temporary residence and work permit for third-country nationals with higher education qualifications - EU Blue Card, but the application of provisions relating to employment of highly qualified workers is delayed. **In addition, it is necessary to transpose Directive 2014/67 of the European Parliament and of the Council of 15 May 2014 on the implementation of Directive 96/71 / EC on the posting of workers in the framework of the provision of services and amending Regulation (EU) no. 1024/2012 on administrative cooperation through the Internal Market Information System (“IMI Regulation”).**

Article 31 of the Law on International and Temporary Protection of Foreigners provides for the establishment of a list of safe countries of origin, based on reports from EU member states, EASO, UNHCR, Council of Europe and other relevant international sources, in accordance with Annex 1 of EU Directive 2013/32.

The Law on Montenegrin Citizenship needs to be amended to harmonize it with the Law on International and Temporary Protection of Foreigners.

The Rulebook on Detailed Conditions for Realization of Basic Material Benefits from Social and Child Protection ("Official Gazette of Montenegro", No. 43/20) should be amended in such a way as to take into account the fact that persons granted international protection in Montenegro cannot be expected to provide documents from the country of origin when submitting a request for exercising a right in the field of social and child protection (evidence provided from the country of origin and not in the possession of the applicant), and that this evidence cannot be provided *ex officio*.

In addition, persons eligible for MOP should not be previously required to use financial assistance under Article 77 of the Law on International and Temporary Protection of Foreigners for the first two years of their stay in Montenegro after approval of international protection, as is currently the case. (This sentence within the paragraph is not related to the field of social and child protection, ie the condition of two years is not regulated by regulations in the field of social and child protection).

The legal framework governing the recognition of foreign diplomas should be adapted to the fact that persons granted international protection in Montenegro cannot obtain all the documents necessary for the recognition of foreign diplomas as in regular procedures. The provision of the Law on International and Temporary Protection of Foreigners goes in that direction and stipulates in Article 80 that “for asylum seekers and foreigners under subsidiary protection who for justified reasons are not able to submit the necessary documentation proving foreign qualification, an assessment of previously acquired competencies will be conducted ("prior learning"), in accordance with special regulations. The decision to reject an application for recognition of foreign educational documents and qualifications cannot be based solely on the fact that there are no official documents proving a certain foreign professional qualification.” In this light, there should be a mechanism for assessment of qualifications established, which would subsequently enable foreigners to register at the Employment Agency in line with their qualifications. According to the same article, an asylum seeker and a foreigner under subsidiary protection have the right to primary, secondary and higher education, as well as adult education, under the same conditions as Montenegrin citizens. In order to be given the same opportunities, children and adult asylum seekers and foreigners under subsidiary protection need additional learning support to help overcome the linguistic, cultural, psychological and other barriers that these people most often encounter after arriving in Montenegro. In this regard, the whole set of laws regulating pre-school education, primary education, secondary and higher education, as well as adult education should take into account this need for additional support.

Article 69 of the Law on International and Temporary Protection of Foreigners stipulates that an alien seeking international protection and an alien in transfer are entitled to free legal aid in an administrative dispute regarding an application for international protection. This right is exercised at the personal request and with the prior approval of the Asylum Directorate of the Ministry of the Interior. The Asylum Directorate may refuse this right in the case of an obviously unfounded lawsuit or if the alien possesses funds or items of greater value.

It is necessary to adopt a National Employment Strategy, with annual employment action plans, which will define active employment policy measures for foreigners granted international protection, as well as for foreigners seeking international protection, within nine months from the date of application for international protection. protection, which are on the records of unemployed persons at the Employment Bureau. Adopt active employment policy programs (adult education and training, employment incentives, direct job creation and employment incentives), in which these persons will be involved.

Also, it is necessary to amend the Law on Foreigners, in terms of simplifying the procedures for issuing / extending permits for temporary residence and work of foreigners in Montenegro, because there is an obvious problem of labor shortage, both in Montenegro and in all countries.

Finally, it is necessary to make decisions on determining the annual number of permits for temporary residence and work of foreigners in Montenegro, in accordance with the migration policy, the situation and trends in the labor market in Montenegro. The basis for making a decision on determining the annual number of permits for temporary residence and work of foreigners is contained in Article 76 of the Law on Foreigners ("Official Gazette of Montenegro", No. 12/18 and 3/19). The

aforementioned provision of the Law on Foreigners stipulates that the annual number of permits for temporary residence and work of foreigners - annual quota, is determined by the Government of Montenegro, in accordance with migration policy, situation and movement on the labor market in Montenegro, no later than November 30 for the next year. The annual quota determines the activities in which foreigners can be employed. Within the annual quota, the annual quota for employment and for seasonal employment is determined separately. Pursuant to Article 77, paragraph 1 of this Law, the annual quota is determined at the proposal of the state administration body responsible for labor affairs, with previously obtained opinions of the Employment Bureau of Montenegro, state administration bodies responsible for certain activities for which the annual quota is determined and the Social Council.

The realization of this operational objective will fully harmonize national regulations with the relevant international standards in the field of migration, which is one of the obligations from the Negotiating Chapters 23, 24 and 2.

Operational objective 2:	Increasing accommodation and administrative capacities for the reception of foreigners seeking international protection and for persons granted international protection in Montenegro, in accordance with international standards and ensuring full access to the rights belonging to these persons.		
Performance indicator a) Increased number of state-owned accommodation facilities to accommodate foreigners seeking international protection	Start value (2021) current accommodation capacity is - 164 beds	Target value in the middle of the implementation of the strategic document (2023) capacities increased by 60 beds	Target value at the end of the implementation of the strategic document (2025) accommodation capacities increased by another 120 beds (in extraordinary circumstances by 200), so that the total accommodation capacity is 320 beds (in extraordinary circumstances about 400 beds)
Performance indicator b) Increased number of trained officers who will work in new capacities in the reception of foreigners seeking international protection, ie through these trainings the system has been improved in terms of ensuring equal access to rights belonging to foreigners seeking international protection and persons granted international protection in Montenegro	Start value (2021) The current number of employees in the Reception Center is 33, while the Rulebook on Systematization of the Ministry of the Interior provides for 43 and the tasks are performed by contract officers.	Target value in the middle of the implementation of the strategic document (2023) the number of employees increased by 15	Target value at the end of the implementation of the strategic document (2025) administrative capacity increased by another 30 officers, so that the total administrative capacity is 88 officers

<p>Performance indicator c)</p> <p>The required number of housing units for foreigners with approved international protection has been provided</p>	<p>Start value (2021)</p> <p>there are no housing units provided</p>	<p>Target value in the middle of the implementation of the strategic document (2023)</p> <p>the number of housing units increased to 30</p>	<p>Target value at the end of the implementation of the strategic document (2025)</p> <p>the number of housing units increased to 40</p>
<p>Performance indicator d)</p> <p>All administrative procedures carried out and decisions made within the period prescribed by law.</p>	<p>Start value (2021)</p> <p>In 2020, in certain cases, the competent state authorities do not make decisions within the legally prescribed deadlines (e.g. out of 697 decisions of the Asylum Directorate made by the end of November 2020, 114 decisions (16%) were made after the legal deadline of 6 months. This is a significant deterioration compared to 2019, when 6% of decisions were made after the legal deadline, or 2018, when there were no decisions made after the legal deadline).</p>	<p>Target value in the middle of the implementation of the strategic document (2023)</p> <p>Number of decisions made after the legal deadline of 6 months reduced to 6%</p>	<p>Target value at the end of the implementation of the strategic document (2025)</p> <p>All decisions are made within the legally prescribed period.</p>

For the realization of Operational Objective 2, it is necessary to undertake the following activities:

- ✓ **Increase and expand the accommodation capacities that will be owned by the state, in the sense of reconstructing the existing facility of the Reception Center in Spuž, which receives foreigners seeking international protection in Montenegro.**
- ✓ **Increase and expand the accommodation capacities that will be owned by the state, in the sense of adapting and reconstructing the "former Watchtower Božaj".**
- ✓ **Adopt a new Rulebook on the internal organization and systematization of the Ministry of the Interior with an increase in the number of employees who will work in the new capacities for the reception of foreigners seeking international protection.**
- ✓ **Provision of equipment for conducting interviews in case of restrictions on movement due to the epidemiological situation in the country.**
- ✓ **Development of information material for foreigners seeking international protection.**

- ✓ **Providing support to foreigners seeking international protection in Montenegro during the status determination process**
- ✓ **Provision of transportation of Foreigners seeking international protection, for the purpose of exercising the right, which is fully provided by the Directorate for the Reception of Foreigners by escorting persons, accompanied by officials of the Directorate, by vehicles of this Directorate and also, transportation is provided with support of the IOM and the Red Cross of Montenegro.**
- ✓ **The required number of housing units has been provided through a public procurement procedure for foreigners who have been granted international protection in Montenegro.**
- ✓ **Providing psychosocial support to foreigners granted international protection in Montenegro.**
- ✓ **Providing material support to foreigners who have been granted international protection in Montenegro.**
- ✓ **Providing legal support to foreigners granted international protection in Montenegro.**
- ✓ **Support to children and adult asylum seekers and foreigners under subsidiary protection in order to overcome linguistic, cultural, psychological and other barriers to learning.**
- ✓ **Organizing courses for learning the Montenegrin language, history and culture, in order to include asylum seekers and foreigners under subsidiary protection in Montenegrin society.**
- ✓ **Adoption of the Advanced Montenegrin Language Course Program.**
- ✓ **Organization of the Advanced Montenegrin Language Course Program.**
- ✓ **Adopt the Rulebook on Amendments to the Rulebook on Internal Organization and Systematization of the Ministry of the Interior, which will systematize the position of psychologist in the Directorate for Integration of Foreigners with Approved International Protection and fill the position of psychologist.**
- ✓ **In the Budget from 2022 to 2025, plan financial resources for the implementation of activities of state bodies and public institutions related to the integration of foreigners with approved international protection into Montenegrin society.**

The realization of this operational goal implies undertaking the activities of the Ministry of Interior in the part of increasing and expanding accommodation capacities, which will provide the same standard of reception in all accommodation facilities. Given that the number of accommodation capacities will increase, it is also necessary to increase the number of employees who will perform these tasks.

The current capacity in Montenegro is 164 beds. Reconstruction of the existing facility of the Center, ie. by upgrading the floors, the accommodation capacities will increase by 60 places. Additional capacities for adequate reception of foreigners seeking international protection in Montenegro will be provided by the adaptation and reconstruction of the "former Watchtower Božaj" with funds from IPA 2018 and the capital budget of Montenegro. In regular circumstances, accommodation will be provided for 120 people, and in extraordinary circumstances for 200 people.

As the installation of four mobile facilities and two sanitary containers in the yard of the Reception Center reduced the size of the sports field, it is planned to relocate them on the purchased plot bordering the Center complex in order to return the sports field to its original condition.

In the part of implementation of procedures for determining the status of asylum seekers, it is necessary to strengthen the technical capacities of first and second instance bodies for conducting procedures in order to ensure smooth functioning of the system and implementation of procedures in case of limited movements caused by the epidemiological situation in the country, as well as execution of short procedures in case of increased presence of these persons in transit or border areas. In addition, it is necessary to constantly monitor changes in the laws and practices of European countries in order to achieve European standards in the treatment of foreigners seeking international protection. Accordingly, it is necessary to continuously train officials who participate in the first and second instance proceedings.

Also, it is necessary to continuously undertake activities to provide psychosocial, material, legal support during the status determination procedure as well as in access to rights for persons in need of international protection, as well as through the provision of translation services in the procedure of granting international protection.

In order to provide foreigners with approved international protection with access to rights, it is necessary to ensure timely issuance of an identity document in the municipality where the person resides, which is a prerequisite for issuing a workbook, registration in the unemployment register at the Employment Bureau, registration with the Health Fund, submittal of requests for material assistance, as well as all other rights.

It is necessary to remove all administrative barriers to access to the right to work for foreigners seeking international protection, and have the right to work (Article 70 ZMPZS), such as, for example, the timely issuance of a unique identification number (UIN / JMBG) and identity document.

Also, in order to include asylum seekers and foreigners under subsidiary protection in Montenegrin society, regular activities should be undertaken in the part of providing learning of Montenegrin language, history and culture, which is available regardless of the municipality where the person with approved international protection resides. labor shortages, identification of available trainings, with an emphasis on vocational training, employment of persons approved for international protection and production and printing of brochures for Montenegrin language, history and culture (based on the adopted program), as well as distribution of humanitarian aid packages for persons seeking international protection in Montenegro.

Finally, equal access to the rights of migrants should be ensured to all foreigners seeking international protection and persons granted international protection in Montenegro, with special reference to vulnerable categories in terms of organizing training for officials deployed to work with foreigners seeking international protection in Montenegro and foreigners granted international protection in Montenegro in relation to the identification of victims of trafficking in human beings, on the risks and protection mechanisms in relation to trafficking in human beings.

