

*Strategija za trajno rješenje pitanja izbjeglica  
i interno raseljenih lica u Crnoj Gori*



*Strategy for Resolving the Issues of  
Refugees and Internally Displaced Persons in Montenegro*

*April 2005.*

## **Strategy for Resolving the Issues of Refugees and Internally Displaced Persons in Montenegro**

April 2005

*The Strategy for Resolving the Issues of Refugees and Internally Displaced Persons in Montenegro was prepared by the Commission established by the Government of Montenegro and working teams constituted of representatives of Ministries, relevant institutions and international organizations working in Montenegro. Approximately 50 people were involved in the different phases of work on this Strategy. The Institute for Strategic Studies and Prognoses (ISSP) provided research, expertise, and logistical support. The Strategy for Resolving the Issues of Refugees and Internally Displaced Persons in Montenegro was adopted by the Government of the Republic of Montenegro on March 3<sup>rd</sup>, 2005.*

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## 1. INTRODUCTION

Displacement is a problem of national, social and international significance; consensus and political will are necessary to solve it. The seriousness of this problem, as well as its complex nature, is beyond the capacities of the existing institutions in Montenegro, acting on their own. To solve it successfully, there must be program engagement of the Montenegrin state institutions, the international community, international organizations, countries from the region, non-government organizations, refugee associations, and other relevant institutions.

Many characteristics of the way of life of displaced persons are not exclusively caused by their status, but also by the economic situation in the host country. While sheltering unlucky persons, the state of Montenegro provided equal treatment of refugees and displaced persons as though they were citizens of Montenegro, regarding their employment, education, social welfare, employment possibilities, etc.

The economic crisis, affecting every aspect of social life, directly influences the ability to solve the problem of displaced persons. If possibilities of employment were more favorable, displaced persons would be more able to succeed and satisfy the needs of themselves and their families through their employment, in accordance with their level of education. The current economic situation equally affects all members of society, without regard to their status.

From the onset of refugees arriving in Montenegro, the Ministry of Education has been continuously involved in the regular formal education system. Therefore, the Ministry of Education passed particular regulations to facilitate the involvement of refugees in the education process in Montenegro and to provide for their continued education.

The Ministry of Health provided health care to refugees and displaced persons. In the last four years that care has been directly financed from the budget of Montenegro. Thus, the taxpayers in Montenegro have helped to finance the health care of refugees.

International humanitarian organizations that expressed their interest in the status of assistance for displaced persons in Montenegro in 1992 were mainly focusing on solving the immediate problems. Some humanitarian organizations did not provide the same treatment to displaced persons as they did to refugees in their previous work, as well as different national groups. Particular humanitarian organizations have focused their programs only on displaced persons from Kosovo, or on refugees, or on Albanians, or on the Roma, even though it is obvious that their level of need is being measured by social rather than by national or status parameters.

Regardless of all the best efforts, it would not have been possible to provide suitable help to the thousands of refugees and displaced persons who resided in the Montenegrin territory without the help of international humanitarian organizations; nor would it be possible to provide assistance to those who are still in Montenegro and still need help.

The reform processes in Montenegro brought new legal acts that did not always consider the specific problems of refugees and internally displaced persons. This may be because the laws are permanent, with long-term principles, and were drafted without taking temporary happenings into consideration. While the purpose of adopting regulations on the employment of non-residents was to reduce the grey economy and the implementation of new software in the area of health care was done to improve the efficiency and quality of service, these changes, despite the fact that they had no particular intention to do so, influenced displaced persons.

In determining permanent solutions for refugees and internally displaced persons, Montenegro is familiar with the international and domestic legal framework, as well as with the need to improve existing domestic legislation that considers the status of displaced persons whose residence is in Montenegro. Although categories of refugees and internally displaced persons may not be treated in the same way from the point of international law, the consequences to the residents of both populations in Montenegro are almost entirely the same because of the fact that Montenegro is a small system with limited possibilities, primarily due to budget constraints. In that sense, the Strategy reflects the essential situation that comes from the objectively recorded situation in Montenegro, and not the difference between internally displaced persons and refugees, which is that one group has not been admitted through an international border, while others have.

The goal of the Strategy, depending on both the economic possibilities of Montenegro and on existing international standards and principles, is to determine the best possible solution for displaced persons in Montenegro. That is why this document reflects the political will to find the most favorable solution to this pressing problem, taking into consideration the economic possibilities of Montenegro and its citizens, and as well as the desires of displaced persons to make decisions that shape their future.

Minister of Labor and Social Welfare  
Slavoljub Stijepovic

## 2. STRATEGY GOAL

The Republic of Montenegro successfully avoided war conflicts in the recent past. However, the instability in the region and the war conflicts that occurred in close neighborhoods caused Montenegro to share the burden and the consequences of those events with other countries in the region. Thousands of refugees from Bosnia and Herzegovina and Croatia, as well as internally displaced persons from Kosovo, found protection and shelter in Montenegro. Due to the support of the international organizations and their own efforts, Montenegro found a way to face all of its problems and to provide help for the displaced persons.

The transition process, additionally burdened by the war and the embargo, decrease in consumers' buying power, and the need for reconstruction of the economy, put the Montenegrin population in a very difficult position:

- there was a terrible decrease of the Gross Domestic Product (57% lower in 1993 when compared to 1989);
- after hyperinflation in 1993, the inflation rate was over 100% until 2000, and did not get below 10% until 2002<sup>1</sup>;
- the number of unemployed increased (the official unemployment rate was higher than 40%);
- the share of the gray economy became more and more significant (sometimes over 40%)<sup>2</sup>.

Greater competitiveness of the labor market, followed by fewer possibilities of finding a job, and the processes of the gray economy significantly influenced incomers in a negative manner.

In the meantime, Montenegro began the process of overall economic reform by establishing the basis for a stable economic system by adopting a four-year program – the *Economic Reform Agenda*. The tax and financial system reform programs, legal reform, and local communities' reform already show some positive results. The Gross Domestic Product has been showing slow, although insufficient growth; a reduction of tax rates resulted in entrepreneurial development and employment; and the tax subvention programs for new employees resulted in a reduction in the unemployment rate.

### **Box 1. Definition of terms "Refugee" and "Internally displaced person"**

Currently, the "Decree on status assistance for displaced persons" (Official Gazette No. 37/92) recognizes only the "displaced persons" expression. As defined in the National Strategy for Resolving the Issue of Refugees and Internally Displaced Persons, a "refugee" is a person that is displaced from one of the former Yugoslav Republics that are now internationally recognized as an independent state. The "internally displaced person" is a person displaced from Kosovo and Metohija<sup>3</sup>.

According to official data, 26,521 displaced persons live in Montenegro today. Out of that, 31.9% are refugees from the Republic of Croatia and Bosnia and Herzegovina, while the rest, 68.1%, are from Kosovo and Metohija<sup>4</sup>. The displaced population accounts for 4.28% of total Montenegrin population.<sup>5</sup>

<sup>1</sup> Inflation significantly burdened the Montenegrin economy: the inflation rate was 106.05% in 1999, 49.22% in 2000, 23.79% in 2001, 9.22% in 2002, and 6.17% in 2003.

<sup>2</sup> Source: Institute for Strategic Studies and Prognoses

<sup>3</sup> In those parts of the Strategy where term "displaced persons" is used it covers both refugees and internally displaced persons

<sup>4</sup> Source: Commissariat for Displaced Persons and UNHCR, based on registration of internally displaced persons conducted in 2003 and preliminary results of the census for displaced persons in former Yugoslavia.

<sup>5</sup> Source: Calculation of ISSP based on preliminary results of the census conducted by MONSTAT, the Official Statistical Bureau.

When preparing the Strategy, the starting point was current domestic and international law acts.

Although refugees and internally displaced persons are not treated within the same category according to international legislation, consequences of their residence in Montenegro are equal. This is especially the case in small systems with limited possibilities, with significant budgetary considerations. Therefore, the Strategy considers that the basic situation derives from the objectively recorded situation in Montenegro, and not from the fact that the difference between refugees and internally displaced persons is that one of them crossed an international border and the other did not.

The goal of the Strategy in the next three years is to find an optimal solution for the problem of refugees and internally displaced persons in Montenegro with respect to Montenegrin economic conditions and the existing international standards and principles.

The security situation in the countries of origin, Montenegrin capabilities, and the wishes of the displaced population lead to three potential solutions for refugees and internally displaced persons who currently live in Montenegro.

- The first permanent solution is to initiate the **repatriation process for refugees and return of internally displaced persons to Kosovo and Metohia**, by providing conditions for return of the refugees and internally displaced persons. This solution requires common activities by the Republic of Montenegro, the countries from which the displaced persons originally came, and the international community.
- **Local integration** would provide basic rights for living on Montenegrin territory for refugees or for foreigners permanently settled in Montenegro, including the possibility for them to obtain naturalization, as well as protection and help for internally displaced persons. During the last twelve years, integration has been taking place spontaneously.

It is very important to emphasize that the Strategy does not equate the terms *local integration* and *naturalization* (getting Montenegrin citizenship). The citizenship issue would be regulated by a special Law that would determine conditions for getting citizenship with respect to refugees as well as other persons that have residence in Montenegro.

- **Living in third countries** is another option that refers to the possibility of refugees and internally displaced persons departing to another country that is willing to accept them. Even though moving into third countries isn't possible anymore for refugees from the region, this option is being retained, with no intention of creating unreal expectations, due to the expressed wish for this option that displaced persons show.<sup>6</sup>

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<sup>6</sup> Survey of refugees and internally displaced persons, American Refugee Committee (ARC), September 2004

### 3. ANALYSES OF THE CURRENT SITUATION OF REFUGEES AND INTERNALLY DISPLACED PERSONS

There were 8,474 refugees and 18,047 internally displaced persons living in Montenegro in relation to 620,154 residents<sup>7</sup>. In total, it is 26,521 persons or 4.28% relative to local citizens. Looking at the data of the displaced by municipality, it is possible to compare the number of refugees and internally displaced persons with the number of residents per municipality.

