

Pursuant to Article 59 paragraph 10 of the Law on Foreigners (“Official Gazette of MNE” no. 12/18), the Ministry of Interior adopted

Rulebook on the Procedure Initiated upon Request for Statelessness Determination

This Rulebook was published in the “Official Gazette of MNE”, no. 72/2018 of 13 November 2018 that came into effect on 21 November 2018

Article 1

This Rulebook stipulates the following: template of the request for determination that the applicant is stateless person, template of the request for issuing a travel document to stateless person, details of the procedure initiated upon request for determination that the applicant is stateless person, and template for travel document for stateless person.

Article 2

Terms used in this Rulebook for male individuals include female individuals.

Article 3

Template of the request for determination that the applicant is stateless person (Template 1) contains the titles: “Montenegro” and “Ministry of Interior”, the name of the organization unit where the request is submitted, the number and date when the request was submitted, the title: “REQUEST FOR DETERMINATION THAT THE APPLICANT IS STATELESS PERSON”, number of request in the format of bar code; note that the request is to be filled in clearly legible capital letters and the envisaged boxes for:

- data about the applicant (surname and name, surname at birth, name of the father, name of the mother, date of birth, place of birth, sex, marital status, education and vocation);
- data about the length and reasons for the stay of the applicant in Montenegro (date of arrival, address and reasons of stay in Montenegro, education institutions that he/she attended in Montenegro, legal and/or natural persons where he/she worked in Montenegro);
- data about other countries that the applicant has a relevant connection with (place and state of origin, place and state of entering into marriage, place and state of former habitual residence);
- data about the applicant’s family members (name and last name, relation, date and country of birth and citizenship, current stay or the country of former habitual residence);
- data about the documents that ensure establishing of identity and other documents that the applicant has (type of document, number and date of issuance, name of the country or the body that issued the document, period of validity, original or copy);
- data about the identity documents and other documents of the applicant’s family members (type of the document, number and date of issuing the document, the country or the body that issued the document, expiry date, original or copy);

- statement of the applicant about the reasons of his/her statelessness;
- other relevant data;
- consent of the applicant confirming that the authority that conducts the procedure can exchange his/her personal data with the authorities of other states, international and non-governmental organizations and reasons for refusal to issue such a consent;
- signature of the applicant.

In addition to the data referred to in paragraph 1 of this Article, the template also contains the note that the applicant has to provide as much detail as possible in his/her answers, including all the relevant data and that he/she shall give complete and true answers.

Article 4

Template for the certificate on submitted request from Article 3 of this Rulebook, issued according to the Law on Foreigners (Template 2) contains the titles: "Montenegro" and "Ministry of Interior", name of the organization unit that issues the certificate, number and date of request, the title "CERTIFICATE"; box for a photograph of the applicant (32x41 mm) and the boxes for:

- data of the applicant (name, surname and date of birth);
- address of residence in Montenegro;
- date of expiry of the certificate;
- stamp and signature of an authorized person.

In addition to data referred to in paragraph 1 of this Article the certificate shall contain the following text:

"Holder of this certificate is the person that submitted his/her request for determination that he/she is stateless person and may not be expelled from Montenegro before the enforceable decision upon that request is rendered. The holder of this certificate can reside in Montenegro on the basis of this Certificate and he/she can exercise all other rights he/she is entitled to according to the law."

Article 5

Template for issuing a travel document for stateless person (Template 3) shall contain the following: the titles "Montenegro" and "Ministry of Interior", name of the organization unit that the request is submitted to, number and date of submitting the request, the title "REQUEST FOR ISSUING A TRAVEL DOCUMENT FOR STATELESS PERSON", number of request in the format of bar code; note that the request is to be filled in clearly legible capital letters and in the envisaged boxes for:

- data about the applicant (surname and name, surname at birth, name of the father, name of the mother, date of birth, place of birth, sex and unique identity number);
- data about place of residence in Montenegro (address, settlement and municipality of residence);
- applicant's phone number;
- other relevant data;
- signature of the applicant.

Article 6

Template of the travel document for stateless person is of rectangular shape (dimensions 125 x 88 mm) and it contains a cover, one polycarbonate sheet and 34 pages (paginated) joined by special thread.

Article 7

Cover of the template of the travel document is brown and it is made of non-fluorescent 120 g security paper, chemically sensitive to acids, base and other organic reagents, containing visible and invisible UV fibres.