Operational objective 3:	Establishment of an electronic system for identification and registration of persons from the international protection system and training of officials who will work on these systems
---------------------------------	---

<p>Performance indicator a) Implementation of electronic connection projects, both of organizational units within the Ministry of the Interior and other state bodies dealing with migration issues.</p>	<p>Start value (2021)</p> <p>Most of the systems and software of the organizational units of the Ministry of the Interior, the PD, the Tax Administration, and the Directorate for Inspection Affairs dealing with migration issues are still not linked.</p>	<p>Target value in the middle of the implementation of the strategic document (2023)</p> <p>The systems and software of the organizational units of the Ministry of the Interior and the Police Directorate dealing with migration issues are linked.</p>	<p>Target value at the end of the implementation of the strategic document (2025)</p> <p>All systems and software of relevant institutions dealing with migration issues are linked.</p>
<p>Performance indicator b) Improved capacities and competencies of employees in the field of international protection of foreigners.</p>	<p>Start value (2021)</p> <p>The continuous change in the structure of foreigners seeking international protection, in terms of language, gender, age and countries of origin, including persons with special procedural guarantees, makes it difficult to communicate with these persons and slows down the decision-making process according to their requirements and needs.</p>	<p>Target value in the middle of the implementation of the strategic document (2023)</p> <p>Capacities of officials employed in the field of international protection of foreigners strengthened in the segments of reception, procedure, and integration in order to, in 80% of cases, respond to all requests and needs within the legally prescribed deadlines.</p>	<p>Target value at the end of the implementation of the strategic document (2025)</p> <p>Capacities of officials employed in the field of international protection of foreigners strengthened in the segments of reception, procedure and integration in order to, in all cases, respond to all requests and needs within the legally prescribed deadlines.</p>

For the realization of Operational Objective 3, it is necessary to undertake the following activities:

- ✓ Further development of IT systems for migration improvement and procurement of technical equipment. The implementation of the measure implies the establishment of an electronic database and the improvement of the system of identification, registration and connection of data for individuals from the system of international protection.
- ✓ Create new conditions for the full implementation of the provision of the Law on International and Temporary Protection of Foreigners (Article 34) by the new Regulation on the Organization and Manner of Work of the Ministry of Interior, which stipulates that the intention to apply for international protection may be expressed at the border crossing. to the unit of the administrative body in charge of police affairs in the place where the occupant is found.
- ✓ Conduct continuous training of members of the Police Directorate responsible for registering intentions to seek international protection in all areas of asylum that are important for the work of the Police Directorate;
- ✓ Conduct continuous training of officials of the Asylum Directorate and judges of the Administrative Court of Montenegro in the field of international and temporary protection of Foreigners , especially in relation to: assessment of facts and circumstances, acts of persecution, reasons for persecution, serious injustices, exclusion provisions, special procedural guarantees are needed for protection actors, persecution on the basis of gender equality, subsequent application for international protection, determination of the best interests of the child, cultural mediation, as well as the European Convention for the Protection of Human Rights and Fundamental Freedoms and international human rights law;
- ✓ Organizing workshops for agents in the field of integration that would deal with creating conditions for successful integration of asylum seekers and foreigners under subsidiary protection.
- ✓ Analyze hate speech in the context of mixed migration with the aim of raising awareness and addressing the root causes of hate speech.
- ✓ Organize public events / meetings / initiatives on hate speech and anti-migrant narratives.
- ✓ Organize trainings for officials of relevant institutions on the topic of best interest assessment (child, vulnerable categories) whose participants will be officers: Police Directorate, Directorate for Reception of Foreigners Seeking International Protection, Directorate for Asylum, Directorate for Integration of Foreigners, Health Centers, Centers for social work.
- ✓ Organize training for employees of relevant institutions on the topic of cultural mediation and gender - sensitive treatment.
- ✓ Ensure more efficient joint inspection in the areas of residence and employment of foreigners in order to increase the identification of foreigners who illegally reside and work in Montenegro, according to a pre-prepared plan by activities (tourism, catering and other activities), in which, in addition to the representatives of the Police Directorate, there would also be inspectors from the Tax Administration and the Administration for Inspection Affairs.

The realization of this operational objective implies the establishment of an electronic database within the Ministry of the Interior and the improvement of the system of identification, registration and connection of data for persons from the system of international protection.

Also, it is necessary to continuously implement joint control of the police (Inspectors for Foreigners) and inspection services, especially during the summer tourist season, cooperation with FRONTEX on the implementation of the Working Arrangement, Strengthening cooperation with competent authorities in the field of migration and readmission, strengthen cooperation with NGOs dealing with migration issues, **development of information material (brochures, flyers, banner on the official website of the Ministry of the Interior) and its distribution to officials and target groups in order to acquaint them with new regulations and standards in the field of migration and asylum and promote voluntary departure from Montenegro in accordance with the new Law on Foreigners.**

Keeping up the pace with regional initiatives and the development of national capacities necessary for EU accession, Operational Objective 3 envisages work on raising awareness of both relevant institutions and the general public about anti-migrant narratives and hate speech, and their prevention and action on the causes, which also requires a systemic approach, and inclusion and cooperation with all relevant actors in the country. Accordingly, certain pilot activities are planned in the Action Plan for 2021-2022. yr.

In order to ensure gender equality in mixed migration flows, the training provided for the relevant institutions involved in the migration management process will also include a module on gender equality and gender-sensitive practices that are in line with EU and international standards.

Improving the flow and exchange of information, and the quality of interviews with migrants and ultimately creating a situational picture in the context of migration movements is also envisaged by the Action Plan, which will lead to timely detection of victims of violence, crime and thus prevent the most common forms of criminal offenses, such as human trafficking, smuggling of migrants, potential radicalism, etc.

It is necessary to constantly monitor changes in the laws and practices of European countries in order to achieve European standards in the treatment of foreigners seeking international protection and accordingly continuously train judges of the Administrative Court of Montenegro, officials of the Ministry of the Interior (Asylum Directorate, Directorate for the Reception of Foreigners Seeking International Protection, and Directorate for Integration of Foreigners with Approved International Protection and officers of the Police Directorate responsible for registering intentions to seek international protection.

Also, it is necessary to create new and supplement the existing information material (brochures, flyers, banner on the official website of the Ministry of the Interior) and distribute it to officials and target groups in order to familiarize them with new regulations and standards in the field of migration and asylum, as well as the possibility of voluntary departure from Montenegro in accordance with the new Law on Foreigners.

Operational objective 4:		Resolving the legal status of internally displaced individuals (IDPs) as well as other individuals who are not registered in the basic registers and registers of citizens in Montenegro and in the surrounding countries.	
Performance indicator a) The number of individuals (IDPs) who have not yet resolved their status	Start value (2021)	Target value in the middle of the implementation of	Target value at the end of the implementation of the strategic document (2025)

in Montenegro and who are in the process of resolving has decreased.	As of 31.12.2020, 160 applications for permanent residence and temporary residence for up to three years for IDPs are pending.	the strategic document (2023) As of 31.12.2023, 100 applications for approval of the permanent residence and temporary residence for up to three years for IDPs is ongoing.	On 31.12.2025, all requests for permanent residence and temporary residence for up to three years for IDPs are resolved.
Performance indicator b) Increased number of individuals returned to Kosovo.	Start value (2021) In 2020, no return of IDPs to Kosovo was realized.	Target value in the middle of the implementation of the strategic document (2023) As of 31.12.2023, 27 IDPs are returned to Kosovo.	Target value at the end of the implementation of the strategic document (2025) As of 31.12.2025, 30 IDPs are returned to Kosovo.
Performance indicator c) Improved access to I/DP's rights with an increased number of I/DPs that have resolved the housing issue.	The regional housing program envisages the total care of about 6,000 people. A total of 3,125 people were accommodated through eight projects.	As of 31.12.2021, additional 1,300 individuals were accommodated through two projects. The Regional Housing Program ends during 2021.	

For the realization of Operational Objective 4 it is necessary to undertake the following activities:

- ✓ **Make a detailed analysis of all requests for permanent / temporary residence up to three years, which are in the work of the Ministry of Interior, as well as the challenges due to which persons with the status of a foreigner up to three years do not submit requests for permanent residence.**
- ✓ **Continue to apply simplified procedures for obtaining identification documents for displaced and internally displaced persons whose requirements for alien status are still pending.**
- ✓ **Continue cooperation with the competent authorities of the country of origin in resolving the status of IDPs and other persons in need of this type of support.**

- ✓ **Providing assistance to individuals in resolving the status of IDPs and other individuals in need of this type of support in Montenegro, through the Embassy of the Republic of Serbia/Embassy of the Republic of Kosovo.**
- ✓ **Providing support to vulnerable I/DPs in regulating the legal status in Montenegro.**
- ✓ **Adopt a new Regulation on the manner of exercising the rights of displaced persons from the former Yugoslav republics and internally displaced persons from Kosovo residing in Montenegro, in order to ensure unhindered access to basic socio-economic rights for I/DPs whose requests for alien status are still ongoing.**
- ✓ **Ensure that displaced and internally displaced persons, who have acquired the status of a foreigner with permanent or temporary residence, are included in all development and strategic documents of state bodies and local self-government bodies, which relate to socio-economic rights belonging to these persons.**
- ✓ **Raise awareness and information on the right to voluntary return to the country of origin and ensure voluntary return, with special emphasis on Kosovo, for all interested persons.**
- ✓ **Addressing housing needs for internally displaced and displaced persons.**

The realization of this operational objective implies the Ministry of the Interior undertaking the activities on the final resolution of the legal status of displaced and internally displaced persons who have submitted requests for approval of temporary residence for up to three years and permanent residence, as of 31.12.2014, and whose requests are still in the process of being resolved by the Ministry of the Interior. A total of 160 requests remain unsolved.

In that sense, we should continue to cooperate with the competent authorities of the surrounding countries and continuously identify and provide support to vulnerable persons who lack personal documents, initiate administrative and judicial proceedings for registration in Montenegro or in the countries of origin.

Assistance for voluntary and permanent return should also be provided, with a special focus on Kosovo, as well as continuing to address the housing needs of internally displaced persons (IDPs), through the selection of beneficiaries, construction and housing.

Operational objective 5:	Resolving the legal status of individuals at risk of statelessness and creating conditions for effective access to rights for individuals with recognized status of stateless individuals.		
Performance indicator a) Reduced number of individuals not yet registered in the register of births or citizens in Montenegro or the country of origin.	Start value (2021) Registration in the birth register in the country of origin is still a problem for a number of people.	Target value in the middle of the implementation of the strategic document (2023)	Target value at the end of the implementation of the strategic document (2025) As of 31.12.2025, cooperation with countries of origin for individuals at risk of statelessness is strengthened to

		<p>As of 31.12.2023, cooperation with countries of origin for individuals at risk of statelessness is strengthened to register the individuals in the basic registers of those countries; All identified individuals at risk of statelessness are entered in the register of births and the register of citizens of Montenegro or the country of origin.</p>	<p>register the individuals in the basic registers of those countries; All identified individuals at risk of statelessness are entered in the register of births and the register of citizens of Montenegro or the country of origin.</p>
<p>Performance indicator b) Strengthened capacities of the competent state bodies for conducting the procedure for determining the status of stateless individuals.</p>	<p>Start value (2021) The procedure for determining the status of stateless individuals is still underdeveloped</p>	<p>Target value in the middle of the implementation of the strategic document (2023) As of 31.12.2023, all challenges in the implementation of the procedure for determining the status of stateless individuals are identified and measures for overcoming them are proposed. All individuals conducting the procedure for</p>	<p>Target value at the end of the implementation of the strategic document (2025) As of 31.12.2025, fully functional procedure for determining the status of stateless individuals. High level of passing of first-instance decisions in the procedure for statelessness before second-instance and third-instance bodies.</p>

		<p>determining the status of a stateless individual have attended relevant training;</p> <p>All procedures for determining the status of a stateless individual are carried out within the legally prescribed period.</p>	
<p>Performance indicator c) Harmonized legislative framework and administrative procedures for effective access to rights for stateless persons.</p>	<p>Start value (2021)</p> <p>As of 31.12.2020, laws regulating access to rights for stateless individuals are inconsistent with the Law on Foreigners and international standards in the field of access to rights for these persons.</p>	<p>Target value in the middle of the implementation of the strategic document (2023)</p> <p>As of 31.12.2023, national legislation in the field of access to rights is fully harmonized with the Law on Foreigners regarding the rights of stateless individuals, as well as with international standards in the field of access to rights for stateless individuals.</p>	<p>Target value at the end of the implementation of the strategic document (2025)</p> <p>As of 31.12.2025, national legislation and administrative procedures in the field of access to rights are fully harmonized with the Law on Foreigners regarding the rights of stateless individuals, as well as with international standards in the field of access to rights for stateless individuals.</p>

For the realization of Operational Objective 5 it is necessary to undertake the following activities:

- ✓ **Continue activities of subsequent registering of newborn children with the aim of preventing the risk of statelessness.**
- ✓ **Conducted training for employees of Police Units, Branches and Sections of the Ministry of the Interior, and employees of centers for social work to provide assistance to children who are not registered in the birth register due to abandonment by parents or whose parents do not have personal documents.**

- ✓ **Organizing a study visit for officials who perform registration in the register of births as well as tasks related to determining the status of stateless persons in one of the countries that has good practices of registration in the register of births and enviable experience and success in applying the procedure for determining the status of stateless persons citizenship.**
- ✓ **Development of an operational instruction for MIA officials on procedures for entry in the register of specific groups of persons born.**
- ✓ **Identification of an appropriate model of information exchange through which health care institutions, schools or municipal centers for social work would inform local Branches or Branches of the Ministry of Interior about children born in Montenegro and not registered in the birth register, to initiate the procedure for registration in the birth register , guided by the principle of the best interests of the child.**
- ✓ **Providing assistance to individuals who are in the process of determining the status of stateless individuals.**
- ✓ **Amend the Law on Foreigners in order to further strengthen the procedure for determining the status of stateless persons**
- ✓ **Develop an operational instruction for MIA officers for the application of the procedure for determining the status of stateless persons**
- ✓ **Develop an operational instruction for MoI officials for the application of Article 7 of the Law on Montenegrin Citizenship**
- ✓ **Develop a detailed analysis of national legislation in the field of access to the rights of stateless individuals with recommendations for amendments to the law in order to enable effective access to the rights of these individuals.**
- ✓ **Raise awareness and information about registration in birth and citizen registries, especially of newborns.**
- ✓ **Organizing training for officials who perform tasks related to determining the status of stateless individuals.**

Activities should be continued with the aim of preventing the risk of statelessness in Montenegro by providing assistance to children who are not registered in the birth register due to abandonment by their parents or whose parents do not have identity documents, providing assistance to stateless persons and raising awareness and information about registration in birth and citizen registers, especially of newborn children.

In order to fully complete the process of registration in the register of births born in Montenegro, it is necessary to focus further efforts on strengthening the registration in the register of births in all municipalities, especially in the part of the new practice that includes municipal centers for social work. Also, it is necessary to continue with the continuous raising of awareness, primarily among Roma and Egyptians, about the importance of registration in the birth and citizen registers, and the importance of having a valid legal status in the country.

Given the regional dimension of this problem and the fact that most of those affected by lack of identity documents come from countries in the region, primarily Kosovo, continuous efforts are needed to maintain close cooperation with the countries of origin of these persons, so that their citizens living in Montenegro can acquire documents of countries of origin, which will further help them to regulate their stay in Montenegro.

In order to enable all persons who meet the conditions to regulate their stay in Montenegro, and to avoid the situation that there is any person on the territory of Montenegro who is not recognized in the legal order of Montenegro, in addition to the above changes, Montenegro has, through the Law on Foreigners from 2018, with the support of

the UNHCR, introduced a special procedure for determining the status of stateless persons, as only the 17th country in the world to introduce such a procedure in its legal system. The procedure for determining the status of stateless persons is provided for those persons who cannot regularly, and in the foreseeable future, obtain the necessary documents in Montenegro or the country of origin, and therefore cannot regulate their stay in Montenegro even though they actually live there, alone or with their families. Given that this is a new procedure not only in Montenegro but also globally, it is necessary to continuously increase the capacity of civil servants in charge of conducting the procedure, in order to conduct it in an efficient manner. Also, in order to enable persons who obtain legal status in Montenegro through this procedure to enjoy the rights that belong to them under the Convention on the Status of Stateless Persons, it is necessary to further amend and harmonize national legislation in the field of access to rights with this Convention.

Strategic objective 2: Improving the system of readmission and return of Montenegrin and foreign citizens with an efficient assistance process, in accordance with the concluded agreements and protocols on readmission and in cooperation with other countries and international organizations.

In order to improve the system of readmission and return of Montenegrin and foreign citizens with an efficient assistance process, in accordance with the concluded agreements and protocols on readmission and in cooperation with other states and international organizations, it is necessary to:

Operational objective 1:		Improving the readmission policy through the conclusion of new readmission agreements and protocols, as well as improving the return system of foreign nationals who have not been granted residence in Montenegro and systematic work on voluntary return.	
Performance indicator a) The same level or reduced number of Montenegrin citizens returned to Montenegro.	Start value (2021) Acting on readmission agreements, in 2019, a total of 216 readmission requests were received by EU countries, which referred to the admission of a total of 392 individuals, 134 requests of which were positively resolved, i.e. consent was given for the admission of a total of 274 individuals; 82 requests were resolved negatively, i.e. no consent was given for the acceptance of a total of 118 persons.	Target value in the middle of the implementation of the strategic document (2023) Reduce the number of individuals subject to readmission by 5% compared to 2019.	Target value at the end of the implementation of the strategic document (2025) Reduce the number of persons subject to readmission by 10% compared to 2019.
Performance indicator b)	Start value (2021)	Target value in the middle of the implementation of the strategic document (2023)	Target value at the end of the implementation of the strategic document (2025)

Functional channels for communication, negotiations, and cooperation on readmission with third countries have been established.	The process of establishing communication has not yet officially started with any third country with the aim of concluding a Readmission Agreement.	Open negotiations with one country (country of origin of migrants).	The negotiation process has been completed and cooperation on readmission with one third country has been established.
---	---	---	--

For the realization of Operational Objective 1, it is necessary to undertake the following activities:

- ✓ **Conclusion of implementation protocols on readmission with other EU member states with which Montenegro has not signed protocols.**
- ✓ **Conclusion of Readmission Agreements with third countries - Pakistan, Morocco and Algeria;**
- ✓ **Consider the possibility of concluding an agreement with third countries in another form, such as memorandum, protocol on cooperation, declaration, etc.**
- ✓ **Initiating and holding meetings of the Joint Committees for monitoring the implementation of the Readmission Agreement with the EU, Bosnia and Herzegovina, Croatia, Serbia, Albania, and Kosovo.**
- ✓ **Improving the return system of foreign nationals who have not been granted residence in Montenegro and systematic work on voluntary return.**
- ✓ **Organizing trainings for officers of the Ministry of the Interior and the Police Directorate on the topic of assisted voluntary return of migrants to their countries of origin.**

In order to achieve this operational objective, it is necessary for the Ministry of the Interior to initiate negotiations to harmonize and sign readmission protocols with other EU member states with which Montenegro has not signed protocols. Also, it is necessary to continue procedures relating to conclusion of readmission agreements with third countries, first of all with the Russian Federation and Georgia (the text of the agreement is fully harmonized), then with Ukraine and Iceland (electronic harmonization procedure initiated), Armenia as well as with countries / main sources of irregular migrants, such as Pakistan, Iraq, Iran, Morocco and Algeria. It is also necessary to initiate and hold meetings of the Joint Committees to monitor the implementation of the Readmission Agreement with the EU, BiH, Croatia, Serbia, Albania and Kosovo.

It is also necessary to improve the standard operational procedures for implementing return and taking measures to ensure and encourage a high degree of voluntary return, a program to support voluntary return, including the use and inclusion of EU funds, and fully harmonize and sign a Memorandum of Cooperation between Ministry of the Interior and International Organization for Migration (IOM) regarding voluntary return and reintegration.

Realization of this operational objective will, on the one hand, realize the activities envisaged in the Negotiating Chapter 24, and on the other hand, legal conditions will be created for fast and efficient procedures for identification and safe return of persons who do not meet or no longer meet the entry requirements, presence or residence on the territory of Montenegro or another state. By concluding these Agreements / Protocols, the preconditions for quality and legally regulated regional cooperation in the field of combating illegal migration will be met, which would result in strengthening regional cooperation and affirmation of Montenegro and the region at the international level.

Operativni cilj 2:		Improving the institutional framework for the reintegration of returnees into Montenegrin society through the building and strengthening of local governments, which will ultimately prevent repeated attempts of irregular migration to EU countries, with the establishment of a system of continuous monitoring of returnees.	
Performance indicator	Start value (2021)	Target value in the middle of the implementation of the strategic document (2023)	Target value at the end of the implementation of the strategic document (2025)
Increased total number of services provided by local readmission teams.	In 2019, 16 different services were provided by local readmission teams.	Number of individuals provided with services by local readmission teams increased by 10% compared to 2019.	Number of individuals provided with services by local readmission teams increased by 20% compared to 2019.

For the realization of Operational Objective 2, it is necessary to undertake the following activities:

- ✓ Complete a gender-sensitive analysis of the situation with the aim of mapping current needs as well as providing reintegration assistance.
- ✓ Development of a Handbook on Assistance and Reintegration of Returnees, with a focus on individuals vulnerable to violence, exploitation, and abuse.
- ✓ Timely provision of relevant information on the returnee upon readmission before his return to Montenegro in order to provide the necessary level of services.
- ✓ Accommodation provided for returnees upon readmission for a period of three days from the day of return to Montenegro, in case it is necessary.
- ✓ Accommodation provided for returnees upon readmission after a period of three days from the day of return to Montenegro, in case it is necessary.
- ✓ Strengthen institutional and administrative capacities in order to provide adequate gender-sensitive assistance to returnees and ensure equal access to the rights of returnees.
- ✓ More proactive work on voluntary return with the aim of improving the existing Rulebook, and improving counseling and information for migrants, as well as improving cooperation with consular and diplomatic missions of countries of origin.
- ✓ Monitor the situation of returnees and exchange information between relevant institutions and actors.
- ✓ Establishment of a system of coordination between institutions dealing with the reception and reintegration of returnees, especially from the aspect of state or local level authorities in order to prevent possible abuses of the visa-free regime by readmission returnees, who may be potential asylum seekers in the EU.

Realization of this operational objective implies the establishment of institutional mechanisms / formation of teams to support the reintegration of returnees in all local communities. In addition to representatives of competent authorities, representatives of returnees after readmission will also take part in these activities. Further, we expect establishing and strengthening cooperation with NGOs providing assistance to returnees and strengthening cooperation with competent authorities of the surrounding countries in the field of readmission in order to exchange practices, knowledge, analysis and information.

Also, it is necessary to continue providing assistance to returnees by the competent authorities in exercising the right to personal documents, employment and self-employment, in obtaining and nostrification of diplomas obtained outside Montenegro, to provide enrollment in children of returnees by readmission and textbooks for this children, provide compulsory health insurance to citizens of Montenegro who have been returned upon readmission, in accordance with legal regulations, provide temporary accommodation to returnees upon readmission, for all persons in need of this type of assistance and provide support in providing psychosocial support for their reintegration, and providing support in establishing family ties and family reunification.

Finally, activities need to be pursued on an ongoing basis to prevent possible abuses of the visa-free regime by readmission returnees, who may be potential asylum seekers in the EU.

Operational objective 3:		Establishment of an electronic data exchange system between the competent state authorities and strengthening the professional capacities of employees involved in the process of reintegration of returnees.	
Performance indicator Increased number of returnees in the Returns Database after readmission.	Start value (2021) In 2019, the total number of returnees by readmission in the Database of the Ministry of the Interior is 46.	Target value in the middle of the implementation of the strategic document (2023) The number of returnees by readmission in the Database of the Ministry of the Interior has increased by 20% compared to 2019.	Target value at the end of the implementation of the strategic document (2025) The number of returnees by readmission in the Database of the Ministry of the Interior has increased by 30% compared to 2019.

For the realization of Operational Objective 3, it is necessary to undertake the following activities:

- ✓ **Establishment of an electronic Database on individuals returned in accordance with readmission agreements, and**
- ✓ **Organize training for team members in local communities that are responsible in the process of accepting returnees and organizing trainings for officers of the Ministry of the Interior and the Police Directorate in order to provide the necessary information on the rights and obligations of returnees upon readmission.**

Namely, the lack of accurate and reliable data on returnees is one of the key problems for planning support programs for these persons, and in that sense an updated and comprehensive database on the status and needs of returnees is needed, which will provide a detailed overview of returnees' needs and will serve as a basis for creating adequate reintegration programs. The realization of this operational objective envisages that within the Ministry of the Interior, the electronic database of persons returned in accordance with readmission agreements is put to full and functional use and the electronic linking of all competent authorities dealing with these issues is established; it also implies the promotion of the information system of relevant entities and returnees on all aspects of sustainable and efficient reintegration and the production and printing and distribution of information material with all relevant information related to reintegration issues.

Also, it is necessary to continue organizing regular trainings for team members in local communities who are responsible in the process of accepting returnees and organizing trainings for police officers in order to provide the necessary information on the rights and obligations of returnees upon readmission.