Table 1. *Number of refugees and internally displaced persons in Montenegro by municipality and region*

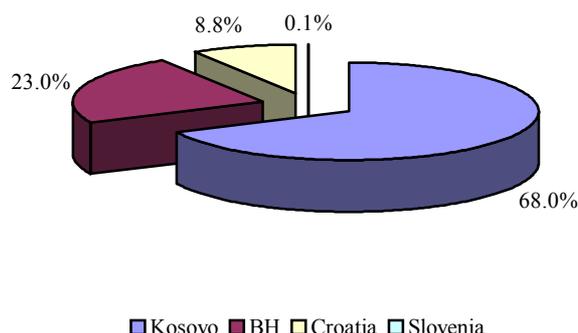
Municipality/ region	Number of citizens (census 2003)	Number of refugees from CRO and B&H	% of refugees from CRO and B&H	Number of displaced persons from Kosovo	% of displaced persons from Kosovo	Total of internally displaced persons and refugees	
						Number	%
ANDRIJEVICA	5,785	11	0.19	578	9.99	589	10.18
BERANE	35,068	239	0.68	2,434	6.94	2,673	7.62
BIJELO POLJE	50,284	74	0.15	567	1.13	641	1.27
KOLAŠIN	99,49	133	1.34	148	1.49	281	2.82
MOJKOVAC	10,066	25	0.25	84	0.83	109	1.08
PLAV	13,805	72	0.52	1,008	7.30	1,080	7.82
PLUŽINE	4,272	22	0.51	2	0.05	24	0.56
PLJEVLJA	35,806	232	0.65	94	0.26	326	0.91
ROŽAJE	22,693	18	0.08	623	2.75	641	2.82
ŠAVNIK	2,947	11	0.37	2	0.07	13	0.44
ŽABLJAK	4,204	16	0.38	4	0.10	20	0.48
<b>NORTH</b>	<b>194,879</b>	<b>853</b>	<b>0.44</b>	<b>5,544</b>	<b>2.84</b>	<b>6,397</b>	<b>3.28</b>
CETINJE	18,482	45	0.24	22	0.12	67	0.36
DANILOVGRAD	16,532	160	0.97	385	2.33	545	3.30
NIKŠIĆ	75,282	695	0.92	654	0.87	1,349	1.79
PODGORICA	169,132	1,913	1.13	6,654	3.93	8,567	5.07
<b>CENTER</b>	<b>279,428</b>	<b>2,813</b>	<b>1.01</b>	<b>7,715</b>	<b>2.76</b>	<b>10,528</b>	<b>3.77</b>
BAR	40,037	1,156	2.89	2,580	6.44	3,736	9.33
BUDVA	15,909	619	3.89	641	4.03	1,260	7.92
HERCEG-NOVI	33,034	1,892	5.73	434	1.31	2,326	7.04
KOTOR	22,947	344	1.50	153	0.67	497	2.17
TIVAT	13,630	625	4.59	577	4.23	1,202	8.82
ULCINJ	20,290	172	0.85	403	1.99	575	2.83
<b>SOUTH</b>	<b>145,847</b>	<b>4,808</b>	<b>3.30</b>	<b>4,788</b>	<b>3.28</b>	<b>9,596</b>	<b>6.58</b>
<b>TOTAL</b>	<b>620,154</b>	<b>8,474</b>	<b>1.37</b>	<b>18,047</b>	<b>2.91</b>	<b>26,521</b>	<b>4.28</b>

Sources: Commissariat for Displaced Persons of Montenegro, Census of internally displaced persons in Montenegro, October 2003, Census of displaced persons from Republics of Ex-Yugoslavia in Montenegro, Jun 2004. MONSTAT, census results and ISSP calculations.

In relation to the residents, internally displaced persons are relatively equally located into the three regions (northern, central and southern), while refugees have a significantly greater presence in the seaside portions of the Republic. At the Republic level, the number of displaced persons is a bit lower in the northern region, (see graph 1), which is primarily caused by the economic situation and the employment opportunities in this region.

<sup>7</sup> Source: MONSTAT, september 2004

Graph 1. Review on participation of displaced persons in Montenegro (by country of origin)

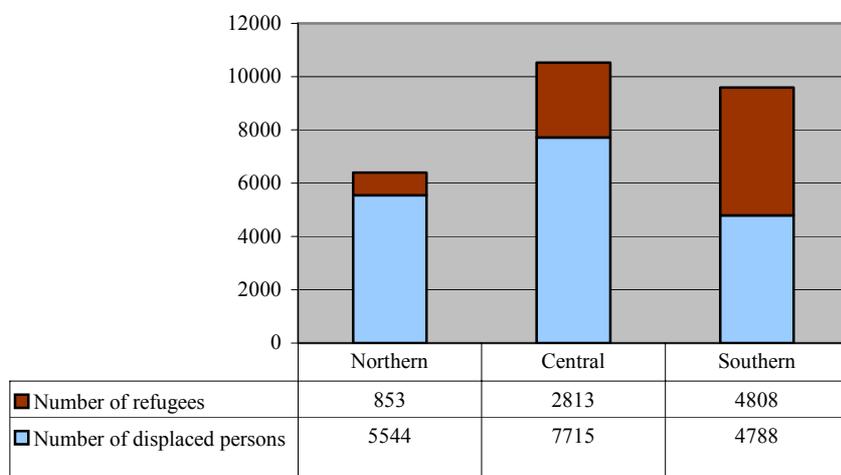


Source: Commissariat for Displaced Persons of Republic of Montenegro

### 3.1 Refugees in Montenegro

Since the onset of the refugee evasion, the number of refugees in Montenegro significantly fluctuated. The waves of refugees that bathed Montenegro were caused by the war in Croatia and Bosnia and Herzegovina. Today, almost fourteen years after the first refugees were registered, there are 8,474 persons with this status in Montenegro; 5,269 came from Bosnia and Herzegovina, 1,817 from Croatia, and 26 persons are from Slovenia<sup>8</sup>. The remaining 1,083 displaced persons were born in Montenegro, out of which 496 (or 5.9 %) were born after their parents arrived in Montenegro as refugees.

Graph 2. Refugees and internally displaced persons by region

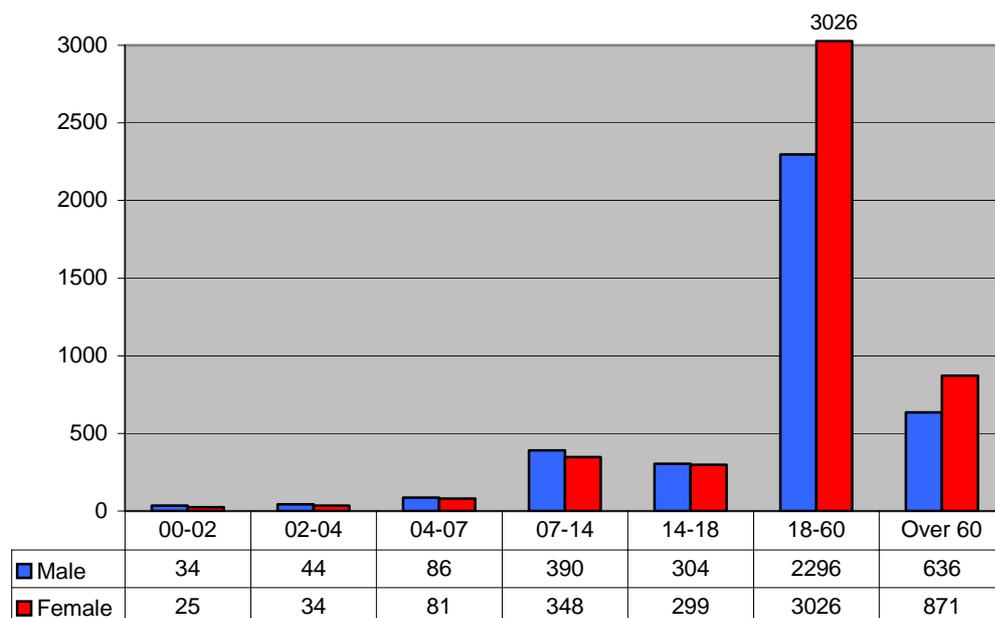


By looking for a close and safe point, the majority of refugees' populated the coastal municipalities in Montenegro. One reason why refugees choose the coastal region is the fact that among them there were a significant number of families who used to live in coastal cities earlier (Dubrovnik, Split, Makarska, etc.) or in southern Croatia. Economic activity of the region and the greater possibility of finding a job were additional reasons for staying in the seaside towns. Today, 56.7% of refugees in Montenegro populate the coastal region, 33.1% live in the central region, while the remaining 10.1% live in northern Montenegro.

Graph 3 shows the structure of refugees in Montenegro by gender and age.

<sup>8</sup> Source: Commissariat for Displaced Persons of Montenegro, Census of displaced persons from Republics of Ex-Yugoslavia in Montenegro, June 2004.

Graph 3. Gender and age structure of refugees



According to available data, there are more than 3,965 refugee households in Montenegro. The most common are one-member households (approximately 45%). The average refugee household includes 2.14 members.

In regard to ethnicity, the majority of refugees in Montenegro are Serbs, (79.8%) and Montenegrins (8.6%); Muslims and Croats account for 3.1% each, 0.6% are Bosnians and 1.8% declare other. The remaining 2.9% did not declare an ethnic group. A detailed review of refugees' ethnicity in Montenegro by municipality is given in Table 2.