Article 8

The page envisaged for data in the template of the travel document for stateless person contains a box where black and white photograph of the person to be issued the document is laser engraved. The dimensions of the photograph are 32 x 41 mm. Other data on the page are also laser engraved.

Article 9

The front page of the cover of the travel document for stateless person contains the titles: "MONTENEGRO", Coat-of-Arms of Montenegro and the title "TRAVEL DOCUMENT FOR STATELESS PERSON", as well as a symbol of an electronic passport, printed in the gold printing technique (Template 4).

Article 10

Internal cover of the travel document for stateless person has in the background a stylized map of Europe with the territory of Montenegro marked in white, while in the front there is the title: "Montenegro", stylized territory of Montenegro and Montenegrin flag within it, as well as the label "MNE" and protection element in the form of a stylized female belt (belt from the Montenegrin national costume) (Template 5).

Article 11

First page of the travel document for stateless person that does not have any page number contains the title: "MONTENEGRO ", Coat-of-Arms of Montenegro and the title: "TRAVEL DOCUMENT FOR STATELESS PERSON" (Template 6).

Article 12

The second page of the travel document for stateless person (data page) that is not paginated is made of multi-layer polycarbonate with integrated protection elements. It contains a contactless chip. On the surface of the polycarbonate, in the background, there are Montenegrin borders engraved and the micro-text along the borders: "Montenegro", label "MNE" and Montenegrin Coat-of-Arms. On the page with the data there is a machine-readable part where data are entered in line with the standards for machine-readable documents and special piece of legislation thereon. The text in this part is: "Travel document for stateless person", Montenegrin Coat-of-Arms, designation of the electronic passport, title "Montenegro" and place for: type, code of the country that issued the document and the number of the travel document. The upper right corner contains the application in the form of stylized territory of Montenegro, printed in optic ink that contains two shades of colour – green and red. In the left upper part there is a box for a photograph (32 x 41 mm), and on the right from the photograph there is the optic variable security element (kinegram) with the following motives: boundaries of Montenegrin map, Coat-of-Arms of Montenegro and the label "MNE". In the bottom, there is an oval protection element of special structure (MLI), and on the right side next to the photograph there are areas for: surname, name, date of birth, unique identity number, sex, place of birth, date of

issuance, name of the authority that issued the travel document, expiry date and signature (Template 7).

The page referred to in paragraph 1 of this Article is printed in three derived pastel colours of blue, green and brown with integrated protective elements.

Article 13

Interior pages of the form of the travel document for stateless person that are paginated are made of non-fluorescent 90g security paper, chemically sensitive to acids, base and other organic reagents. They contain visible and invisible UV fibres in three derived pastel colours of blue, green and brown, with integrated protection elements, as well as an ornament with Montenegrin Coat-of-Arms, stylized territory of Montenegro, serial number of the travel document that is laser engraved, water mark in the form of Montenegrin Coat-of-Arms and territory of Montenegro, and in the background a stylized motive based on a detail from Montenegrin male national costume (“toke”).

Pages with page numbers from 3 to 33, contain the title: “VISAS” and the title: “Convention of 28 September 1954” (Template 8).

The last page with number is page 34. It contains the following text: “This travel document contains sensitive electronics. In order to avoid damage, please do not fold, break or expose to high temperature or humidity” (Template 9).

Pages are connected with UV reactive thread that contains three colours, visible under regular light and two fluorescent colours, visible under UV light.

Article 14

Internal side of the back cover of the travel document for stateless persons contains the following text: “This document is issued to provide a travel document for the stateless person that can serve as a substitute for national travel document. It does not prejudice or influence citizenship of the holder. The holder has the right to return to Montenegro while the document is valid. In case of settling in some other country, for the purposes of travel, the holder of this document shall submit a request to be issued a new document in the new country of residence” and the text: “This travel document is in the ownership of Montenegro. It contains 34 pages”. In the background, there is an ornament with Montenegrin Coat-of-Arms and stylized territory of Montenegro, with the protection printed motive in the bottom: part from the female belt, with the serial number of the travel document laser-printed beneath (Form 10).

Article 15

Within 15 days from receiving the request referred to in Article 3 of this Rulebook, state administration body in charge of interior (hereinafter referred to as: the Ministry) shall invite the applicant for an interview aimed at obtaining additional statements about circumstances and facts the applicant stated in the request.

Article 16

During the procedure initiated by request referred to in Article 3 of this Rulebook, the Ministry may, in line with the Law on Foreigners, obtain documents or other enactments relevant for deciding upon request submitted by the authorities of other states. This shall be done through the state administration body in charge of foreign affairs, on the basis of bilateral agreements, as well as with United Nations High

Commissioner for Refugees (UNHCR) or other international or non-government organizations.