IV. MONITORING, REPORTING AND EVALUATION OF THE STRATEGY

In order to adequately monitor the implementation of the Strategy on Migration and Reintegration of Returnees in Montenegro, for the period 2021-2025, by the decision of the Minister of the Interior, 01 number: 050 / 19-42304 from 15.11.2019, an Interdepartmental Working Group was formed. In addition to representatives of the Ministry of the Interior, members of this working group are also representatives of: Ministry of Labor and Social Welfare, Ministry of Foreign Affairs, Ministry of Education, Ministry of Health, Police Directorate, Inspection Administration, Tax Administration, Employment Bureau of Montenegro, Union of Municipalities of Montenegro, the Red Cross of Montenegro, the United Nations High Commissioner for Refugees (UNHCR) - Office in Montenegro, the International Organization for Migration (IOM), the NGO Legal Center and the NGO Civic Alliance.

The interdepartmental working group was formed with the task of managing, organizing and coordinating the activities of state administration bodies and other competent organizations in the implementation of the Strategy and Action Plan for its implementation; it determines the priorities, dynamics and deadlines for implementation, evaluates the achieved results and proposes the Action Plan for the implementation of the Strategy.

Bearing in mind that the Ministry of the Interior, i.e. the Directorate for Civil Status and Personal Documents is the umbrella institution in charge of creating migration and asylum policy, the obligation to coordinate the entire process of monitoring, reporting and evaluation is within the competence of the said directorate.

Certainly, in addition to the Ministry of the Interior, i.e. the Directorate for Civil Status and Personal Documents, in the field of migration and asylum, the most important competencies belong to the Police Directorate, the Ministry of Labor and Social Welfare, the Ministry of Foreign Affairs and all other institutions appointed by the Interdepartmental Working Group for monitoring the implementation of the Strategy on Migration and Reintegration of Returnees in Montenegro, for the period 2021-2025. Therefore, it is necessary to involve all concerned institutions in the implementation of the Strategy. Accordingly, the institutions concerned will be obliged to

provide information on the activities carried out within the program, in order to timely and adequately collect data for the preparation of annual and final reports, as well as to measure the degree of performance, but also to identify challenges that may arise during implementation of planned activities.

Regarding the reporting process, the basic competencies of the Interdepartmental Working Group are reflected in the preparation of two types of reports on the implementation of the strategic document:

- Annual report on the implementation of the Action Plan,
- Final report on the implementation of the Strategy.

Interdepartmental working groups will meet at least four times a year, i.e. they will hold at least one meeting during each quarter, given that the importance, scope and complexity of the area requires more frequent meetings of the Interdepartmental Working Group. In this way, the implementation process will be considered in a timely and continuous manner, as well as possible obstacles and challenges that institutions may face during the implementation of activities. In addition, the Interdepartmental Working Group will, within its work, maintain a continuous dialogue with civil society organizations, local governments, as well as with other interested public in order to improve the process of implementation of the Strategy. The data necessary for the preparation of the report will be collected throughout the year and will be submitted quarterly to the Ministry of the Interior as the coordinating body of the Working Group. At the last annual meeting, the above data will be reviewed and possibly supplemented to ensure the necessary quality of the report. In the same way, institutions will be encouraged to submit data in a timely manner and avoid the most common problem faced by institutions in the reporting process (untimely submission of necessary data by institutions involved in the implementation of certain activities, lack of interest of institutions that are not key stakeholders to dedicate themselves to the reporting process, etc.).

The Ministry of the Interior will be in charge of collecting and compiling data that are relevant for compiling the report. In addition, all possible problems and obstacles that may arise during the implementation of the Action Plans will be addressed by the Interdepartmental Working Group at regular quarterly meetings.

In order to ensure the transparency of the strategy implementation process, the reports will be published on the website of the Ministry of the Interior, so that the interested public, bodies, organizations, associations and individuals will have the opportunity to get acquainted with it.

Evaluation of the Strategy on Migration and Reintegration of Returnees in Montenegro, for the period 2021-2025, will be conducted ex post and by external experts due to the complexity and scope, but also to ensure a greater degree of objectivity. Funding for the implementation will be provided from the budget of the Ministry of the Interior or possibly by international organizations dealing with migration issues or by other donors. The total amount of funds that need to be provided for the evaluation is about 5,000.00 euros. This process is planned to start in May 2025 and be completed by October of the same year, in order to provide timely evaluation findings, which will be presented in the final report, but also in order to provide adequate basis for creating a potentially new strategic document.

The evaluation findings will provide a clear and precise overview of the success of the development of migration and asylum policy, which will determine whether the planned effects are achieved through joint action of all relevant institutions, or whether the implemented activities lead to the improvement of the entire migration system.

V. RESOURCES NEEDED FOR THE IMPLEMENTATION OF THE STRATEGY

Costs of activities planned by the Action Plan for the implementation of the Strategy on Migration and Reintegration of Returnees in Montenegro, **for the period 2021-2022, amount to €2,520,600**, of which: €580,000 represent requested donor assistance (UNHCR), and refer to funds for which in some activities in the AP it is stated that "**funds will be used as needed**".

It should be noted that the financial support of UNHCR to the activities envisaged by this Strategy within the action plans for 2021 and 2022 is subject to harmonization with the international mandate of UNHCR in providing protection to asylum seekers and refugees and depends on the availability of funds at the national level. For the period 2021 and 2022, UNHCR plans the possibility of allocating direct and indirect financial assistance for the implementation of activities envisaged in the action plans for 2021 and 2022 within this strategy in the amount of €580,000. In case of unavailability of donor funds, UNHCR will propose joint projects with the Government and its partners in the field.

The funds planned for the activities of state bodies do not represent a permanent increase in the budget for this amount, but the costs of implementing the activities. The Government of Montenegro will provide a budget for each year of implementation of the Strategy from its own sources and / or from the appropriate funds of the international community. The total amount of funds, which will be allocated from the state budget in the coming years to finance the Strategy, will depend on the funds planned for these purposes in the annual budget laws of key stakeholders envisaged by the Strategy.

IV. INFORMING THE PUBLIC ABOUT THE OBJECTIVES AND EFFECTS OF THE STRATEGY

Migration is considered one of the most important issues of today, especially if we keep in mind the fact that today, much more than in any period of human history, the world's population is exposed to increasing displacements. Migrations, not only in terms of content but also methodologically (in terms of monitoring), are considered to be the most comprehensive variable of population movement.

The increase in the number of migrants, as well as the problems that arise in this regard, have conditioned that migration, as a constant process of population movement, is in the center of political interest of a large number of countries. Almost all countries without distinction face the problem of international migration, either as countries of origin, transit or as countries of final destination of migrants. There is a growing awareness that migration is a basic and unavoidable component of the economic and social life of any country and that proper regulation of migration can be beneficial, both for individuals and for societies as a whole. The multiple and

complex dimensions of migration include the following essential components: labor migration, family reunification, migration and security, the fight against illegal migration, migrant rights, migrant integration, migration and development.

The Interdepartmental Working Group, as the body responsible for monitoring the implementation of the Strategy, will also: actively promote the Strategy to the domestic and foreign public at all relevant public gatherings; actively promote the Strategy to international partners at all relevant international gatherings; actively promote the Strategy to economic entities in Montenegro through the implementation of its measures in which representatives of the economy will be involved; undertake activities to make the Strategy available to the public on the web portal of the Ministry of the Interior; publish reports on the implementation of the Strategy and reports on its evaluation on the web portal of the Ministry of the Interior.

Also, the Interdepartmental Working Group, in coordination with the representatives of local self-governments, will implement joint activities to promote the goals of the Strategy, as well as the achieved results through thematic activities, campaigns, round tables, joint media appearances and other appropriate activities.



Montenegro
Ministry of the Interior

ACTION PLAN FOR IMPLEMENTATION OF THE STRATEGY ON MIGRATION AND REINTEGRATION OF RETURNEES IN MONTENEGRO, FOR THE PERIOD 2021-2025, FOR THE PERIOD 2021-2022

Podgorica, septembar 2021

STRATEGIC OBJECTIVE I: Creating a fully functional mixed migration management system and ensuring full access to rights.						
Operational objective 1:		It is necessary to transpose into the national legislative framework all European regulations governing the field of mixed migration and guarantee its full implementation through the adaptation of the administrative system.				
Performance indicator: Migration legislation is fully in line with the EU legislation.	Start value (2021) 5 EU Directives have been fully transposed into the legal framework of Montenegro	Target value in the middle of the implementation of the strategic document (2023) 10 EU Directives have been fully transposed into the legal framework of Montenegro.	Target value at the end of the implementation of the strategic document (2025) 14 EU Directives have been fully transposed into the legal framework of Montenegro.			
Activities having an effect on the operational objective implementation	Performance indicator	Competent institutions	Start date	Planned date of completion	Resources planned for activities implementation	Funding source

1.1. Amend the Law on Foreigners and fully transpose Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 on the posting of workers in the framework of the provision of services and Directive (EE) 2018/957 of the European Parliament and of the Council of 28 June 2018 on amending Directive 96/71/EC on the posting of workers in the framework of the services provision.	The Law on Foreigners regulates the issue of work of posted foreign workers in Montenegro who provide services. They are provided with protection during their posting in relation to the freedom to provide services, by establishing mandatory provisions regarding working conditions, as well as the protection of their health and safety.	Ministry of the Interior Ministry of Labor and Social Welfare Chamber of Commerce Employers Union IOM	II quarter 2021	IV quarter 2022	3.000 €	Budget
1.2. Amend the Law on Foreigners and fully transpose the following EU Directives: - 2009/52 - 2003/89 - 2014/36	The Law on Foreigners is fully in line with these directives	Ministry of the Interior	III quarter 2021	IV quarter 2022	3.000 €	Budget
1.3. Amend the Law on Foreigners and enable simplification of the procedure for issuing / extending temporary residence and work permits.	The Law on Foreigners has been amended and procedures for issuing/extending temporary residence and work permits have been simplified.	Ministry of the Interior Ministry of Labor and Social Welfare Chamber of Commerce Employers Union IOM	III quarter 2021	IV quarter 2022	3.000 €	Budget
1.4. Make decisions on determining the annual number of permits for	The decisions determined the annual number of permits for temporary residence and work	Ministry of Economic Development,	IV quarter 2021	IV quarter 2022	1.000 €	Budget

temporary residence and work of foreigners in Montenegro.	of foreigners in Montenegro, in accordance with the migration policy, the situation, and the movement on the labor market in Montenegro. These decisions are made by the Government of Montenegro no later than November 30 of the current year for the following year.	Ministry of the Interior Chamber of Commerce Employers Union				
1.5. Adopt Standard Operating Procedures (SOPs), which would be followed after the approval of international protection in order to ensure the best possible conditions for integration.	Standard operating procedures adopted. Adopted procedures in the field of preparation of unemployed individuals for the labor market, including unemployed individuals granted international protection in accordance with the Law on Employment Mediation and rights during unemployment.	Ministry of the Interior Ministry of Labor and Social Welfare Employment Bureau Ministry of Health Health Insurance Fund Ministry of Education UNHCR	II quarter 2021 III quarter 2021	III quarter 2021 III quarter 2021	Funds not required	Budget Employment Bureau of Montenegro's Budget
1.6. Develop a guide for officials of the Asylum Directorate for the application of Article 69 of the Law on International and Temporary Protection of Foreigners (exercising the right to free legal aid in proceedings before a second	Guide developed	Ministry of Interior Administrative Court Ministry of Justice, Human and Minority Rights	III quarter 2022	III quarter 2022	XXXXXX	UNHCR

instance body regarding requests for international protection)		Bar Association of Montenegro UNHCR				
1.7. Amend the Rulebook on establishing the list of safe countries of origin of Foreigners seeking international protection in order to create conditions for periodic updating of the list of safe countries of origin	Amendments to the Rulebook on establishing the list of safe countries of origin of Foreigners seeking international protection in order to create conditions for periodic updating of the list of safe countries of origin	Ministry of Interior Affairs Ministry of Foreign Affairs UNHCR EASO	III quarter 2022	III quarter 2022	XXXXX	UNHCR
1.8. Amend the legal framework to facilitate access to social protection rights for individuals granted international protection in Montenegro (should not be asked for documents from the country of their origin).	Legal framework adjusted.	Ministry of Labor and Social Welfare Ministry of the Interior Center for Social Work	I quarter 2021	IV quarter 2021	Funds not required	Budget
1.9. Adjust the legal framework governing the recognition of foreign diplomas due to the fact that individuals granted international protection in Montenegro cannot obtain all the documents necessary for the recognition of foreign diplomas.	Legal framework adjusted.	Ministry of Education	III quarter 2021	IV quarter 2022	Funds not required	Budget
1.10. Carry out a legislative analysis before adopting Standard Operating Procedures that will define procedures for family	Analysis adopted	Ministry of the Interior UNHCR	III quarter 2021	I quarter 2022	No funds are needed	Budget