Table 2. Ethnicity of refugees by municipality

Municipality	Serbs		Montenegrin		Muslims		Croats		Bosnians		Not declared		Other		Total
Andrijeвица	9	81.8%	1	9.1%									1	9.1%	11
Bar	987	85.4%	35	3.0%	43	3.7%	23	2.0%	11	1.0%	49	4.2%	8	0.7%	1,156
Berane	161	67.4%	49	20.5%	5	2.1%	14	5.9%	5	2.1%	2	0.8%	3	1.3%	239
Bijelo Polje	45	60.8%	10	13.5%	9	12.2%	6	8.1%	2	2.7%			2	2.7%	74
Budva	515	83.2%	24	3.9%	21	3.4%	22	3.6%	5	0.8%	25	4.0%	7	1.1%	69
Cetinje	37	82.2%	2	4.4%			3	6.7%	1	2.2%	1	2.2%	1	2.2%	45
Danilovgrad	117	73.1%	34	21.3%	1	0.6%	4	2.5%			1	0.6%	3	1.9%	160
Herceg-Novi	1,719	90.9%	52	2.7%	16	0.8%	52	2.7%	1	0.1%	24	1.3%	28	1.5%	1,892
Kolasin	86	64.7%	40	30.1%	1	0.8%	2	1.5%			3	2.3%	1	0.8%	133
Kotor	268	77.9%	22	6.4%	8	2.3%	19	5.5%	1	4.0%	20	5.8%	7	2.0%	344
Mojkovac	16	64.0%	8	32.0%											25
Nikšić	473	68.1%	147	21.2%	15	2.2%	24	3.5%			18	2.6%	18	2.6%	695
Plav	12	16.7%	9	12.5%	44	61.1%	1	1.4%	6	8.3%					72
Pluzine	16	72.7%	3	13.6%			1	4.5%			2	9.1%			22
Pljevlja	180	77.6%	30	12.9%	14	6.0%	2	0.9%	3	1.3%	2	0.9%	1	0.4%	232
Podgorica	1,429	74.7%	243	12.7%	51	2.7%	50	2.6%	4	0.2%	67	3.5%	69	3.6%	1,913
Rozaje	1	5.6%			11	61.1%	1	5.6%	4	22.2%			1	5.6%	18
Savnik	9	81.8%					2	18.2%							11
Tivat	552	88.3%	21	3.4%	9	1.4%	28	4.5%	1	0.2%	12	1.9%	2	0.3%	625
Ulcinj	124	72.1%	2	1.2%	18	10.5%	3	1.7%	9	5.2%	13	7.6%	3	1.7%	172
Žabljak	10	62.5%	1	6.3%			2	12.5%			3	18.8%			16
<b>Total</b>	<b>6,766</b>	<b>79.8%</b>	<b>733</b>	<b>8.6%</b>	<b>266</b>	<b>3.1%</b>	<b>259</b>	<b>3.1%</b>	<b>53</b>	<b>0.6%</b>	<b>242</b>	<b>2.9%</b>	<b>155</b>	<b>1.8%</b>	<b>8,474</b>

### 3.1.1. Educational structure of refugees

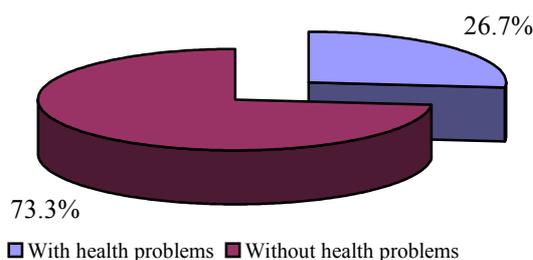
There are more women in the refugee population (55.3%), while with respect to age, the majority are between 18 and 60 (62.8%), which indicates that the contingent of their labor force is among them. In the school stature, 9% of refugees are between the ages of 7 and 14, while almost 7% of them are old enough to attend secondary school (between 14 and 18). The average age of refugees is 39.01.

Refugees in Montenegro are relatively well educated: only 2.1% of them have no education, while 4.8% stated that they have not completed primary school. Primary school has been completed by 11.5% of refugees. Half of displaced persons had completed secondary school, while 10.6% had obtained some form of qualification as high school. University diplomas are possessed by 8.7%, which includes 14 masters of sciences and 8 PhDs. The undertaken census of refugees showed that refugees from Bosnia and Herzegovina are better educated than those coming from Croatia.

### 3.1.2. Health and socially vulnerable refugees

From the total number of refugees, according to the census in June 2004, 26.7% have health problems.

Graph 4. *Health status of refugees*



Among the chronic diseases, the most frequent are cardiovascular diseases (27%), gastro-intestinal diseases (8%), respiratory diseases and nervous system diseases (7% both). The majority of refugees are using the services provided by health houses (83.3%), while 12.3% are using the services of private doctors as well<sup>9</sup>.

Among all refugees, 17.8% are older than 60 years. Within this group of elderly refugees, all of them are one or two member households, 1,811 are one member households and 815 are two member households. The age structure is very important when looking at the health vulnerable refugees in Montenegro – 51.4% of health vulnerable refugees are older than 60 years. From the total number of ill people, 60.5% are women. By region, 55.3% of sick refugees are located in the southern region, 34.2% in the central region, and 10.4% live in the northern region of Montenegro. More than one-third of ill refugees (36.1%) have their own accommodation while 16.2% live with friends/relatives.

According to the latest data, there are many old people who have no family and are living in collective centers (10.43%); the same stands for 20.55% of children with one parent and 20% of children in hosting families. However, 130 elderly persons without families found accommodation with friends/relatives (33.08%), and 123 of them live in their own objects (31.3%)<sup>10</sup>. The problem of

<sup>9</sup> Survey of refugees and internally displaced persons, American Refugee Committee (ARC), September 2004

<sup>10</sup> Source: Report on refugees and internally displaced persons in Montenegro, Commissariat for Displaced Persons and UNHCR, March 2002

the elderly and adults that cannot take care of themselves, and who also have nobody to look after them, is a significant one.

### 3.1.3 Economic situation of refugees

The largest number of displaced persons are supported by someone else (23.9%) and they are unemployed (26.2%), while 14.2% have a permanent job, 21% hold a temporary job, and 14.7% are retired.

Survey results<sup>11</sup> show that the largest number of households (more than 50%) have members performing permanent jobs. Only 0.6% of households are active in agriculture, 1.9% work some crafts and an additional 1.9% conduct illegal trade, 2.5% beg for a living, 5.1% hold seasonal jobs, 7.6% of households have members that are retired, 5.7% receive help from friends and relatives, 2.5% depend on humanitarian help<sup>12</sup>, and 13.3% have no idea how they make ends meet. The remaining 1.3% have other sources for surviving. Considering the activities in which refugees are involved, the most common are wholesale and retail trade, crafts, catering and education. A systematic solution in the form of the Decree on Non-Residents' Employment provides refugees and internally displaced persons with equal employment rights as that of economic migrants looking for an opportunity to earn money in Montenegro. However, more than two-thirds of refugees (70.4%) believe that with respect to employment possibilities, displaced persons in Montenegro are not discriminated against<sup>13</sup>. This confirms that local integration would basically leave displaced persons facing the same problems as residents, and unemployment is definitely one of them.

If we analyze the structure of revenue within refugee households, the majority (54%) have income from their work activities, almost one-fifth (19.6%) receive pensions, while private transfers are important for one of ten (10.4%) refugee households. An income based on self-employment supports 6.7% of refugee households. Still, displaced persons' income is characterized with a high level of insecurity and variability. The majority of these households (51.3%) didn't have enough money for food during the month of July 2003. A similar proportion, just over half (52.5%), didn't have sufficient resources to provide three meals per day.

When assessing satisfaction with their own living standards, two-fifths of refugees are not satisfied. More than one-quarter (26%) believe that they fulfill the criteria for receiving social assistance<sup>14</sup>.

The economic status of displaced persons fluctuates depending on the time of year. The structure of households' expenditures and the way in which they realize incomes differs during the summer and winter months.

### 3.1.4 Refugee Accommodation

During their stay in Montenegro, the majority of refugees succeeded in resolving their accommodation problems. As compared to the first period spent in Montenegro, the number of households that today live in their own or rented places has increased; this is due to them becoming owners of the domicile in which they were staying. The proportion of refugees who own the place in which they live has also increased, but this is due to the decreasing number of refugees who live in Montenegro; in the last couple of years, those who did not own their living place were keener to leave Montenegro. Approximately one of five (19.1%) refugee households live in collective centers

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<sup>11</sup> Source: Household Survey of Roma, Ashkaelia and Egyptians, Refugees and Internally Displaced Persons in Montenegro, 2003, ISSP & UNDP.

<sup>12</sup> Data refers to mid 2003. Humanitarian help for refugees was abolished in second half of 2003.

<sup>13</sup> Survey on refugees and internally displaced persons, American Refugee Committee (ARC), September 2004

<sup>14</sup> Ibid p 4.

and family settlements (14.1% and 5%, respectively), 13.3% of households live with friends/relatives, 32.3% possess their own apartment/house, while the same percentage rents their accommodation (32.3%). The remaining 3% use some other type of accommodation.<sup>15</sup>

### 3.1.5 Refugee citizenship

It's important to mention for refugees settled in Montenegro that they are not stateless persons, but usually citizens of internationally recognized states, who voluntarily received nationality and put themselves under the state of birth protection.

The next table shows the citizenship of refugees by their declaration, whereby it is evident that some persons have double citizenship. For example, 11 refugees have citizenship of Bosnia and Herzegovina and Croatia, 97 persons of Montenegro and Bosnia and Herzegovina.

Table 3. *Citizenship of refugees in Montenegro*

Country of citizenship	Number of refugees
Bosnia and Herzegovina (B&H)	3,542
B&H -Croatia (HRV)	11
Montenegro (B&H)	459
Montenegro- B&H	97
Montenegro-Croatia	4
HRV	1,150
Macedonia	3
Slovenia	6
Serbia	105
Serbia-B&H	53
Serbia-Croatia	32
Declare that they have no citizenship	3,012

Source: Commissariat for Displaced Persons of the Republic of Montenegro

The issue of refugee citizenship in their countries of origin is important, as are other issues, when it comes to determining if the conditions for cessation of their refugee status and the return of refugees to their countries of origin are satisfied.

<sup>15</sup> Source: Commissariat for Displaced Persons of Republic Montenegro, Report about registration of displaced persons from Republics of Ex-Yugoslavia in Montenegro, June 2004.