Article 17

In the procedure upon request referred to in Article 3 of this Rulebook special care will be dedicated to the interests of foreigners under age and unaccompanied foreigners under age. In such procedures the Ministry shall obtain the opinion of the relevant centre for social work.

Article 18

Templates no. 1 to 10 make an integral part of this Rulebook.

Article 19

On the date of coming of this Rulebook into effect the provisions of the Rulebook on the form and contents of the template for special identification documents, template of the travel document for foreigners, template and details of the manner of issuing travel document for stateless persons (“Official Gazette of MNE”, no. 22/15) that stipulate details of the manner of issuance of travel document for stateless person, template of the request for issuance of such document and template of the travel document itself shall be repealed.

Article 20

This Rulebook shall come into effect eight days after its publication in the Official Gazette of Montenegro.

01 Number: 064/18-58456/2
Podgorica, 7 November 2018

Minister,
Mevludin Nuhodžić

Template 1
TEMPLATE OF THE REQUEST FOR DETERMINATION THAT THE APPLICANT
IS STATELESS PERSON

Please fill in this request in legible capital
letters

BARCODE

Montenegro
Ministry of Interior
Regional unit/ Branch _____
Number: _____
Date of the request _____

REQUEST FOR DETERMINATION THAT THE APPLICANT IS STATELESS PERSON

Applicant's Data

1. Surname and name: _____
2. Surname at birth: _____
3. Name of the father: _____
4. Name of the mother: _____
5. Date of birth (day, month, year): ____/____/____
6. Place of birth (country, city): _____
7. Sex: _____
8. Marital status: married single; cohabitation; divorced; widowed; separated
9. Education:
 - a) primary school (from/to, in years) _____; place: _____
 - b) high school (from/to, in years) _____; place: _____
 - c) university/course: _____
period of attendance: _____
title and level of qualification: _____
10. Occupation: _____

Data about the length and reasons of the applicant's residence in Montenegro

11. Date of commencement of the applicant's residence in Montenegro:

12. Address in Montenegro: _____

13. Reasons of stay in Montenegro: _____

14. Education institutions attended in Montenegro:

15. Legal and/or physical entities that the applicant had a labour engagement with in Montenegro:

Data about other countries that the applicant had relevant connections with

16. Place and country of origin: _____

17. Place and country of solemnization of marriage: _____

18. Place and country of former habitual residence: _____

Data about the applicants family members

19. Family members:

Name and surname	Relation	Date and country of birth	Citizenship	Current stay	Country of former habitual residence

Data about identity documents and other documents of the applicant's family members on the basis of which the identity can be established and other documents that the applicant has in his/her possession

20. Documents on the basis of which the identity can be established and other documents in the applicant's possession:

Type of identity document/other document	Number	Date of issuance	Name of the country/body that issued the identity document/document	Term of validity	Original / copy

**TEMPLATE OF THE CERTIFICATE CONFIRMING THAT THE REQUEST FOR
DETERMINATION THAT THE APPLICANT IS STATELESS PERSON IS
SUBMITTED**

Montenegro
Ministry of Interior
Regional unit / Branch _____
Number: _____
Date of the request _____

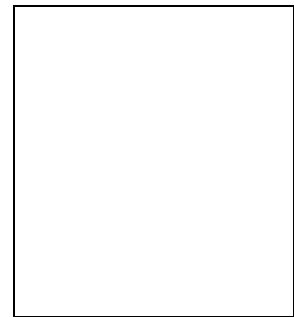
CERTIFICATE

Name: _____

Surname: _____

Date of birth: _____

Address in Montenegro:



Date of expiry of the certificate: _____

Holder of this certificate is the person who lodged the request for determination that he/she is stateless person and as such shall not be expelled from Montenegro before an enforceable decision upon submitted claim is rendered. Holder of this certificate may reside in Montenegro on the basis of this certificate and may exercise all the rights he/she is entitled to according to the law.