reunification and responsibilities of relevant actors		Red Cross of Montenegro				
1.11. Adopt standard operating procedures that will define procedures for family reunification and responsibilities of relevant actors.	SOP adopted.	Ministry of the Interior Ministry of Foreign Affairs UNHCR Red Cross Montenegro	III quarter 2021	I quarter 2022	Funds not required	Budget
1.12. Adopt the National Employment Strategy, with annual employment action plans, which will define active employment policy measures for foreigners who have been granted international protection, as well as for foreigners seeking international protection, within nine months from the day of applying for international protection, which are on the records of unemployed persons at the Employment Bureau.	The National Employment Strategy was adopted, with annual action plans, which define active employment policy measures for foreigners who have been granted international protection, as well as for foreigners seeking international protection, within nine months from the day of submitting the application for international protection. are on the records of unemployed persons at the Employment Bureau.	Ministry of Economic Development, Ministry of Finance and Social Welfare Ministry of Education, Science, Culture and Sports Employment Bureau	IV quarter 2021	IV quarter 2022	1.000 €	Budget
1.13. Adopt active employment policy programs (adult education and training, employment incentives, direct job creation and employment incentives), which will include	Foreigners who have been granted international protection, as well as foreigners seeking international protection, within nine months from the	Employment Bureau Micro-credit institutions NGO	IV quarter 2021	IV quarter 2022	20.000 €	Budget UNHCR Employment Bureau of Montenegro

foreigners who have been granted international protection, as well as foreigners seeking international protection, after a period of nine months from the day of submitting the application for international protection, which are on the records of unemployed persons at the Employment Bureau,	day of submitting the application for international protection, and who are on the register of unemployed persons at the Employment Bureau, are included in active employment policy programs.					
1.14. Establish a mechanism for recognition of qualifications for persons granted international protection, those who do not possess certificate on qualification, as to enable their registration at the Employment Bureau in line with their actual qualifications	Persons with granted international protection have their qualifications recognized	Ministry of Education Ministry of Interior UNHCR Employment Bureau Center for Proficient/Expert Education	III quarter 2021	IV quarter 2021	Funds not required	Budget
1.15. Adopt Standard Operating Procedures (SOPs), which would be followed after the approval of international protection in order to ensure the best possible conditions for integration	Legal framework adjusted. / SOP adopted.	Ministry of Education	II quarter 2021	II quarter 2021	Funds not required	Budget
1.16. Develop a Roadmap for cooperation between EASO and Montenegro in the field of international protection and implement a cooperation plan	Roadmap for cooperation between EASO and Montenegro in the field of international protection and implement the cooperation plan adopted	MoI and EASO	III quarter 2021	IV quarter 2021	IPA II	IPA II

Operational objective 2:	Increasing accommodation and administrative capacities for the reception of Foreigners seeking international protection and for persons granted international protection in Montenegro, in accordance with international standards and ensuring full access to the rights belonging to these persons.		
Performance indicator a) Increased number of state-owned accommodation facilities to accommodate foreigners seeking international protection, and which will provide the same standard of reception in all accommodation facilities.	Start value (2021) Current accommodation capacities are - 164 beds	Target value in the middle of the implementation of the strategic document (2023) Capacities increased by 60 beds	Target value at the end of the implementation of the strategic document (2025) Accommodation capacities increased by another 120 beds (in extraordinary circumstances by 200), so that the total accommodation capacity is 320 beds (in extraordinary circumstances about 400 beds)
Performance indicator b) Increased number of trained officers who will work in new capacities in the reception of foreigners seeking international protection, i.e. through these trainings the system has been improved in terms of ensuring equal access to rights belonging to foreigners seeking international protection and persons granted international protection in Montenegro.	Start value (2021) The current number of employees in the Reception Center is 33, while the Rulebook on Systematization of the Ministry of the Interior stipulates 43 and the tasks are performed by contract officers.	Target value in the middle of the implementation of the strategic document (2023) The number of employees increased by 15.	Target value at the end of the implementation of the strategic document (2025) Administrative capacity increased by another 30 officers, so that the total administrative capacity is 88 officers.
Performance indicator c) Provided the required number of housing units for foreigners with approved international protection.	Start value (2021) There are no housing units provided.	Target value in the middle of the implementation of the strategic document (2023) The number of housing units increased to 30.	Target value at the end of the implementation of the strategic document (2025) Number of housing units increased by 40.
Performance indicator d) All administrative procedures carried out and decisions made within the period prescribed by law.	Start value (2021) In 2020, in certain cases, the competent state authorities do not make decisions within the legally prescribed deadlines	Target value in the middle of the implementation of the strategic document (2023)	Target value at the end of the implementation of the strategic document (2025) All decisions are made within the legally prescribed period

	(e.g. out of 697 decisions of the Asylum Directorate made by the end of November 2020, 114 decisions (16%) were made after the legal deadline of 6 months. This is a significant deterioration compared to 2019, when 6% of decisions were made after the legal deadline, or 2018, when there were no decisions made after the legal deadline).	Number of decisions made after the legal deadline of 6 months reduced to 6%				
Activities having an effect on the operational objective implementation	Performance indicator	Competent institutions	Start date	Planned date of completion	Resources planned for activities implementation	Funding source
2.1. Increasing and expanding the state-owned accommodation capacities, in the sense of reconstructing the existing facility of the Center for Foreigners in Spuž, which receives foreigners seeking international protection in Montenegro.	Reconstruction of the existing facility of the Reception Center and capacities increased for 60 beds	Ministry of the Interior	III quarter 2021	IV quarter 2021	400.000 €	The amount of funds of 400,000 e was provided through IBM
2.2. Increase and expansion of accommodation capacities that will be owned by the state, in the sense of adapting and reconstructing the "former watchtower Božaj".	Adapted and reconstructed the former watchtower Božaj and increased capacity by 120 beds (in extraordinary conditions for 2020).	Ministry of the Interior IOM	IV quarter 2021	IV quarter 2022	872.000 €	Budget 472.000 IPPA 2018-400.000
2.3. In accordance with the new Rulebook on Internal Organization and Systematization of the Ministry of the Interior, the number of employees who will work in new capacities for the	A new Rulebook on the internal organization and systematization of the Ministry of the Interior was adopted, with an increase in the number of employees.	Ministry of the Interior	III quarter 2021	IV quarter 2022	No funds are needed	Budget

reception of foreigners seeking international protection will increase.						
2.4. Provision of equipment for conducting interviews in case of restrictions on movement due to the epidemiological situation in the country.	Equipment provided for conducting interviews in case of restrictions on movement due to the epidemiological situation in the country.	Ministry of the Interior Administrative Court of Montenegro UNHCR	I quarter 2021	II quarter 2021	Funds provided as needed	UNHCR
2.5. Development of information material for foreigners seeking international protection	Type and number of produced information material. Languages in which the information material was produced.	Ministry of the Interior UNHCR	I quarter 2021	IV quarter 2022	Funds provided as needed	UNHCR
2.6. Providing psychosocial, material, and legal support to foreigners seeking international protection in Montenegro	Psycho-social and material support provided to foreigners seeking international protection in Montenegro in the next two-year period.	Ministry of the Interior IOM UNHCR Red Cross of Montenegro	III quarter 2021	IV quarter 2022	70.000€ As far as the Ministry of the Interior is concerned, no special Budget funds are needed	Red Cross MNE Involve the funds of other actors, primarily the Ministry of the Interior
2.7. Providing legal assistance to foreigners seeking international protection in Montenegro	Legal assistance provided to foreigners seeking international protection in Montenegro	NGO Legal Center NGO Civic Alliance	III quarter 2021	IV quarter 2022	Funds provided as needed	NGO Legal Center NGO Civic Alliance

2.8. The required number of housing units has been provided through a public procurement procedure for foreigners who have been granted international protection in Montenegro.	In the next two-year period, 30 housing units were leased. A minimum of 40 foreigners with approved international protection were accommodated.	Ministry of the Interior	III quarter 2021	IV quarter 2022	110.000 €	Budget
2.9. Support in the integration of individuals granted international protection - accommodation, financial assistance, professional training, work, learning the Montenegrin language, history and culture, social protection, health care, education, free legal aid, humanitarian aid, psychosocial support and translation services.	Number of services provided by segments Number of persons supported by segments	Ministry of the Interior Ministry of Labor and Social Welfare Ministry of Health Ministry of Justice Employment Bureau of Montenegro Center for Social Work Red Cross of Montenegro UNHCR NGO sector	III quarter 2021	IV quarter 2022	74.700 €	Red Cross of Montenegro Involve the funds of other actors, primarily the Ministry of the Interior
2.10. Providing psychosocial, material, and legal support to foreigners who have been granted international protection in Montenegro.	Providing psychosocial and material support for a minimum of 60 persons granted international protection in Montenegro The act on the internal organization and systematization of the work of the Ministry of the Interior systematized the position of psychologist	Ministry of the Interior Ministry of Finance and Social Welfare UNHCR Red Cross of Montenegro	III quarter 2021	IV quarter 2022	Regular budget funds	Red Cross of Montenegro UNHCR Ministry of the Interior

2.11. Organizing courses for the inclusion of asylum seekers and foreigners under subsidiary protection in Montenegrin society, as follows: - basic Montenegrin language course, - Montenegrin history and culture	In the next two-year period, it the following will be organized: - four Montenegrin language courses for 40 participants - four courses of Montenegrin history and culture for 40 participants	Ministry of Education	I quarter 2021	IV quarter 2022	16.000 €	Ministry of Education
2.12. Adoption of the Program of the advanced course of the Montenegrin language as well as the manner and conditions for its implementation.	The Program of the advanced course of the Montenegrin language was adopted, as well as the manner and conditions for its implementation.	Ministry of Education	II quarter 2021	II quarter 2021	4.000 €	Budget Ministry of Education
2.13. Organizing an advanced Montenegrin language course	In the next two-year period, four advanced Montenegrin language courses were organized for 60 participants	Ministry of Education	III quarter 2021	IV quarter 2022	12.000 €	Budget Ministry of Education
2.14. Support for children and adult asylum seekers and foreigners under subsidiary protection in order to overcome linguistic, cultural, psychological, and other barriers to learning.	Additional contents and learning support (workshops, classes, psychological counseling)	Ministry of the Interior Ministry of Education UNHCR NGO	I quarter 2021	IV quarter 2022	6.000 €	UNHCR
2.15. Monitoring the effective access to the rights of individuals granted international protection in Montenegro.	Established and standardized monitoring system. Annual surveys conducted. Recommendations identified for areas requiring interventions at the legal and administrative level.	Ministry of the Interior UNHCR NGO Civic Alliance	III quarter 2021	IV quarter 2022	Funds provided as needed	Budget and UNHCR

2.16. Providing translation services for the integration of foreigners with approved international protection - English, French, Spanish, Russian, Arabic and Farsi, as well as others as needed.	Number of translation services provided	Ministry of the Interior UNHCR	I quarter 2021	IV quarter 2022	Funds provided as needed	UNHCR and Budget 2022
Operational objective 3:		Establishment of an electronic system for identification and registration of persons from the international protection system and training of officials who will work on these systems				
Performance indicator a) Implementation of electronic connection projects, both of organizational units within the Ministry of the Interior and other state bodies dealing with migration issues.	Start value (2021) Most of the systems and software of the organizational units of the Ministry of the Interior, the PD, the Tax Administration, and the Directorate for Inspection Affairs dealing with migration issues are still not linked.	Target value in the middle of the implementation of the strategic document (2023) The systems and software of the organizational units of the Ministry of the Interior and the Ministry of the Interior dealing with migration issues are linked.	Target value at the end of the implementation of the strategic document (2025) All systems and software of relevant institutions dealing with migration issues are linked.			
Performance indicator b) Improved capacities and competencies of employees in the field of international protection of foreigners.	Start value (2021) The continuous change in the structure of foreigners seeking international protection, in terms of language, gender, age and countries of origin, including persons with special procedural guarantees, makes it difficult to communicate with these persons and slows down the decision-making process according to their requirements and needs.	Target value in the middle of the implementation of the strategic document (2023) Capacities of officials employed in the field of international protection of foreigners strengthened in the segments of reception, procedure, and integration in order to, in 80% of cases, respond to all requests and needs within the legally prescribed deadlines.	Target value at the end of the implementation of the strategic document (2025) Capacities of officials employed in the field of international protection of foreigners strengthened in the segments of reception, procedure and integration in order to, in all cases, respond to all requests and needs within the legally prescribed deadlines.			