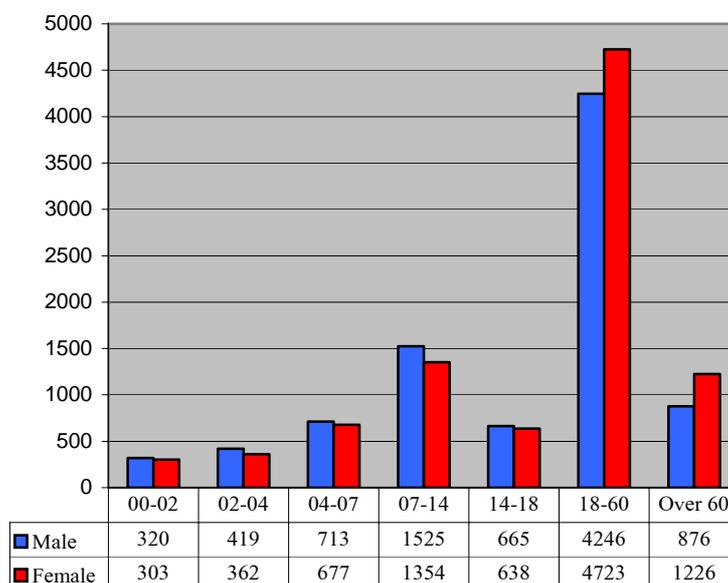
### 3.2 Internally displaced persons in Montenegro

Due to the lack of reliable information, it is not possible to explain the reduction in the number of internally displaced persons settled in Montenegro<sup>16</sup>. It is certain that they did not go back to Kosovo and it is presumed that a portion of them went to Serbia (in order to receive child allowance, social protection, etc.). A certain number did not register at all because they were faced with a rather large reduction in the amount of humanitarian aid that they used to receive, thus, their interest in registration declined. Newborns represent the basic difference in the increased number of displaced persons. The results of the census<sup>17</sup> show that 8.2% of the displaced population from Kosovo is in the category of newborns; in other words, they were born in Montenegro. Nearly one half (46.3%) of newborn displaced persons from Kosovo are Roma and Egyptians.

Displaced persons are most frequently from Kosovo, where they were born; this consists of 11,814 persons or 65.5% of the total displaced population. Montenegro claims the second highest proportion of the displaced population with approximately 3,763, or 20.9% of the displaced population being born in Montenegro, from which 1,483 were born after the arrival of their parents. A relatively large number of displaced persons were born outside the borders of ex-Yugoslavian republics (1,542), and among them, the origin of over 90% of persons of Montenegrin nationality is from Albania's South West territory (the region of Vraca and Skadar). Another 579 (3.2%) displaced persons come from the rest of Serbia, while 349 (less than 2%) of displaced persons were born in the other ex-Yugoslavian regions.

5,164 displaced households from Kosovo are registered in Montenegro. Graph 5 shows data about internally displaced persons by gender and age categories.

Graph 5. Gender and age structure of internally displaced persons in Montenegro



Compared to the structure of refugee households, which typically have one or two members, displaced households from Kosovo typically have more members. Almost half of the internally displaced households from Kosovo have four or more members. Registration from September 2003 showed an equal share of men and women in the gender structure of internally displaced persons in Montenegro: 9,283, or 51.4%, are females and 8,764, or 48.6%, are males.

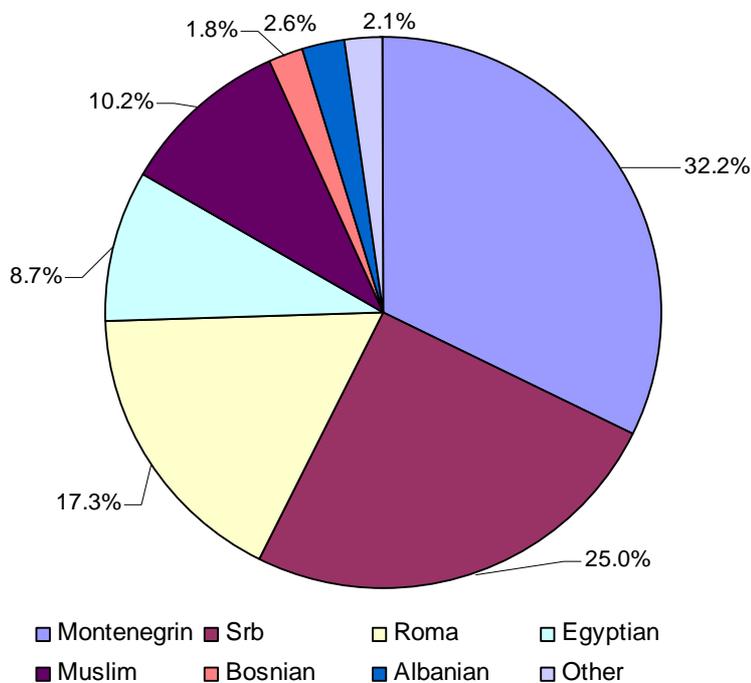
<sup>16</sup> When comparing the results of internally displaced persons census from the period at the end of 1999 when the total number of registered was 30,289, and the census results from mid-2003 when 18,047 internally displaced persons were registered in total, we see a significant reduction in the number of registered, by 40%.

<sup>17</sup> Source: Report on registration of displaced persons from Kosovo in Montenegro, Commissariat for Displaced Persons and UNHCR, 2003; this is also the source for Graph 5

It could be said that the displaced population in Montenegro is rather young, with an average age of 29.44 years. (The average age of the refugee population in Montenegro is 39.01 years.)<sup>18</sup>

Among internally displaced persons, the most numerous are Montenegrins (32.2%), followed by Serbs (25%), Roma (17.3%), Egyptians (8.7%), Muslims (10.2%), Bosnians (1.8%), Albanians (2.6%) and others (2.1%)<sup>19</sup>. (graph 6)

Graph 6. National structure of the internally displaced population in Montenegro



Source: Report on Registration of Displaced Population from Kosovo, Commissariat for Displaced Persons and VKIUN, 2003

Displaced persons from Kosovo, and from all other nationalities, are settled throughout the Republic. More than half of the displaced persons of Montenegrin nationality are settled in the central part of the Republic, with the remainder being evenly settled in the northern and coastal part. The Serbs are mainly settled in the coastal and northern part and much less in the central part of the Republic. Roma and Egyptians are mainly concentrated in collective centers in the central part. Displaced Muslims are settled in the northern part.

According to the census results, among the displaced population from Kosovo over the age of 18, most of them are married (6,668 or 60.23%), while 269, or 2.43%, live with someone unmarried, 2,594, or 23.43%, are single, 385, or 3.48%, are divorced or separated, and 1,020, or 9.21%, are widows or widowers. Among widows and widowers, women are more numerous, 875 opposed to 145 men, which is certainly one of the consequences of the war<sup>20</sup>.

### 3.2.1 Educational structure of internally displaced persons

The educational structure of internally displaced persons is very unfavorable, which is partly the result of the great share of the Roma population in their population. Approximately one-quarter of displaced persons over the age of 14 do not have any education or have completed primary school

<sup>18</sup> Source: Commissariat for Displaced Persons of Republic Montenegro, Report about registration of displaced persons from Republics of Ex-Yugoslavia in Montenegro, June 2004.

<sup>19</sup> Roma population in Montenegro refers only to Roma, Egyptians and Ashkaelia. In presented data Ashkaelia population is under the "other" category. Source: Report on Internally Displaced Persons from Kosovo in Montenegro, Commissariat for Displaced Persons and VKIUN, 2003.

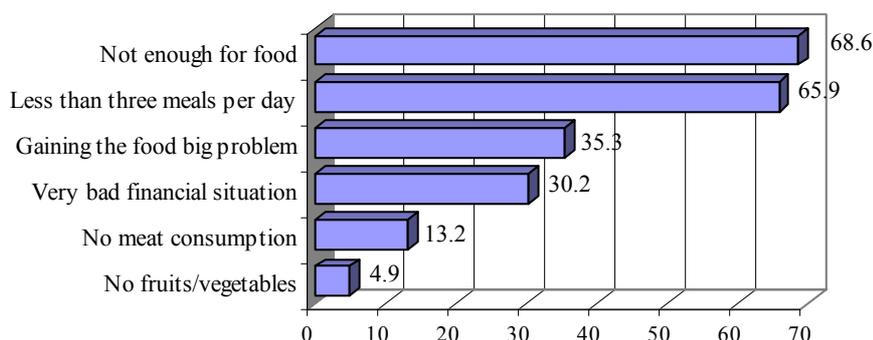
<sup>20</sup> Ibid p 40

(22.7%); in other words, nearly half of the displaced population has either no education or an elementary education only. High school was completed by 34.3% of the population, while 7.9% of displaced persons have a certificate from higher schools. Only one of ten from the displaced population has a university education.<sup>21</sup>

### 3.2.2 Health and socially vulnerable internally displaced persons

The data on the financial situation and consumption (see graph 7)<sup>22</sup> of internally displaced persons in Montenegro proves their vulnerability. The greatest concern is for the Roma displaced population.

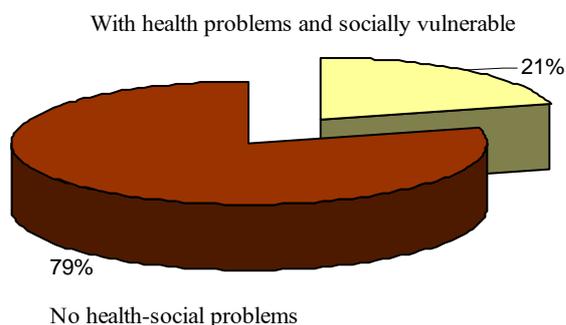
Graph 7. *Consumption and financial situation of internally displaced households*



Just as for refugee households, internally displaced persons also do not have the right to receive material support for their family, child allowance, or benefits from the Employment Fund.

Although some social problems were neglected during registration, as of September 2003, registrations of internally displaced persons do show the number of persons with health or social problems to be quite significant.

Graph 8. *Internally Displaced persons with medical problems and socially vulnerable categories*<sup>23</sup>



<sup>21</sup> Ibid p 44

<sup>22</sup> Household Survey of Roma, Ashkaelia and Egyptians, Refugees and Internally Displaced Persons in Montenegro, 2003, ISSP & UNDP

<sup>23</sup> Source: Commissariat for displaced persons, Registration of displaced persons from Kosovo settled in Montenegro, September 2003.