(Seal)

Signature of the Authorized Person

TEMPLATE OF THE REQUEST FOR ISSUANCE OF TRAVEL DOCUMENT TO STATELESS PERSON

Please fill in the request in legible capital letters

BARCODE

Montenegro

Ministry of Interior

Regional unit/ Branch _____

Number: _____

Date of the request _____

REQUEST FOR ISSUANCE OF TRAVEL DOCUMENT TO STATELESS PERSON

Applicant's data

1. Surname and name: _____

2. Name at birth: _____

3. Name of the father: _____

4. Name of the mother: _____

5. Date of birth (day, month, year): ____/____/____

6. Place of birth (country, city): _____

7. Sex: _____

8. Unique Identity Number: _____

Data about the address of residence in Montenegro

9. Address of residence in Montenegro: _____

10. Settlement of residence in Montenegro: _____

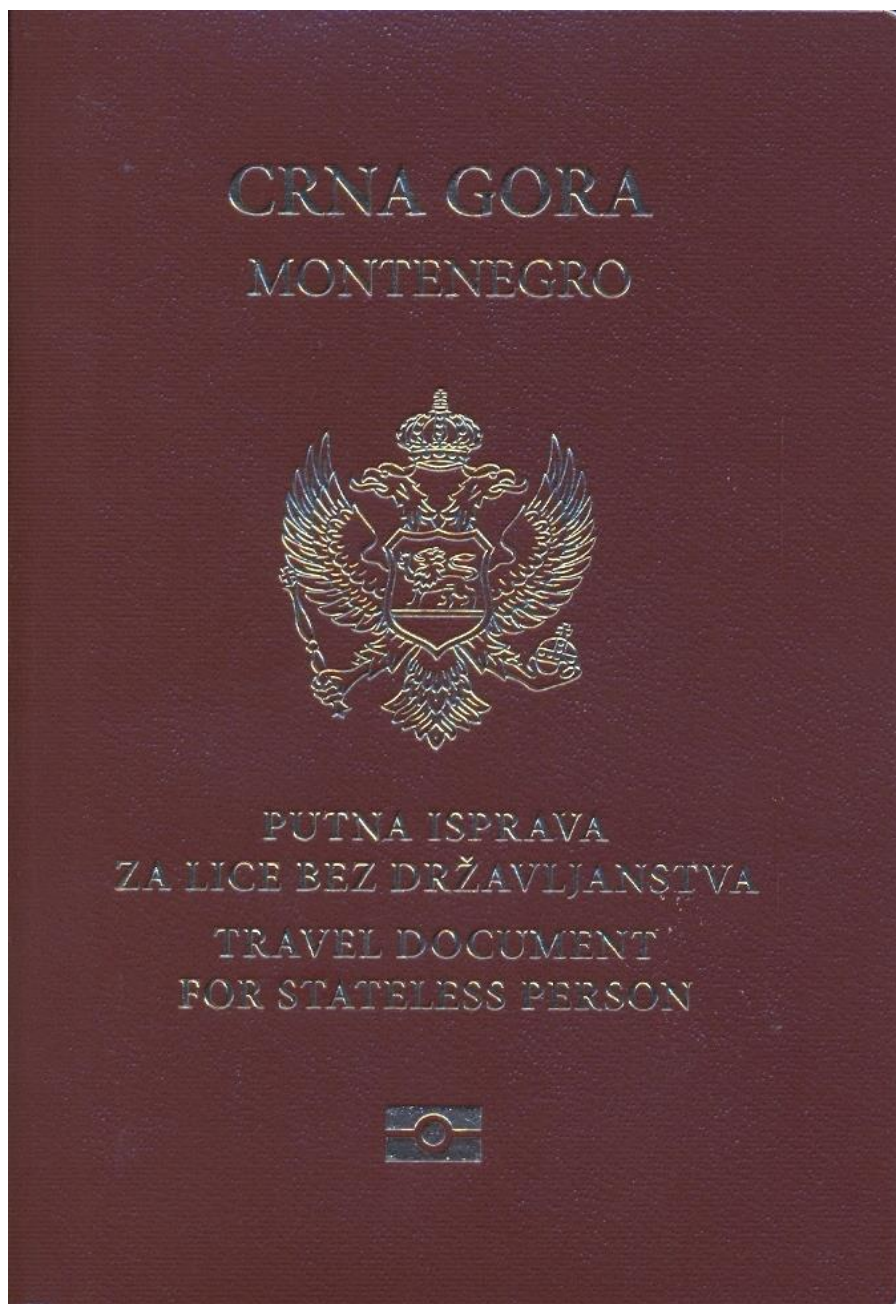
11. Municipality of residence in Montenegro: _____

12. Applicant's telephone number: _____

13. Other relevant data: _____

Signature of the Applicant

Front outer cover page of the travel document for stateless person



Front inner cover page of the travel document for stateless person



First page of the travel document for stateless person (no page number)