Activities having an effect on the operational objective implementation	Performance indicator	Competent institutions	Start date	Planned date of completion	Resources planned for activities implementation	Funding source
3.1. Further development of IT systems for migration improvement and procurement of technical equipment. The implementation of the measure implies the establishment of an electronic database and the improvement of the system of identification, registration and connection of data for individuals from the system of international protection.	<p>Creating a project task</p> <p>Tendering for software development</p> <p>Procurement of technical equipment for software operation</p> <p>Training of officers to use new systems</p>	<p>Ministry of the Interior</p> <p>Police Directorate</p> <p>IOM</p> <p>UNHCR</p>	I quarter 2021	IV quarter 2022	120. 000 €	<p>Budget (70,000 €)</p> <p>IOM donation (50,000 €)</p>
3.2. Establishment of an electronic system for identification and registration of migrants	<p>Development of a Master Plan within IPA II</p> <p>Tendering for the procurement of hardware and software</p> <p>Equipment installation</p> <p>Development of standard operating procedures</p> <p>Training of officers for the use of the electronic system</p>	<p>Ministry of the Interior / Police Directorate</p> <p>Ministry of Foreign Affairs</p>	III quarter 2021	IV quarter 2022	The amount of required funds will be known after the development of the Master Plan, which is being done through IPA II and will be completed by November 2021.	<p>Budget</p> <p>Donor support</p>

<p>3.3. Development of a joint operational strategic plan in case of engagement of members of the Army of Montenegro in the affairs of state border surveillance</p>	<p>Establishment of a joint working group for the development of an operational plan</p> <p>Adoption of an operational strategic plan for joint surveillance of the state border</p>	<p>Ministry of Defense</p> <p>Ministry of the Interior / Police Directorate</p>	<p>III quarter 2021</p>	<p>IV quarter 2021</p>	<p>No special budget funds are required</p>	<p>No special budget funds are required</p>
<p>3.4. Amendment of the Action Plan in case of mass influx of refugees and migrants Change of the composition of the operational team</p>	<p>Changing the composition of the operational team</p> <p>Define an adequate plan name</p> <p>Define all competent authorities</p> <p>Define a coordinating body</p> <p>Define the exchange of information</p>	<p>Ministry of the Interior / Police Directorate</p> <p>Ministry of Defense</p> <p>Ministry of Economic Development</p> <p>Ministry of Finance and Social Welfare</p> <p>Ministry of Capital Investments</p>	<p>IV quarter 2021</p>	<p>IV quarter 2022</p>	<p>No special budget funds are required</p>	<p>No special budget funds are required</p>
<p>3.5. Select officials to screen and interview migrants and train them (including training in the area of special procedural guarantees)</p>	<p>Make a selection of officers</p> <p>Make a plan and program</p> <p>Implement training</p>	<p>Ministry of the Interior / Police Directorate</p>	<p>III quarter 2021</p>	<p>IV quarter 2021</p>	<p>No special budget funds are required</p>	<p>No special budget funds are required</p> <p>The training of 16 officials will be realized within the training that is realized through the IPA II Project</p>

<p>3.6. Development of a situational picture in the field of irregular migration on a monthly basis and its exchange with the criminal police and other services at the regional and local level</p>	<ol style="list-style-type: none"> 1. Number of registered migrants by nationality (comparable to the same period last year); 2. Number of registered migrants by Regional Border Police Centers by nationality (comparable to the same period last year); 3. Trend of illegal migration (for at least 18 previous months) - comparable to the same period last year; 4. Number of migrants (by nationality) who expressed an intention to apply for international protection (comparable to the same period last year); 5. Number of illegal migrants (by nationality) evading border control (hidden in the means of transport) - comparable to the same period last year; 	<p>Ministry of the Interior / Police Directorate</p>	<p>III quarter 2021</p>	<p>IV quarter 2021</p>	<p>No special budget funds are required</p>	<p>No special budget funds are required</p>
--	---	--	-------------------------	------------------------	---	---

	<p>6. Number of foreigners (by nationality) residing illegally on the territory of Montenegro - comparable to the same period in the previous year;</p> <p>7. Number of admitted foreigners (by nationality and by country of reception) - comparable to the same period in the previous year;</p> <p>8. Number of foreigners removed in the readmission procedure (by nationality and by country of removal) - comparable to the same period in the previous year;</p> <p>9. Number of suspects (by nationality) / cases of criminal offenses related to illegal migration (eg facilitating illegal border crossing) - comparable to the same period in the previous year;</p>					
--	---	--	--	--	--	--

	<p>10. Number of offenses (by nationality) related to illegal migration (eg facilitation of illegal border crossing) - comparable to the same period in the previous year;</p> <p>11. the situation regarding illegal migration in the countries of origin (displacement, conflicts, movement of displaced persons towards Turkey and the Western Balkans, etc.);</p> <p>12. Situation related to illegal migration in transit countries (number of irregular migrants, migration trend, forecast, expectations, main directions ...);</p> <p>13. Situation related to illegal migration in neighboring countries (number of irregular migrants, migration trend, forecast, expectations, main directions ...);</p>					
--	---	--	--	--	--	--

	<p>14. Situation related to illegal migration in the countries of destination (number of irregular migrants, migration trend, asylum seekers ...);</p> <p>15. migration potential according to the number of illegal crossings in the region;</p> <p>16. factors that may affect the increase or decrease of illegal migration (in Montenegro and abroad);</p> <p>17. Threat level of illegal migration.</p>					
3.7. Harmonize procedures and capacities for determining and confirming the age of unaccompanied minor migrants	Empty	Ministry of the Interior / Police Directorate MRG	I quarter 2021	IV quarter 2022	No special budget funds are required	No special budget funds are required
3.1. Conduct continuous training of members of the Police Directorate responsible for registering intentions to seek international protection in all areas of asylum that are important for the work of the Police Directorate; 3.8.	Conducted training of members of the Police Directorate	Ministry of the Interior / Police Directorate UNHCR IOM	III quarter 2021	IV quarter 2022	XXXX	UNHCR IOM

3.9. Develop a standard training program for Asylum Directorate staff (beginner, intermediate and advanced level)	Develops a standard training program for officials of the Asylum Directorate (beginner, intermediate and advanced level)	Ministry of the Interior UNHCR EASO	IV quarter 2021	I quarter 2022	XXXXXX	UNHCR
3.10. ;Conduct continuous training of officials of the Asylum Directorate and judges of the Administrative Court of Montenegro, especially in the part related to the assessment of facts and circumstances, acts of persecution, reasons for persecution, serious injustices, exclusion provisions, applicants in need of special procedural guarantees, providers protection, persecution on the basis of gender equality, subsequent application for international protection, determination of the best interests of the child, cultural mediation, as well as the European Convention for the Protection of Human Rights and Fundamental Freedoms and wider international human rights law;	Conducted trainings for officials of the Asylum Directorate and judges of the Administrative Court	Ministry of the Interior Administrative Court of Montenegro UNHCR	III quarter 2021	IV quarter 2022	XXXX	UNHCR
3.11. Conduct trainings for judges of the Administrative Court of Montenegro and officials of the Asylum Directorate in the field of international and temporary protection of foreigners; Training of officials of the Ministry of the Interior (Directorate for the	Conducted four (4) trainings for 80 judges and officers	Ministry of the Interior Administrative Court of Montenegro Police Directorate IOM	II quarter 2021	IV quarter 2022	10.000 €	Budget IOM UNHCR

Reception of Foreigners Seeking International Protection) and the Police Directorate responsible for registering requests for international protection.		UNHCR				
3.12. Continuously organize trainings for officers of the Police Directorate, Reception Directorate, Integration Directorate, Centers for Social Work, Health Centers, on the topic of best interest assessment (child, vulnerable categories)	Number of trained officers Number of trainings	IOM UNHCR Montenegrin Red Cross UNICEF Ministry of Interior Ministry of Finance and Social Welfare	III quarter 2021	IV quarter 2022	Funds will be allocated as needed	IOM
3.13. Conduct continuous training of officers of the Directorate for the Reception of Foreigners seeking International Protection, especially in the part related to the assessment of the best interests of the child, family treatment, psychosocial approach, and support, access to rights.	Conducted training of officials of the Directorate for the Reception of Foreigners Seeking International Protection	Ministry of the Interior UNHCR	III quarter 2021	IV quarter 2022	XXXXXX	UNHCR
3.14. Constantly monitor and analyze hate speech with an emphasis on anti-migrant narratives	Hate speech analysis available in Montenegro; Related information available on a quarterly basis	Ministry of the Interior IOM Police Directorate	III quarter 2021	IV quarter 2022	It will be determined subsequently	IOM
3.15. Organize meetings, and support the holding of public events / initiatives on the topic of hate speech in the context of mixed migration	Number of meetings / public events / initiatives held	Ministry of the Interior IOM Police Directorate	III quarter 2021	IV quarter 2022	It will be determined subsequently	IOM

3.16. Organize trainings for employees of relevant institutions on the topic of cultural mediation from the gender-sensitive perspective. The training should be conducted by an independent and certified trainer	Number of trained officers Number of trainings	Ministry of the Interior IOM Police Directorate	IV quarter 2022	IV quarter 2022	13.000 €	Budget resources IOM
3.17. Ensure more efficient joint inspection in the areas of residence and employment of foreigners in order to increase the identification of foreigners who illegally reside and work in Montenegro.	A minimum of 500 joint inspections was carried out and a minimum of 30,000 foreigners were inspected in the next two years.	Police Directorate Tax Administration Directorate for Inspection Affairs	III quarter 2021	IV quarter 2022	No additional funding is required	Budget
Operational objective 4:	Resolving the legal status of internally displaced individuals (IDPs) as well as other individuals who are not registered in the basic registers and registers of citizens in Montenegro and in the surrounding countries.					
Performance indicator a) The number of individuals (IDPs) who have not yet resolved their status in Montenegro and who are in the process of resolving has decreased.	Start value (2021) As of 31.12.2020, 160 applications for permanent residence and temporary residence for up to three years for IDPs are pending.	Target value in the middle of the implementation of the strategic document (2023) As of 31.12.2023, 100 applications for approval of the permanent residence and temporary residence for up to three years for IDPs is ongoing.	Target value at the end of the implementation of the strategic document (2025) On 31.12.2025, all requests for permanent residence and temporary residence for up to three years for IDPs were resolved.			
Performance indicator b) Increased number of individuals returned to Kosovo	Start value (2021) In 2020, no return of IDPs to Kosovo was realized.	Target value in the middle of the implementation of the strategic document (2023) As of 31.12.2023, 27 IDPs were returned to Kosovo.	Target value at the end of the implementation of the strategic document (2025) As of 31.12.2025, 30 IDIs were returned to Kosovo.			

Performance indicator c) Improved access to IDP's rights with an increased number of IDPs that have resolved the housing issue.	The regional housing program envisages the total care of about 6,000 people. A total of 3,125 people were accommodated through eight projects.		As of 31.12.2021, additional 1,300 individuals were accommodated through two projects. The Regional Housing Program ends during 2021.			
Activities that affect the realization of the Operational Objective	Result indicator	Competent institutions	Start date	Planned completion date	Funds planned for the implementation of activities	Source of finance
4.1. Make a detailed analysis of all requests for permanent/temporary residence up to three years, which are under jurisdiction of the Ministry of the Interior, as well as the challenges due to which persons with the status of a foreigner up to three years do not submit requests for permanent residence.	Detailed analysis done Proposed model for solving backlog cases	Ministry of the Interior Police Directorate UNHCR	III quarter 2021	IV quarter 2022	Funds provided as needed	UNHCR
4.2. Continue to apply simplified procedures for obtaining identification documents for displaced and internally displaced persons whose requirements for alien status are still in procedure	Simplified procedures applied at the national level to enable the completion of all requirements in the procedure	Ministry of the Interior UNHCR NGO Civic Alliance	III quarter 2021	IV quarter 2022	No funds are needed	No funds are needed
4.3. Continue cooperation with the competent authorities of the countries of origin in resolving the status of IDPs and other persons in need of this type of support.	Report on the number of visits by the competent authorities of Kosovo. Report on the number of coordination meetings held between the Ministry of the	Ministry of the Interior Ministry of Foreign Affairs UNHCR	I quarter 2021	IV quarter 2022	Funds provided as needed	UNHCR