A somewhat greater number of medically and socially vulnerable categories are registered in the coastal part of the Republic. Among all displaced persons, 3,691 are dependent on medical help, which represents more than 20% of the population. The greatest proportion of internally displaced persons receive their health protection at health houses (91.8%), while 2.1% also use the services of private doctors<sup>24</sup>.

Despite their origin, displaced persons in Montenegro share the economic problems of the entire population in Montenegro.

### **3.2.3 Economic situation of internally displaced persons**

The best way to show the economic situation of internally displaced persons in Montenegro is to show the structure of this population in comparison to their work; among the total number of displaced persons from Kosovo, 44.3% are supported persons, while 39.4% are unemployed, making 83.7% of the entire internally displaced population that are without any work engagement. Among this population, 7.6% are temporarily occupied, primarily in the sphere of the grey economy. Only 1.3% of displaced persons work in state-owned companies, while only 0.8% of them work regularly in the private sector. Pensions are received by 6.7% of displaced persons<sup>25</sup>.

According to the heads of households surveyed, the primary source of income for almost half of displaced non-Roma households (47.7%) is the temporary or permanent employment of some household member. For a smaller portion of households (16.7%), pensions represent the primary income. Generally, incomes of displaced persons are irregular, differing from period to period<sup>26</sup>.

Two-thirds (68.6%) of displaced non-Roma households reported that they did not have enough money to pay for food during the month that preceded the survey; 65.9% did not have enough funds to provide for three meals per day<sup>27</sup>.

Roma and Egyptians represent an important part of the internally displaced population in Montenegro (26%). The fact that the majority of them do not speak the local language, along with their lack of education and social exclusion, make this population highly vulnerable. A survey<sup>28</sup> has shown that in 25.9% of cases, the basic source of income for Roma households in Montenegro is the temporary or permanent employment of some household member, approximately one of five households earn their living by collecting and selling various types of rubbish, while more than 15% of the RAE population are beggars.

A significant number of internally displaced persons (76%) believe that discrimination in the employment process does not exist when compared to the local population. Three-fifths are not satisfied with their current living standards, and more than half (55.2%) consider that they fulfill the criteria for receiving social assistance<sup>29</sup>.

### **3.2.4 Accommodation of internally displaced persons**

Whether owning or renting their own apartment or house, or living with friends or relatives, the greatest proportion of displaced persons from Kosovo have found a way to provide their own accommodation. More specifically, 36.9% of the displaced population live in a rented

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<sup>24</sup> Survey on refugees and internally displaced persons, ARC, September 2003

<sup>25</sup> Ibid p 46

<sup>26</sup> Source: Household Survey of Roma, Ashkaelia and Egyptians, Refugees and Internally Displaced Persons in Montenegro, 2003. Despite the fact that these data refer to the entire Roma population in Montenegro, where one-third of them are internally displaced Roma and Egyptians, slight differences in their way of living between domicile and displaced Romas prove the use of these facts in this context.

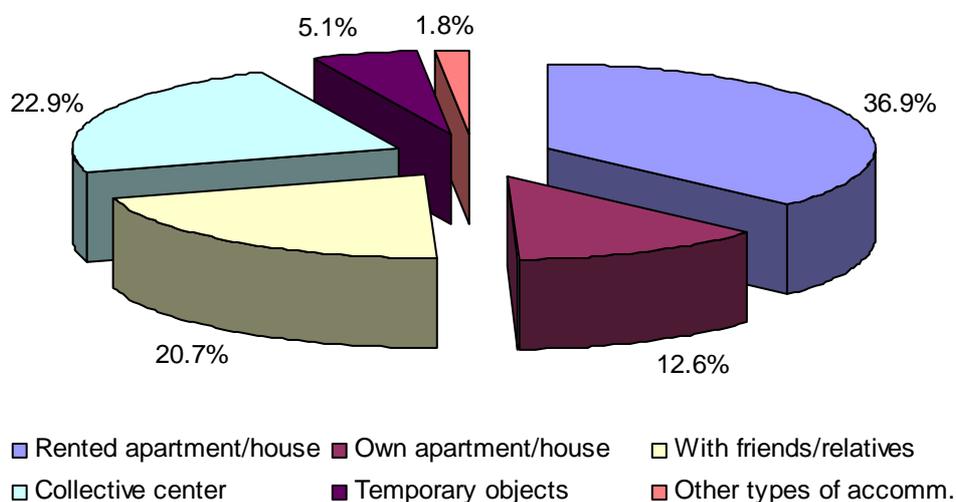
<sup>27</sup> Ibid p 16-31

<sup>28</sup> Ibid p 16-31

<sup>29</sup> Survey on refugees and internally displaced persons, ARC, September 2003

accommodation, 20.7% live with friends and relatives, and 12.6% live in their own house or apartment. One-fifth of the displaced population (22.9%) is settled in collective accommodations in Montenegro.<sup>30</sup>

Graph 9. Overview of internally displaced persons, according to their type of accommodation



Source: Report on registration of displaced persons September 2003

### 3.2.5 Citizenship of internally displaced persons

There are no relevant data that refer to the citizenship of internally displaced persons; however, it is supposed that most of them have Serbian citizenship. There are no data on the citizenship of persons whose origin is from the northwest of Albania (the areas of Vrake and Sqodra) and are staying as internally displaced persons in Montenegro.

<sup>30</sup> Ibid p 41

## **4. ACTIVITIES FOR RESOLVING THE ISSUE OF REFUGEES AND INTERNALLY DISPLACED PERSONS IN MONTENEGRO**

### **4.1 Acceptance and registration, issuing of appropriate documents/identity cards**

During the time of the massive arrival<sup>31</sup> of citizens from the ex-Yugoslav republics, as well as other persons who, because of the proscriptions on national, religious or political basis, abandoned their own residence and came to the Republic of Montenegro (1992-1996), the Law on Movements and the Stay of Foreign People was in force. It defined the issue of refugees from internationally recognized states.

According to this Law (articles 50-60), a foreign person who abandoned the country in which he was a citizen or the one in which he was permanently located as a stateless person, could acquire the status of a refugee in Yugoslavia in order to avoid “proscription because of his progressive political aspirations or national, race, or religious qualification.” Recognition of refugee status had been decided by federal authorities in charge of internal affairs; the refugee was, for a certain time, ensured with necessary accommodation and funds for maintenance and health care, provided from the budget of the federation.

Because of the interest in taking care of the refugees from Bosnia and Herzegovina and Croatia that arrived in the Republic of Montenegro in 1992, the Government of the Republic of Montenegro

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<sup>31</sup> At the end of 1991 and the beginning of 1992 in the territory of Montenegro, there were almost 8,000 displaced persons. By the end of that year, the number increased to almost 60,000; the refugees came mainly from Croatia and Bosnia and Herzegovina. A smaller percentage of them came from Slovenia and Macedonia. The arrival of the great number of refugees was seen as a phenomenon of temporary character. Basic aid was received from the municipal organizations of Red Cross, relatives, friends, all who felt the duty to help people in trouble. The crisis period had different stages, which caused constant changes in the situation, both in the war regions and in the regions where refugees stayed. It was difficult in the various circumstances to establish a functional system of provision assistance.

Huge war operations in Croatia (“Bljesak” and “Oluja”), in August 1995, created a new wave of refugees. In that period alone, 2,000 new people came in Montenegro.

In the middle of 1996 the first registration of refugees was organized. The result of it was that in Montenegro about 30,000 refugees stayed.

The escalation of the crisis in Kosovo (during 1998) opened up more reasons to abandon these places and it increased the arrival of displaced persons, mainly of Albanian nationality, who needed to be settled in appropriate ways. Their registration was done daily: the aim of this was the successful settlement of displaced persons.

After pacification of the situation, at the beginning of 1999 registration of displaced persons, which lasted two months, was organized, but was interrupted by the attacks of the NATO forces on Yugoslavia. During this process, around 19,000 displaced persons were registered.

Bombing caused new movements of the population and not only those from Kosovo, but also of those from Serbia. In that period (May 1999), in Montenegro there were more than 130,000 refugees and displaced persons, from the different regions of ex-Yugoslavia. The Montenegrin population increased for 20%!

After the truce was signed in June 1999, displaced persons of Albanian nationality began their return. In a relatively short time, all those who already had the intention to return did return. However, since that period, again from Kosovo, new waves of those who needed hospitality and housing arrived. Additional registration of the displaced persons was necessary. At November of that year, about 30,000 persons from Kosovo were identified in Montenegro; and for them it was not certain, and in what circumstances, they might come back

After ten years of constant displacements of the population, at the end of 2000 the new registration of refugees in Montenegro was announced. According to the results of this process: at the end of 2000, in Montenegro there were 14,500 refugees, which together with the displaced persons, made a total of 45,000 immigrants.

Registration of displaced persons, done in the middle of 2003, showed that about 18,000 displaced persons who reside in Montenegro acted on registration. The last registration of displaced persons from the ex-Yugoslav republics confirmed the presence of about 8,500 persons who think that they have the status of refugee. Despite the fact that a check of the status has not been done yet, we come to the number of 26,500 displaced persons in Montenegro. That is more than 4% of the total number of inhabitants.

adopted a Decree resolving the issue of displaced persons (“Official Gazette RCG”, 37/92). This Decree defined issues of temporary acceptance, protection, and registration of displaced persons, resolving their status and establishing competencies for several authorities. The competencies of the Commissariat for Displaced Persons of the Republic of Montenegro and the Ministry of Internal Affairs (MUP) were:

- The Commissariat keeps registration of displaced persons, coordinates assistance from other authorities and organizations, takes care of the on-time provider of assistance, provides accommodation and positioning of displaced persons; Commissariat provides conditions for their return to the places they abandoned or to other places defined by the Government, in other words, until their final settlement.
- The MUP adopts decisions about recognition and the loss of status of displaced persons; decides complaints regarding decisions of original jurisdiction; adopts a rule book regarding the identity card displaced persons receive, noting the identity card and other data recorded; and keeps records of submitted requests for the issue of identity cards of displaced persons and adopted decisions.