Template 7

Second page of the travel document for stateless persons (no page number)

Crna Gora · Montenegro · Monténégro

Vrsta/Type Kod države izdavanja/Country code/ Code du pays émetteur Broj putne isprave/Travel document no./N° du document de voyage

Putna isprava za lice bez državljanstva
Travel document for stateless person

Prezime/Surname/Nom

Ime/Given names/Prénoms

Datum rođenja/Date of birth/Date de naissance

Jedinstveni matični broj/Personal no./N° personnel

Pol/Sex/Sexe Mjesto rođenja/Place of birth/Lieu de naissance

Datum izdavanja/Date of issue/ Date de délivrance

Organ izdavanja/Issuing authority/Autorité

Datum važenja/Date of expiry/ Date d'expiration

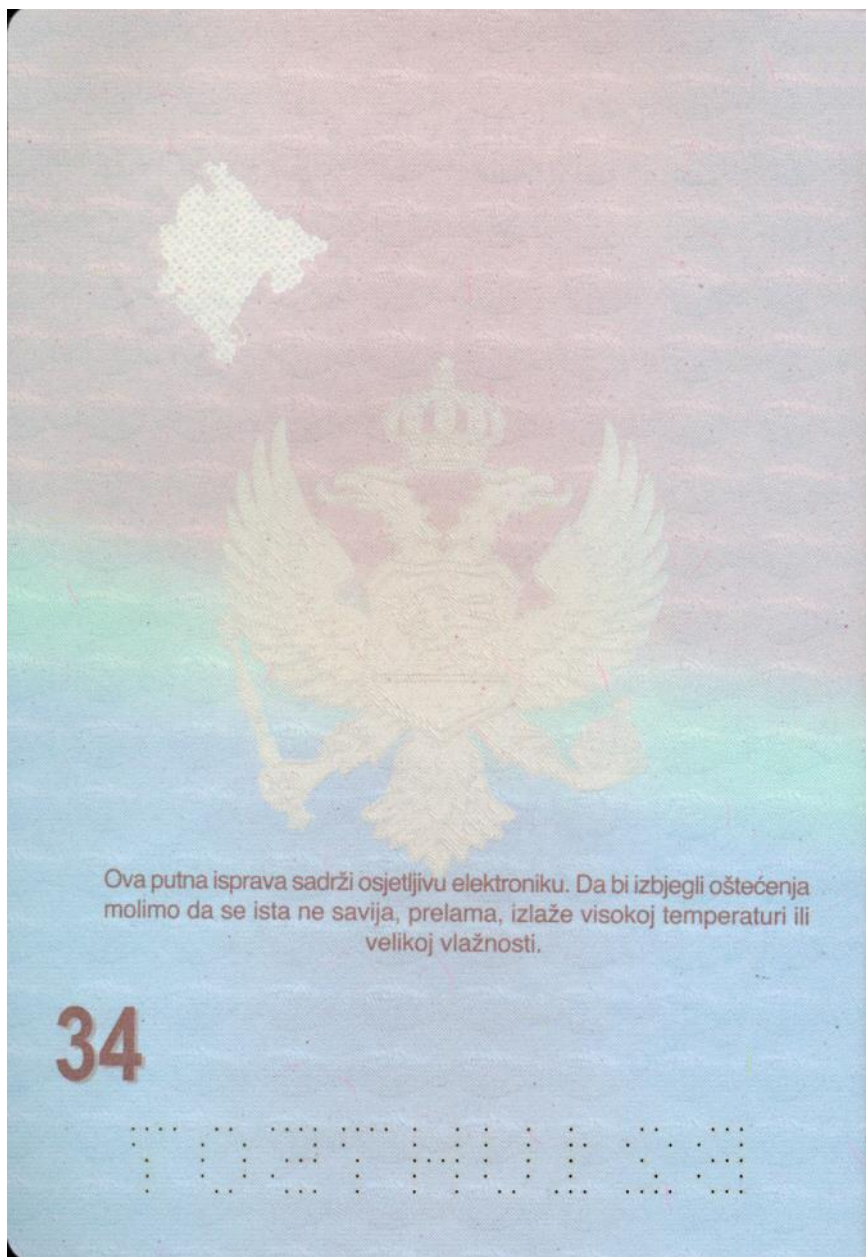
Potpis/Signature/Signature

MNE

Pages of the travel document for stateless person with page numbers from 3 to 33



Last page (no. 34) of the travel document for stateless person



Last inner cover page of the travel document for displaced person