	Interior of Montenegro and the Ministry of the Interior of Kosovo. Number of persons assisted by combined mobile biometric teams.	NGO Civic Alliance				
4.4. Providing assistance to individuals in resolving the status of IDPs and other individuals in need of this type of support in Montenegro, through the Embassy of the Republic of Serbia/Embassy of the Republic of Kosovo.	Types of documents/registration procedures that can be initiated at the Embassy of the Republic of Kosovo in Montenegro. Number of individuals assisted by the Embassy of the Republic of Serbia and the Embassy of the Republic of Kosovo in Montenegro.	Ministry of the Interior Competent authorities of Serbia and Kosovo UNHCR NGO Civic Alliance	I quarter 2021	IV quarter 2022	Funds provided as needed, on the case basis.	UNHCR
4.5. Providing support to vulnerable I/DI in regulating the legal status in Montenegro.	Number of individuals provided with legal or financial assistance to regulate the legal status in Montenegro.	Ministry of the Interior UNHCR NGO Civic Alliance	I quarter 2021	IV quarter 2022	Funds provided as needed, on the case basis.	UNHCR - (Direct and indirect financial assistance through the work of partner NGOs and UNHCR employees)
4.6. Visits to all Is and IDs whose requirements for the status of a foreigner with temporary or permanent residence are still in operation, ie who have acquired the status of a foreigner with temporary residence for up to 3	Reasons for non-completion of the application for the status of alien with permanent or temporary residence determined	Ministry of the Interior Ministry of Finance and Social Welfare UNHCR	III quarter 2022	III quarter 2022	XXXXXXXX	UNHCR

years. Orders of Is and IDs who have acquired the status of alien with permanent residence on a representative sample	The degree of access to socio-economic rights that belong to these persons by law has been determined.					
4.7. If field inspections and analysis of the situation on the ground indicate that it is necessary to adopt a new Regulation on the exercise of the rights of displaced persons from the former Yugoslav republics and internally displaced persons of Kosovo residing in Montenegro in order to ensure unhindered access to basic socio-economic rights for I/DIs whose applications for alien status are still ongoing, then proceed to the adoption of the same	Regulation on the manner of exercising the rights of displaced persons from the former Yugoslav republics and internally displaced persons of Kosovo residing in Montenegro in order to ensure unhindered access to basic socio-economic rights for I/DIs whose alien status applications are still ongoing	Ministry of Finance and Social Welfare UNHCR	IV quarter 2022	IV quarter 2022	No funds are needed	No funds are needed
4.8. Raise awareness and information on the right to voluntary return to the country of origin and ensure voluntary return, with special emphasis on Kosovo for all stakeholders by organizing round tables or through the media.	Number of realized visits and meetings. Number of individuals who voluntarily returned to their country of origin.	Ministry of the Interior UNHCR	III quarter 2021	IV quarter 2022	UNHCR – on the case basis.	UNHCR
4.9. Addressing housing needs for internally displaced and displaced individuals.	Allocation of housing units Moving into housing units Completed construction work for the house	Ministry of Labor and Social Welfare Public Works Administration Capital of Podgorica	III quarter 2021	IV quarter 2021	Ministry of Labor and Social Welfare	International donations and budget
Operational objective 5:	Resolving the legal status of individuals at risk of statelessness and creating conditions for effective access to rights for individuals with recognized status of stateless individuals.					

<p>Performance indicator a) Reduced number of individuals not yet registered in the register of births or citizens in Montenegro or the country of origin.</p>	<p>Start value (2021) Registration in the birth register in the country of origin is still a problem for a number of people.</p>	<p>Target value in the middle of the implementation of the strategic document (2023) As of 31.12.2023, cooperation with countries of origin for individuals at risk of statelessness is strengthened to register the individuals in the basic registers of those countries; All identified individuals at risk of statelessness are entered in the register of births and the register of citizens of Montenegro or the country of origin.</p>	<p>Target value at the end of the implementation of the strategic document (2025) As of 31.12.2025, cooperation with countries of origin for individuals at risk of statelessness is strengthened to register the individuals in the basic registers of those countries; All identified individuals at risk of statelessness are entered in the register of births and the register of citizens of Montenegro or the country of origin.</p>
<p>Performance indicator b) Strengthened procedure for determining the status of stateless persons and capacities of the competent state bodies for conducting the procedure for determining the status of stateless individuals.</p>	<p>Start value (2021) The procedure for determining the status of stateless individuals is still underdeveloped.</p>	<p>Target value in the middle of the implementation of the strategic document (2023) As of 31.12.2023, all challenges in the implementation of the procedure for determining the status of stateless individuals are identified and measures for overcoming them are proposed. All individuals conducting the procedure for</p>	<p>Target value at the end of the implementation of the strategic document (2025) As of 31.12.2025, fully functional procedure for determining the status of stateless individuals. High level of passing of first-instance decisions in the procedure for statelessness before second-instance and third-instance bodies.</p>

		determining the status of a stateless individual have attended relevant training;				
		All procedures for determining the status of a stateless individual are carried out within the legally prescribed period.				
Performance indicator c) Harmonized legislative framework and administrative procedures for effective access to rights for stateless persons.	Start value (2021) As of 31.12.2020, laws regulating access to rights for stateless individuals are inconsistent with the Law on Foreigners and international standards in the field of access to rights for these persons.	Target value in the middle of the implementation of the strategic document (2023) As of 31.12.2023, national legislation in the field of access to rights is fully harmonized with the Law on Foreigners regarding the rights of stateless individuals, as well as with international standards in the field of access to rights for stateless individuals.		Target value at the end of the implementation of the strategic document (2025) As of 31.12.2025, national legislation and administrative procedures in the field of access to rights are fully harmonized with the Law on Foreigners regarding the rights of stateless individuals, as well as with international standards in the field of access to rights for stateless individuals.		
Activities having an effect on the operational objective implementation	Performance indicator	Competent institutions	Start date	Planned date of completion	Resources planned for activities implementation	Funding source
5.1. Continue activities of subsequent registering of newborn children with the aim of preventing the risk of statelessness.	Number of identified individuals and number of individuals who were provided with support for entry in the registry registers.	Ministry of the Interior UNHCR NGO Civic Alliance	I quarter 2021	IV quarter 2022	Funds provided as needed on a case-by-case basis	UNHCR

	Number of initiated administrative and court proceedings for entry in the registry.					
5.2. Conducted training for employees of PUs, Branches and Sections of the Ministry of the Interior, and employees of centers for social work to provide assistance to children who are not registered in the birth register due to abandonment by parents or whose parents do not have personal documents.	Number of trainings conducted Number of children registered in the birth register with the help of social work centers	Ministry of the Interior Ministry of Labor and Social Welfare UNHCR	I quarter 2021	IV quarter 2022	Funds provided as needed	UNHCR
5.3. Development of the operational instructions through which health institutions, municipal centers for social work or primary schools would inform the Ministry of the Interior about children born in Montenegro and not registered in the birth register, in order to initiate the procedure for entry in the birth register	An operational instruction was developed through which health care institutions, municipal centers for social work or primary schools would inform the Ministry of the Interior about children born in Montenegro and not registered in the birth register, in order to initiate the procedure for registration in the birth register	Ministry of Interior Ministry of Health Ministry of Finance and Social Welfare Ministry of Education, Science, Culture and Sports UNHCR	III quarter 2022	IV quarter 2022	XXXXXX	UNHCR
5.4. Development of an operational instruction for MIA officers for the application of Article 7 of the Law on Montenegrin Citizenship	An operational instruction for the application of Article 7 of the Law on Montenegrin Citizenship has been prepared	Ministry of Interior UNHCR	III quarter 2022	IV quarter 2022	XXXXXXXX	UNHCR

5.5. Providing assistance to individuals who are in the process of determining the status of stateless individuals.	Number of individuals who acquired the status of stateless persons through the procedure of determining statelessness.	Ministry of the Interior UNHCR NGO Civic Alliance	III quarter 2021	IV quarter 2022	Funds provided as needed on a case-by-case basis	UNHCR
5.6. Amend the Law on Foreigners to further strengthen the procedure for determining the status of stateless persons	Amended the Law on Foreigners in order to further strengthen the procedure for determining the status of stateless persons	Ministry of Interior UNHCR	III quarter 2021	IV quarter 2022	Funds provided as needed on a case-by-case basis	MIA UNHCR
5.7. Develop a detailed analysis of national legislation in the field of access to the rights of stateless individuals with recommendations for amendments to the law in order to enable effective access to the rights of these individuals.	A detailed analysis was made and recommendations for amendments to the law were defined.	Ministry of the Interior UNHCR	III quarter 2021	I quarter 2021	Funds provided as needed	UNHCR
5.8. Raise awareness and information about registration in birth registries, especially of newborns, through the distribution of leaflets, the organization of round tables, or through the media.	Number of prepared and distributed leaflets/organized round tables/media releases	Ministry of the Interior UNHCR	III quarter 2021	IV quarter 2021	Funds provided as needed	UNHCR
5.9. Organizing training for officials who perform tasks related to determining the status of stateless individuals and the topic of prevention of statelessness in Montenegro, the procedure of	Number of officers trained in the application of the procedure for determining statelessness Number of judges trained in international standards in the field of statelessness	Ministry of the Interior Administrative Court of Montenegro UNHCR	III quarter 2021	IV quarter 2021	Funds provided as needed	UNHCR

registration in the register of births, etc.	Number of manuals, guides, and other relevant materials submitted to the competent staff.					
5.10. Organizing a study visit for MIA officers and judges who perform tasks of registration in the birth register as well as tasks related to determining the status of stateless persons in one of the countries that has good practices of registration in the birth register and enviable experience and success in applying the status procedure stateless persons, such as France, Netherlands.	Organized study visits Visit reports	Ministry of Interior UNHCR	III quarter 2022	II quarter 2022	XXXXXX	UNHCR
5.11. Development of an operational instruction for MIA officers on the application of the procedure for determining the status of stateless persons	An operational instruction for MIA officers on the application of the procedure for determining the status of stateless persons has been prepared	Ministry of Interior UNHCR	III quarter 2022	IV quarter 2022	XXXXXX	UNHCR
STRATEGIC OBJECTIVE II: Improving the system of readmission and return of Montenegrin and foreign citizens with an efficient assistance process, in accordance with the concluded agreements and protocols on readmission and in cooperation with other countries and international organizations.						
Operational objective 1:		Improving the readmission policy through the conclusion of new readmission agreements and protocols, as well as improving the return system of foreign nationals who have not been granted residence in Montenegro and systematic work on voluntary return..				

Performance indicator a) The same level or reduced number of Montenegrin citizens returned to Montenegro.	Start value (2021) Acting on readmission agreements, in 2019, a total of 216 readmission requests were received by EU countries, which referred to the admission of a total of 392 individuals, 134 requests of which were positively resolved, i.e. consent was given for the admission of a total of 274 individuals; 82 requests were resolved negatively, i.e. no consent was given for the acceptance of a total of 118 persons.	Target value in the middle of the implementation of the strategic document (2023) Reduce the number of individuals subject to readmission by 5% compared to 2019.	Target value at the end of the implementation of the strategic document (2025) Reduce the number of persons subject to readmission by 10% compared to 2019.			
Performance indicator b) Functional channels for communication, negotiations, and cooperation on readmission with third countries have been established.	Start value (2021) The process of establishing communication has not yet officially started with any third country with the aim of concluding a Readmission Agreement.	Target value in the middle of the implementation of the strategic document (2023) Open negotiations with one country (country of origin of migrants)	Target value at the end of the implementation of the strategic document (2025) The negotiation process has been completed and cooperation on readmission with one third country has been established.			
Activities having an effect on the operational objective implementation	Performance indicator	Competent institutions	Start date	Planned date of completion	Resources planned for activities implementation	Funding source
1.1.Conclusion of implementation protocols on readmission with other EU member states with which Montenegro has not signed protocols.	Initiated negotiations in order to harmonize and sign readmission protocols with other EU member states with which Montenegro has not signed protocols (Cyprus, Denmark, Finland, France, Poland, Portugal, Romania, Sweden, Ireland, Lithuania, Latvia.)	Ministry of the Interior Ministry of Foreign Affairs Police Directorate	II quarter 2021	IV quarter 2022	2.000 € (Planned funds for concluding one protocol)	Budget

	A protocol has been concluded with one of these EU member states.					
1.2. Organize regional and bilateral meetings between relevant EU Member States and Western Balkan countries regarding readmission of Western Balkan citizens and third countries.	Number of meetings held Number of participants from Montenegro	Ministry of the Interior Ministry of Foreign Affairs Police Directorate IOM	IV quarter 2021	IV quarter 2022	TBD	IOM
1.3. Make a legal, technical, and operational assessment of the current state of the framework for readmission cooperation between the countries of the Western Balkans and the countries of origin of migrants (third countries).	Analysis of the situation is available and potential obstacles are identified.	Ministry of the Interior Ministry of Foreign Affairs Police Directorate IOM	II quarter 2021	IV quarter 2022	TBD	IOM
1.4. Organization of bilateral and multilateral meetings with third countries with the aim of establishing negotiation channels and cooperation on readmission.	Number of meetings held Number of participants from Montenegro	Ministry of the Interior Ministry of Foreign Affairs IOM	II quarter 2021	IV quarter 2022	TBD	IOM
1.5. Organization of two working study visits to third countries for practitioners in the field of readmission.	Number of study visits Number of participants from Montenegro Study visit report	Ministry of the Interior IOM	II quarter 2021	IV quarter 2022	TBD	IOM