MUP issued refugee identity cards. The MUP also kept records on: submitted requests for the recognition of status of displaced persons, decisions of recognition of the displaced person’s status, issued identity cards of displaced persons, and the refused requests and decisions regarding the termination of status of the displaced person. According to the existing registrations, 34,307 persons have valid resolutions for the status of being displaced persons as well as identity cards, while 1,747 obtained identity cards from the Republic of Montenegro.

The Commissariat for Displaced Persons issued identity cards for displaced persons. The Commissariat kept records of displaced persons at the time of their arrival in Montenegro. Because the question is whether persons have temporary, and not permanent residence, in Montenegro, and because the Ministry of Interior of the Republic of Serbia dislocated its regional units from Kosovo and Metohija into seven towns of the Republic of Serbia, which now issue personal documents, the authorities of the Republic of Montenegro do not issue those documents to internally displaced persons that reside in Montenegro. However, relevant authorities of the Republic of Serbia, in reference to the UNMIK administration, issue a withdrawal of permanent residence to internally displaced persons from Kosovo and Metohija for Montenegro. This creates an obligation to the Montenegrin authorities that register permanent residence for those persons and issue documents for citizens of Montenegro. With this, such persons “are resolving” their status and are becoming citizens of the Republic of Montenegro.

#### **4.2 Accommodation of refugees and internally displaced persons**

Accommodation of refugees and newcomers was mainly directed toward families. This has become, with time, a huge burden for the households, as well as for the refugees and internally displaced persons. The families that have found themselves in the role of host did not presume that this situation would have such a long duration. Their material exhaustion reached the endurance limit. Disturbances in family relations often appeared, even in the case of close relations. Many refugee and displaced families were forced to move away from relatives and to try to find an alternative solution to their accommodation problem as sub-tenants.

In the territory of Montenegro, collective centers were established as a form of accommodation for the most vulnerable refugee families who did not find other solutions (accommodation with relatives, friends, or rental apartment), and because of that, humanitarian aid was first and directly procured for

them. From the beginning, collective centers were useful solutions for all those that were not able to resolve the accommodation issue in another way. Establishment of collective centers, often because of the difficult situation, became the most efficient way of resolving the issue for the greatest number of persons. At one time in Montenegro, there were over one hundred collective centers. This form of accommodation continues to exist, either as official or unofficial collective centers.

In addition to covering the costs of collective centers, the UN High Commissioner for Refugees provided money for the adaptation of the facilities designed for that purpose and also for their maintenance. The idea of collective centers meant different categories: centers with boarding house services, specialized institutes, homes for students and pupils, and accommodation in the facilities. In the facilities that were built for this purpose, accommodation was only given to those persons and refugee families that satisfied *a priori* defined criteria<sup>32</sup>. An organized residence for refugees was mostly enforced in the coastal region. A willingness to put the facility in use in time turned into contract arrangements for periods of one to three years. Given the fact that the purpose of those facilities was accommodation of tourists during the summer season, it was necessary to provide funds for their reparation. The international organizations provided assistance. Parallel with the organized settlement of refugees, cases of forced entrance into the camp-houses, holiday homes for workers, private objects, etc. often occurred. Some municipalities in Montenegro accepted many more refugees and internally displaced persons than others, which could not be changed in the later phases.

The cost of the collective centers has always depended on the level and type of service that they offer to the refugees and internally displaced persons. Collective accommodation during the whole past period has been an important item in the overall cost of the settlement of refugees and internally displaced persons, but also in the solution of the problem for a lot of families. The capacities of collective centers could not, in every moment, respond to all requests.

#### **4.3 Procurement of humanitarian and social aid**

The inflow of refugees and internally displaced persons in Montenegro since 1992 has opened up the resolution of their social status and procurement of humanitarian aid issues. There is no precise data on the economic position and social status those persons held in their prior residence, which they were forced to abandon to look for safety in Montenegro. According to the rule, because of the situation in which they were forced to urgently abandon their homes, in Montenegro these persons were treated as persons in a situation of social need, as socially endangered persons, without funds for their life and the possibility to maintain themselves on their own. This status ensured them appropriate organized social help and protection, regardless of where they came from, their nationality, etc.

After their acceptance, the state of Montenegro ensured equality to the refugees and displaced persons with the citizens of Montenegro, regarding the conditions of their education, health care, employment, possibilities to run their own business, etc. At the beginning, the Government of Montenegro identified sources of funds from which were financed costs of the settlement of displaced persons. Help in food, clothes, shoes, and other necessary goods, was mainly received by the international, and much less from the domestic, humanitarian organizations. Certain aid was received from the emigrants and Montenegrin citizens that live abroad. The Red Cross of Montenegro did receive and distribute the aid, through its municipal organizations, according to the

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<sup>32</sup> Criteria mainly included: the age of the displaced persons, material endangerness, number of household members, etc. In the process of defining criteria and assessing the requests, the Commissariat for Displaced Persons and international organizations that finance facility's construction are involved.

decision of the Government from 1993, which officially nominated the Red Cross of Montenegro as implementer of humanitarian activities in the Republic.

Table 4. *Overview of goods that were sent and received by the Red Cross in the period 1993-2003*

ARTICLE	DISPLACED PERSONS	REFUGEES	SOCIAL CASES	INSTITUTIONS	TOTAL	UNIT
FLOUR	29,234,339	5,973,003	12,244,012	240,091	47,691,445	Kg
BEAN	1,915,416	598,331	967,477	40,000	3,521,224	Kg
OIL	2,048,580	595,833	1,007,369	26,326	3,678,108	Kg
SUGAR	1,915,201	594,627	797,031	66,550	3,373,409	Kg
OTHER FOOD ARTICLES (leavening, salt, pasta etc.)	3,802,618	839,460	1,097,906	67,899	5,807,883	Kg
DIFFERENT TYPES OF CONSERVES (meat, pasta, half- prepared meals etc.)	265,550	93,861	449,095	0	808,506	Pieces
HYGIENIC AND BABY PACKETS	238,350	38,757	40,730	2,425	320,262	Pieces
HYGIENIC ARTICLES (soaps, detergents etc.)	877,894	23,083	340,987	10,092	1,252,056	Pieces
EQUIPMENT FOR THE HOUSEHOLD (beds, mattresses, sheets, kitchen kits, etc )	609,767	1,432	25,080	5,059	641,338	Pieces
CLOTHES (new and second hand)	39,088	4,834	0	0	43,922	Box

Source: Red Cross of Montenegro, 2004

International humanitarian aid for the refugees began to arrive in the autumn of 1992, when in Montenegro there were more than 50,000 refugees. Humanitarian aid of the international community for displaced persons in Montenegro was distributed through different channels. The International Committee of the Red Cross and the International Federation of Red Cross and Red half-moon sent the first dispatches in smaller quantities. Since September 1992, when the office of the UN High Commissioner for Refugees was established in Podgorica, there has been a continuous inflow of significant humanitarian aid in food, clothes, shoes, and hygienic products. By that time, there was an assortment of other necessary forms of aid also provided, such as medicines and other medicaments, heating-oil and coal for the heating of collective accommodations, different types of equipment, etc. The number of humanitarian organizations that established their representatives in Montenegro and involved themselves in the distribution of humanitarian aid increased.

The Commissariat for Displaced Persons of Montenegro had record of the number of registered refugees and was responsible for sending them the aid received from international organizations. The international organizations first contacted the Commissariat and the Commission for humanitarian issues of the Government; that Commission, with one representative of the Commissariat, had weekly and often daily sessions. The Commissariat for Displaced Persons, the Red Cross, and international organizations monitored the dynamics of providing help.

The 1998 war in Kosovo caused inflows of displaced persons in Montenegro, which was particularly evident in 1999 because of the NATO intervention. During 1998, international humanitarian organizations returned to the territory of Montenegro and rendered assistance. In the beginning, displaced persons were typically of Albanian nationality, and later Serbian, Montenegrin and Roma populations from Kosovo began to arrive; because of the strengthened NATO attacks, the population from Serbia also began to arrive in Montenegro and they also acquired the status of displaced persons. International organizations were linearly providing aid for all registered displaced persons in food, clothes and accommodation in facilities in the coastal region. During this period, aid was oriented toward displaced persons to a much greater extent than to refugees, who received limited aid in food articles from the World Food Program.

The presence of numerous international humanitarian organizations often created an unrealistic picture of the quantity and content of humanitarian aid. Some humanitarian organizations did not equally treat refugees and displaced persons and, sometimes, national groups within the overall population as well. They were selective in their focus of humanitarian activities, some providing only to the internally displaced population, or to the refugees, some to the Albanian population, or the Roma population, even though their vulnerability should be measured by social, instead of national parameters. Nevertheless, the humanitarian aid that Montenegro gathered and distributed to refugees and internally displaced persons was diverse, although dependent on donor programs.

Since 2000, pacification of the situation in Kosovo has brought a significant reduction in international humanitarian aid. Of those international humanitarian organizations that continued their activities in Montenegro, the criteria for assistance was assigned less according to need and much more according to disposable budgets.

#### **4.3.1 Accommodation for refugees and displaced persons in social and health care institutions**

The Republic of Montenegro provided special accommodation assistance for refugees and internally displaced persons in special institutions. According to data provided by the Ministry of Labor and Social Care:

- In the elderly home “Grabovac” in Risan, 24-54 displaced adult and elderly persons were settled per year in the period from 1994 to 2003. Twenty-five displaced persons were housed in this institution in January-March 2004.
- In the children’s home “Mladost” in Bijela, 20-29<sup>33</sup> children per year were settled in the period from 1995 to 1999. Nine children were housed in this institution in January-March 2004.
- In the Institute for Education and Rehabilitation of Mute and Deaf Children in Kotor, 12 to 17 children per year were housed in the period from 1996 to 2001. Five children were settled in this Institution between January-March 2004.
- In the Institute for Education and Professional Rehabilitation of Invalids in Podgorica, three refugees and internally displaced children/young persons were settled.<sup>34</sup> None were settled in this Institute in 2004.
- In the Special Institute for Children and Young Persons in Podgorica, six displaced children and adults<sup>35</sup> were housed in the period from 1996 to 2003. Seven persons were housed there in January-March 2004.
- In the Institute for the Upbringing and Education of Children and Young Persons in Podgorica, there were between 2 to 22 displaced young persons settled there from 1991 to 2003. There were no children or young persons settled there in 2004.
- Two displaced children were settled in the Center for Education and Enabling in Podgorica from 1999 to March 2004. There are no displaced children at the Center at the moment.
- The Institution for Holiday and Recreation of Children "Lovćen – Bečići" in Cetinje, accommodated and provided social and health care to refugee and internally displaced children.
- At the moment, 45 persons are settled in the psychiatry center in Dobrota.