1.6. Conclusion of Readmission Agreements with third countries and / or finding alternative legal solutions in order to establish instruments for readmission of third-country nationals.	Initiated negotiations with the aim of harmonizing and signing readmission agreements with third countries (Russian Federation, Georgia, Armenia, Ukraine, Pakistan, Iraq, Iran, Morocco and Algeria). Cooperation, exchange of experience and communication with the country of origin of migrants An agreement has been concluded with one of the EU member states.	Ministry of the Interior Ministry of Foreign Affairs Police Directorate IOM	II quarter 2021	IV quarter 2022	2.000 € (Planned funds for concluding one agreement)	Budget IOM
1.7. Develop a regional functional analysis of the current operation of the Readmission Agreement among the Western Balkan countries and related challenges in the implementation of these Agreements.	Analysis of the situation is available and potential obstacles are identified.	Ministry of the Interior Ministry of Foreign Affairs Police Directorate IOM	I quarter 2021	IV quarter 2022	TBD	IOM
1.8. Organize regional and bilateral meetings among the countries of the Western Balkans on the challenges in the implementation of the Readmission Agreement and exchange of good practice between the countries of the Western Balkans.	Number of meetings held Number of participants from Montenegro	Ministry of the Interior Ministry of Foreign Affairs Police Directorate IOM	I quarter 2021	IV quarter 2022	TBD	IOM
1.9. Organize joint regional training for migration and readmission officers	Number of meetings held	Ministry of the Interior	I quarter 2021	IV quarter 2022	TBD	IOM

from the Western Balkans on security-sensitive migration management, rights-oriented return and readmission policies, efficient case management, and detection of document fraud.	Number of participants from Montenegro	Ministry of Foreign Affairs Police Directorate IOM				
1.10 Initiating and holding meetings of the Joint Committees for monitoring the implementation of the Readmission Agreement with the EU, Bosnia and Herzegovina, Croatia, Serbia, Albania, and Kosovo	Meetings of joint readmission committees were initiated through the Ministry of Foreign Affairs Number of meetings held Conclusions from joint committee meetings	Ministry of the Interior Ministry of Foreign Affairs Police Directorate	II quarter 2021	IV quarter 2022	2.000 € (Planned funds for holding one Joint Committee meeting)	Budget IOM
1.11 Improving the system of return of foreign nationals through counseling and information as well as systematic work on voluntary return	Fully harmonize the text of the Memorandum Sign a Memorandum of Cooperation between the Ministry of Interior and the International Organization for Migration (IOM) regarding voluntary return and reintegration Return information as well as support available to interested migrants	Ministry of the Interior / Police Directorate IOM	III quarter 2021	III quarter 2021	2.800 €	IOM
1.12 Improvement of the existing Rulebook on voluntary return in relation to the EU Strategy on Return and Reintegration	Availability of the Rulebook on Voluntary Retirement	Ministry of the Interior	III quarter 2021	II quarter 2022	7.000 €	IOM

	Improved cooperation of all relevant actors in the system of voluntary return	Police Directorate IOM				
1.13 Organizing trainings for officers of the Ministry of the Interior and the Police Directorate on the topic of assisted voluntary return of migrants to their countries of origin, as well as gender-sensitive treatment	Number of trainings held Number of trained officers	Ministry of the Interior Police Directorate IOM	III quarter 2021	II quarter 2021	13.500 €	IOM
1.14 Provide support for the voluntary return of migrants to their countries of origin and, if necessary, reintegration in a gender-sensitive manner;	Number of migrants returned to their countries of origin Number of migrants provided with reintegration assistance	Ministry of the Interior Police Directorate IOM	III quarter 2021	IV quarter 2022	Funds will be allocated according to needs	IOM
1.15 Initiating cooperation with consular and diplomatic missions of countries of origin through the organization of bilateral meetings	Number of meetings held Number of participants	IOM Ministry of the Interior Police Directorate Ministry of Foreign Affairs IOM	IV quarter 2021	IV quarter 2022	3.000 €	IOM
Operational objective 2:	Improving the institutional framework for the reintegration of returnees into Montenegrin society through the building and strengthening of local governments, which will ultimately prevent repeated attempts of irregular migration to EU countries, with the establishment of a system of continuous monitoring of returnees.					
Performance indicator	Start value (2021)	Target value in the middle of the implementation of the strategic document (2023)	Target value at the end of the implementation of the strategic document (2025)			
Increased total number of services provided by local readmission teams.	In 2019, 16 different services were provided by local readmission teams					

		Number of individuals provided with services by local readmission teams increased by 10% compared to 2019.	Number of individuals provided with services by local readmission teams increased by 20% compared to 2019.			
Activities having an effect on the operational objective implementation	Performance indicator	Competent institutions	Start date	Planned date of completion	Resources planned for activities implementation	Funding source
2.1. Complete a gender-sensitive analysis of the situation with the aim of mapping current needs as well as providing reintegration assistance.	Situation analysis available	Ministry of the Interior IOM	I quarter 2021	I quarter 2021	13.000 €	IOM
2.2. Development of a Handbook on Assistance and Reintegration of Returnees, with a focus on individuals vulnerable to violence, exploitation, and abuse.	A handbook on providing reintegration assistance to returnees is available, with the aim of establishing an efficient and sustainable reintegration process.	Ministry of the Interior IOM	I quarter 2021	II quarter 2021	12.000 €	IOM
2.3. Timely provision of relevant information on the returnee upon readmission before his return to Montenegro in order to provide the necessary level of services.	Number of information provided on returnees.	Ministry of Foreign Affairs Ministry of the Interior	I quarter 2021	IV quarter 2022	No special budget funds are required.	Budget
2.4. Provided and equipped space for the reception of returnees upon readmission at the border crossing Airport "Golubovci"	Secured and equipped space	Ministry of the Interior	III quarter 2021	IV quarter 2022	4.000 €	Budget Ministry of the Interior

2.5. Transportation provided for returnees upon readmission from the border crossing to the place of residence in Montenegro, in case it is necessary.	Number of returnees provided with transportation.	Ministry of the Interior	II quarter 2021	IV quarter 2022	3.000 €	Budget Ministry of the Interior
2.6. Accommodation provided for returnees upon readmission from the day of return to Montenegro, in case it is necessary in accordance with the Law on Social and Child Protection (Articles 60 to 72).	Number of returnees provided with accommodation.	Ministry of Labor and Social Welfare Competent centers for social work	I quarter 2021	IV quarter 2022	30.000 €	Budget Ministry of Labor and Social Welfare
2.7. Accommodation provided for returnees upon readmission from the day of return to Montenegro, when necessary and in line with returnees' needs and municipalities' resources.	Number of returnees provided with accommodation.	Municipality of Pljevlja Municipality of Berane Municipality of Petnjica Municipality of Šavnik Municipality of Danilovgrad Municipality of Mojkovac Municipality of Nikšić	I quarter 2021	IV quarter 2022	20.000 €	Budget: Municipality of Pljevlja Municipality of Berane Municipality of Petnjica Municipality of Šavnik Municipality of Danilovgrad Municipality of Mojkovac Municipality of Nikšić
2.8. Strengthening institutional and administrative capacities in order to provide adequate assistance to returnees and ensure equal access to the rights of returnees.	Teams formed to support the reintegration of returnees in all local communities. Appointed contact persons in all bodies/institutions involved in the reintegration process.	Ministry of the Interior Ministry of Labor and Social Welfare Ministry of Education	I quarter 2021	IV quarter 2022	38.000 €	Budget IOM

	<p>Representatives of returnees by readmission are also included in the reintegration teams.</p> <p>Number of meetings held with local teams.</p> <p>Established and strengthened cooperation with NGOs that provide assistance to returnees upon readmission - number of meetings held with NGO representatives.</p> <p>Strengthening cooperation with the competent authorities of the surrounding countries in the field of readmission in order to exchange practices, knowledge, analysis, and information - number of meetings held with representatives of neighboring countries.</p>	<p>Ministry of Health Employment Bureau of Montenegro</p> <p>Police Directorate</p> <p>Local self-government units</p> <p>Red Cross</p> <p>IOM</p>				
2.9. Organize trainings on the development of a business plan in cooperation with employees of the Employment Bureau aimed at returnees after readmission with a view to preventing sexual exploitation and abuse as well as respect for gender-sensitive approach.	<p>Number of trained participants</p> <p>Number of trainings held</p>	IOM	I quarter 2021	IV quarter 2022	2.000€	IOM

<p>2.10. Providing assistance to returnees upon readmission with a view to their reintegration and exchange of information between relevant institutions and actors.</p>	<p>Assistance provided to returnees upon readmission by competent authorities and institutions for the purpose of their reintegration:</p> <ul style="list-style-type: none"> - number of individuals provided with transport from the border crossing to the place of residence -number of individuals who have been provided with accommodation since the day of return to Montenegro -number of individuals who have exercised the right to personal documents -number of individuals who were provided with some of the types of assistance in the field of social and child protection -number of individuals granted humanitarian aid -number of individuals provided with compulsory health insurance -number of individuals whose diploma has been nostrified -number of children enrolled in school - number of persons who were provided with services for the labor market by the Employment Service of Montenegro (preparation for 	<p>Ministry of the Interior</p> <p>Ministry of Labor and Social Welfare</p> <p>Ministry of Health</p> <p>Health Insurance Fund</p> <p>Ministry of Education</p> <p>Employment Bureau of Montenegro</p> <p>Police Directorate</p> <p>Centers for social work</p> <p>Local reintegration teams</p> <p>Red Cross</p> <p>NGO</p> <p>IOM</p>	<p>I quarter 2021</p>	<p>IV quarter 2022</p>	<p>30.000 €</p>	<p>Budget</p>
--	---	---	-----------------------	------------------------	-----------------	---------------

	<p>employment and employment mediation) - number of persons involved in active employment policy measures</p> <p>-number of individuals who were provided with free legal aid</p> <p>-number of individuals to with psychosocial support provided</p> <p>-number of individuals who were supported in establishing family ties and family reunification</p> <p>-number of quarterly information done.</p>					
2.11. Establishment of a system of coordination between institutions dealing with the reception and reintegration of returnees, especially from the aspect of state or local level authorities in order to prevent possible abuses of the visa-free regime by readmission returnees, who may be potential asylum seekers in the EU.	<p>In the next two-year period, a minimum of 80 meetings of the region's border services were held, i.e. information was exchanged for 1,500 people.</p> <p>In the next two years, a minimum of 700 pieces of information were exchanged with Frontex.</p> <p>In the next two-year period, a minimum of 70 pieces of information were exchanged between the Police Directorate/Crime Police Sector and carriers.</p>	<p>Police Directorate</p> <p>Local governments</p> <p>Red Cross</p>	II quarter 2021	IV quarter 2022	No additional funds are required	Budget
Operational objective 3:	Establishment of an electronic data exchange system between the competent state authorities and strengthening the professional capacities of employees involved in the process of reintegration of returnees.					

<p>Performance indicator Increased number of returnees in the Returns Database after readmission.</p>	<p>Start value (2021) In 2019, the total number of returnees by readmission located in the Base of the Ministry of the Interior is 46.</p>		<p>Target value in the middle of the implementation of the strategic document (2023) The number of returnees per readmission located in the Base of the Ministry of the Interior has increased by 20% compared to 2019</p>	<p>Target value at the end of the implementation of the strategic document (2025) Increased number of returnees per readmission located in the Database of the Ministry of the Interior is 30% compared to 2019</p>		
<p>Activities having an effect on the operational objective implementation</p>	<p>Performance indicator</p>	<p>Competent institutions</p>	<p>Start date</p>	<p>Planned date of completion</p>	<p>Resources planned for activities implementation</p>	<p>Funding source</p>
<p>3.1. Carry out a legal, technical, and operational assessment of the challenges in the implementation of the Readmission Agreement with EU countries and an assessment of the needs for electronic registration and case management systems.</p>	<p>Analysis of the situation available and potential obstacles identified.</p>	<p>Ministry of the Interior Ministry of Foreign Affairs Police Directorate IOM</p>	<p>III quarter 2021</p>	<p>IV quarter 2022</p>	<p>TBD</p>	<p>IOM</p>
<p>3.2. Establishment of an electronic Database on individuals returned in accordance with readmission agreements and training of officials for the use of the Database.</p>	<p>Creating a project task Tendering for software development Procurement of technical equipment for software operation</p>	<p>Ministry of the Interior Police Directorate IOM Ministry of Labor Centers for social work, Employment Bureau Ministry of Education Ministry of Health Local governments Capital</p>	<p>II quarter 2021</p>	<p>IV quarter 2022</p>	<p>40.000 € (Donated by the World Bank)</p>	<p>World Bank</p>

	Training of officers for the use of the Database (30 employees will be trained)	Red Cross				
3.3. Organizing trainings for team members in local communities, officers of the Ministry of the Interior and the Police Directorate in order to provide the necessary information on the rights and obligations of returnees upon readmission.	In the next two-year period, a minimum of eight (8) trainings will be organized for 120 local team officers.	Ministry of the Interior Police Directorate Human Resources Department Red Cross of Montenegro	I quarter 2021	IV quarter 2022	4.800 €	Budget Human Resources Department
3.4. Development, printing, and distribution of information materials on referral and integration assistance for returnees upon readmission.	Number of printed info materials	Ministry of the Interior IOM	IV quarter 2021	IV quarter 2022	5.000 €	IOM