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<sup>33</sup> Younger than 18

<sup>34</sup> Aged 18 to 26

<sup>35</sup> Older than 26

#### 4.4 Health insurance

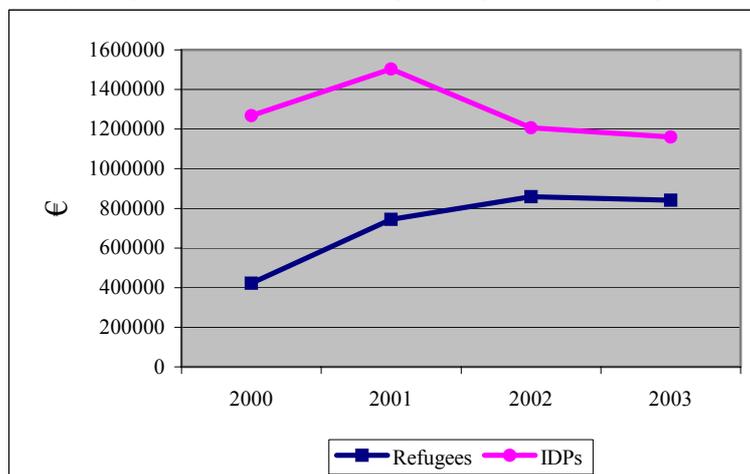
Health care represents an assembly of measures and activities regarding maintenance, protection and improvement of health, prevention and suppression of disease and injury, early detection of disease, on-time treatment, and rehabilitation.<sup>36</sup>

Since the beginning of the destabilization of SFRJ (1990) until today, public health providers in Montenegro offered health services to refugees and displaced persons under the same conditions as Montenegrin citizens, who are insured by the Health Fund. Despite the fact that refugees and displaced persons in Montenegro do not have health insurance, and because of that are not in possession of health booklets, health care was offered to those persons and now is also offered on the basis of their identity cards, which are issued by the Ministry of Internal Affairs (for refugees) and the Commissariat for Displaced Persons (for internally displaced persons).

Health care expenditures of Montenegrin citizens are totally or partially covered by health insurance that pays a single person, or in the case of unemployed persons the state, while the budget for covering the costs of health care for refugees and internally displaced persons does not have its revenue side.<sup>37</sup>

In the period from 1992 to 1997, the part of the funds used for covering health care expenditures was refunded to the public health providers in Montenegro from its Federal budget. In the period from March 6, 1999 to March 1, 2000, international organizations provided part of the aid for the health sphere through grants. However, expenditures were not totally covered with the acquired resources and the difference was covered from the budget of the Republic Health Fund, which in one part is financed from contributions from the salaries of employed persons in Montenegro and in the second part from the budget of Montenegro.

Graph 10. *Treatment costs of refugees and internally displaced persons in the period 2000-03*



Source: Health Fund of Republic of Montenegro

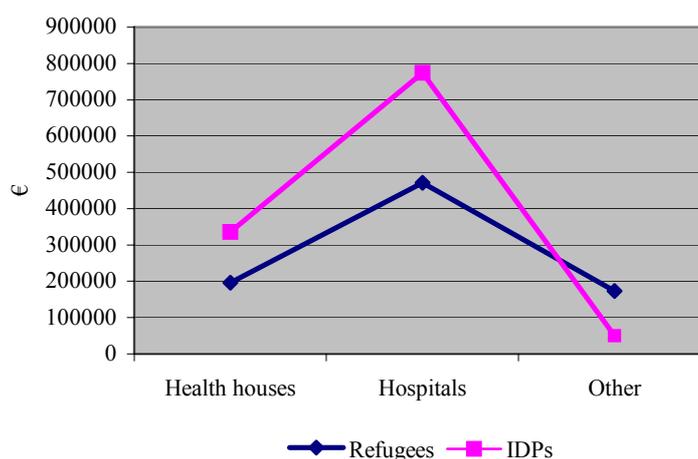
In 2003, overall expenditures for the health care of displaced persons amounted to about 2 million euros, from which 58% of the expenditures were for the treatment of internally displaced persons, while the rest was intended for the social care of refugees in Montenegro.

<sup>36</sup> Law about health care, article 1 - Official Gazzete 39/04 RCG.

<sup>37</sup> Source: Health Fund .

The overall health care expenditures for Montenegrin citizens, displaced persons and refugees in 2003 amounted to approximately 97 million euros. The share of health care expenditures for refugees and displaced persons in overall expenditures for 2003 was 2.1%, while for the first five months of 2004 their share was 1.7%.<sup>38</sup> The average health care expenditures for refugees and displaced persons in 2003 amounted to € 63.83. Individually, the average costs for refugees amounted to € 63.22, € 64.29 for displaced persons, and € 144.5 for Montenegrin citizens.

Graph 11. *Changes during 2003 in the treatment costs of refugees and internally displaced persons, depending on the type of provider where treatment was received*



Source: Ministry of health of Republic of Montenegro

#### 4.5 Involvement of refugees and internally displaced persons in the educational process

Since the beginning of the refugee arrival in Montenegro, the Ministry of Education has constantly involved them in the regular formal educational system<sup>39</sup>. Because of that, the Ministry of Education adopted particular regulations to make the involvement of refugees in the educational process in Montenegro easier, which would provide continuation of their education. Refugees are allowed to participate in the educational process without the documentation that is normally necessary for further education. Since there had already been a migration of the domestic population from the northern region into the central and southern parts of Montenegro, the arrival of refugees additionally burdened the capacities of already full schools in the central and southern parts of the Republic.

#### 4.6 Other issues

Citizenship problem, as a consequence of the destabilization of ex-SFRJ, hit a lot of citizens, both the refugees and the citizens who lived in Serbia and Montenegro. It also affected citizens whose parents moved from other republics of the ex-joint state and who were in accordance with the once valid rules inscribed in the books of citizens where their parents were born, especially the fathers.

The citizens of the republics of ex-SFRJ acquired Yugoslavian citizenship in different ways, depending on whether they acquired their permanent residence in the territory of SRJ before or after

<sup>38</sup> The share of refugees and displaced persons in the overall population of Montenegro is 4%.

<sup>39</sup> The percentage of refugee households with members that attend some educational institution in Montenegro is somewhat higher and amounts to about 50% in comparison to the same related to internally displaced persons (37%). About 15% of refugees and 28% of internally displaced persons have no possibilities to cover the costs of education, which they state as a main reason of exclusion from the education process. Lack of motivation for further education is a greater problem among internally displaced persons (22.4%) than refugees (3.5%), while 10% of internally displaced indicate a language barrier as a reason for not getting an education.

April 27, 1992, when the Constitution was promulgated. These provisions gave broad discretionary powers to the authorities who were competent to make decisions about the citizenship of those refugees who acquired permanent residence in the territory of SRJ after April 27, 1992. Timing was decisive for the way Yugoslav citizenship was acquired, but a significant number of displaced persons got Yugoslav citizenship (citizenship of Republic of Serbia, or citizenship of Republic of Montenegro). However, the relevant federal authorities who enforced decisions never informed the authorities in Montenegro of the number of displaced persons from Montenegro who were given citizenship.

Likewise, a certain number of citizens of republics of former Yugoslavia came to Montenegro before adopting the Decree on Resolving Issues of Displaced Persons (1992 and earlier). According to regulations of that time, these persons registered residence in Montenegro, obtained a personal ticket (with designation of former Yugoslavia), and became Montenegrin citizens. In fact, they were refugees, but refused to have the status of displaced persons in Montenegro, so they completed the conditions for obtaining Montenegrin citizenship (in terms of years living in Montenegro) and expressed their own will. In this way, Montenegro naturalized a significant number of displaced persons who expatriated from their country of origin and came to Montenegro.

In Belgrade, on October 29, 2002, the Federal Republic of Yugoslavia and Bosnia and Herzegovina concluded a Contract about double citizenship. According to this contract, a citizen of one country from the contract may acquire citizenship of the other one without termination of their earlier citizenship, provided the following conditions are met:

1. that the person has registered residence for a duration of three years in the territory of the country from the Contract whose citizenship he wishes to acquire; or
2. has registered residence of at least one year if he is married to a citizen of the other country from the Contract; or
3. is married to a citizen of the other country for at least three years, while residing abroad.

Enforcement of this Contract in Montenegro would mean that all displaced persons from Bosnia and Herzegovina who have temporary residence in Montenegro should get Montenegrin citizenship, if they want to. The substance of the Contract excludes the right of the Republic of Montenegro to define how one should acquire its citizenship; it allows resolution of issues of displaced persons only through naturalization.

There is no contract regarding double citizenship signed with the Republic of Croatia.

## **5. ACTIVITIES IN FINDING DURABLE SOLUTIONS**

### **5.1 Repatriation of refugees and return of internally displaced persons to Kosovo and Metohija**

Organizations that helped in the return of refugees and internally displaced persons in Montenegro are: United Nations High Commissioner for Refugees (UNHCR), American Refugee Committee (ARC), International Catholic Migration Committee (ICMC), International Organization for Migrations (IOM), Swiss Department for Cooperation – humanitarian-legally office (SDC-HLO), Movement for Peace, Disarmament and Liberty (MPDL) and others. The American Refugee Committee (ARC) and International Catholic Migration Committee (ICMC) have been the two most active organizations involved in return programs of refugees from Montenegro to their previous permanent residence during the period beginning in 2000 to March 2004.

The International humanitarian organization ARC, under the patronage of UNHCR, returned about 2,310 refugees and internally displaced persons from Montenegro to their previous permanent residence. ICMC helped to return 4,466 persons from Serbia and Montenegro to their pre-war homes in Croatia, Bosnia and Herzegovina, and Kosovo. In addition to the return, these organizations also provided visits of refugees to their countries of origin in order to make them certain about their property conditions, as well as the safety of their return.

According to data from the Ministry of Internal Affairs of the Republic of Montenegro (MUP), 2,029 persons from Montenegro asked for termination of their status as displaced persons upon returning to Bosnia and Herzegovina or Croatia. According to the MUP's information, a certain number of displaced had already returned to their previous permanent residence, but they did not inform the Ministry's subsidiary in which they were registered as displaced persons. These persons, despite the fact that they have lived outside of Montenegro for many years, still have the status of displaced persons. It's possible that displaced persons did not ask for termination of their status in Montenegro because of their desire to reserve certain rights in their country of origin as well as to reserve certain rights in Montenegro (possibly to acquire Montenegrin citizenship).

Experience has shown that a lot of refugees realized their return only in formal manner, in order to obtain return of property, pension and other rights from employment (labor relations). However, after assuming certain rights, they went back to Montenegro. In such conditions of return, refugees mainly lived either with no documents or with documents they acquired in their previous permanent residence. Additionally, the return of refugees and internally displaced persons is conditioned with the return of pre-war rights these persons enjoyed in the countries of origin (right to return property, right to retirement, social and disability insurance, right to return tenancy rights, right to repair damaged property, etc.).

In Bosnia and Herzegovina, with the assistance of ARC, 357 houses and apartments were reconstructed, 602 dwelling houses were returned, and 15 visits of federal, cantonal and municipal authorities were organized in Montenegro. There were also meetings between refugees and representatives of the Government of Montenegro and UNHCR. In Croatia, with the assistance of ARC, 57 requests for return of houses were submitted and 8 of them were returned. Ninety-nine requests for reconstruction were submitted and 7 requests were granted.

#### **5.1.1 Repatriation to Croatia**

American Refugee Committee (ARC), under the patronage of UNHCR and other donors, returned from Montenegro 307 persons to Croatia. In addition, ARC recently organized visits for 968 persons to Croatia. Between May 15, 2000 and May 15, 2003, ICMC, with its program IMRA (Individual Minority Return Assistance), returned from Serbia and Montenegro 1,306 refugees to Croatia.

UNHCR, in conformity with adopted Amendment and with the approval of Croatian authorities, organized informative campaigns about the return of property in the period October–December 2002 and provided help for interested persons to register for the return of property. From Serbia and Montenegro, 2,021 requests for the return of refugee's property were collected and delivered to Croatian authorities. The process of making decisions regarding the requests is still in progress.

The current procedure for reconstruction of facilities has been regulated by the Reconstruction Law since 1996. The Government of Croatia estimated approximately 195,000 dwelling facilities damaged during the war, of which, 110,000 were reconstructed by the Government and 5,000 were reconstructed by the international community. The greater portion of dwellings that were reconstructed by the Government of Croatia were owned by displaced Croatians, but the goal of the international community was the return of minorities. In 2001, UNHCR in Serbia and Montenegro organized huge informative campaigns aimed at warning refugees from Croatia about the deadline for submitting requests for the reconstruction of facilities as established by the Government of Croatia on December 31, 2001. More than 17,000 requests were collected and addressed to the Croatian authorities. According to the submitted requests, 57,000 refugees obliged themselves, under the threat of penalty for giving false statement, to return to Croatia if their houses are repaired.

At the end of 2001, the Government of Croatia estimated about 30,000 unsolved requests for reconstruction of facilities (including 17,000 collected in Serbia and Montenegro). For the 2002-2003 construction season, the Government of Croatia provided funds for the reconstruction of 10,000 facilities (from which about 7,000 are in category 4-6 and will be completely reconstructed, while about 4,000 are in category 1-3 and will be repaired through self-help programs). For the 2004 construction season, it will be difficult to make 1,000 individual decisions for the reconstruction of facilities because some facilities are matters in dispute, or are not registered in cadastre, or are in the process of succession. Because of this, the Croatian Minister for Reconstruction and UNHCR tasked SDF (Serb's Democratic Forum) to provide legal assistance to applicants and manage the process until the resolution is adopted and the contract is signed. The remaining 20,000 dwelling facilities should be repaired in the coming years, but it is not realistically expected to be completed before the year 2005-2006.

### **5.1.2 Repatriation to Bosnia and Herzegovina**

Presence of the international community in Bosnia and Herzegovina created much more favorable conditions for the return of refugees. Since the beginning of 2000 until March 2004, ARC, under the patronage of UNHCR and other donators, returned 1,457 persons to Bosnia and Herzegovina and organized visits for 569 persons from Montenegro. In that period ICMC returned 1,875 refugees from the territory of Serbia and Montenegro.

Commission for Refugee's Property Claims – CRPC<sup>40</sup> finished its activities at the end of 2003. The authorities and institutions of Bosnia and Herzegovina took over its function and responsibilities.

The Labor Law, adopted on November 5th 1999, and amendments to this Law established cantonal commissions, which are involved in the process of regulation of labor-legal status, and the Federal Commission, which makes decisions on the complaints of persons waiting for a job. February 5th 2000 was the deadline for submitting requests for return to work, and May 5th 2000 was the deadline for actually returning to work or for answering those requests. After that date, if the person waiting for a job is not invited to work, labor-legal status is ceased; but despite that, the person has the right to receive severance pay. Instead of cash compensation, the person who was waiting for a job and the employer may agree on another form of severance pay. Very little was done with this; namely, from

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<sup>40</sup> In accordance with VII Dayton's Agreement, this commission had mandate for making decisions, that confirm tenancy rights.

the total number of submitted requests for regulation of the rights from employment (labor relations), only 5% were regulated<sup>41</sup>.

The Labor Law of the Republic of Srpska (“Official Gazette of Republic Srpska,” No 38/2000), provided a deadline of February 16, 2001 for submitting requests to obtain the right to receive severance pay for those employees that were illegally dismissed during the period between December 31, 1991 and November 11, 2000. The level of severance pay does depend on the employee’s length of service and falls somewhere between 1.33 and 3 times the average salary in the Republic of Srpska over the last three months since the employee’s right to receive severance pay was acknowledged. The average salary data is taken from is Republic Statistics Bureau.

The general opinion is that the Labor Law of the Republic of Srpska should be consistent with Annex VII of Dayton’s Agreement, in other words with the Constitution of Bosnia and Herzegovina, European Convention about human rights, and other international documents, which would create conditions for all those whose employment ceased between December 31, 1991 and November 11, 2000 to return to their job. This is very important since one of the vital prerequisites for the return of persons to their pre-war permanent residences is the possibility of employment.

### **5.1.3 Return to Kosovo and Metohija**

From the beginning of 2000 until March 2004, ARC, under the patronage of UNHCR and other donors, returned 546 displaced persons and organized visits for 848 persons from Montenegro. In the same period, the organization ICMC helped to return 1,285 internally displaced persons from Serbia and Montenegro.

The Housing and Property Department (HPD) and Housing and Property Claim Commission were established according to the UNMIK’s Decree number 1999/23 on November 15<sup>th</sup> 1999. The activities of HPD and HPCC are regulated with UNMIK’s Decree number 2000/60 established on December 31st 2000. According to this Decree, HPD is in charge of regulation of housing and property issues in Kosovo and Metohija, as well as settling disputes related to housing property. HPD passes to the Housing and Property Claim Commission (HPCC) all the requests they are not able to decide.

HPD may be contacted by persons, if before March 24<sup>th</sup> 1999, they:

- were holders of tenancy rights, legal holders or the owners of a house or apartment, who forfeited their rights because of discrimination;
- concluded a sale contract, but the contract could not be notarized in front of an authorized court as it was prohibited by law at the time;
- were holders of tenancy rights, legal holders or the owners of a house or apartment, but whose legal property are now occupied by persons who moved in illegally or in a situation where the management of the property was out of their will.

Documents that prove an individual’s ownership of concrete real estate are submitted to the HDP personally or through authorized persons. Proxy must be notarized by the court.

HPCC decides on the removal of illegally moved in persons and management of the property. They keeps records of informal concluded sale contracts in the public registers, without payment of turnover tax, return of property, cash compensation, and whether or not tenancy rights were violated due to discrimination or other factors.

In contrast to the right to return of property, the right to repair damaged property is not regulated in Kosovo and Metohija. This means that persons with damaged property have to find their own foreign

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<sup>41</sup> Source: American Refugee Committee

NGOs that are in possession of capital goods and have programs that provide repair of damaged property.

## 5.2 Local integration

In order to facilitate the position of displaced persons, Montenegro enabled many rights in line with the rights of its citizens, like employment, health protection, education, freedom to move, etc. Refugees and internally displaced persons consider their status significantly different as compared to other countries, which made the local integration process happen spontaneously. They are certain that they cannot expect anymore than what belongs to them, having in mind their status in other countries and understanding the limitations of their freedom. In Montenegro, they have significantly different attitude towards status possibilities because they always consider themselves as a part of society, and are very injured when they come across a formal limitation.

### 5.2.1 Employment of refugees and internally displaced persons

In the previous period, economic activity of Montenegro was characterized with high participation of the gray economy (in the time of wars, UN sanctions, and the closed economy, the estimated gray economy reached a level of 40%). Because of the global economic crisis that overtook Montenegro, the possibility of employment was very low, both for domestic citizenship and for displaced persons. This forced many to look for sources of income in the gray economy.

By 2002, with the passing of a new Employment Law, the status of displaced persons regarding employment was the same as that of residents. Displaced persons could find employment without exception; working booklets were issued to displaced persons at the municipality level by the Secretariat of Labor or Secretariat of Social Services (depending on the name of the organizations in the municipality). Table 5 shows the data of working permits issued in 2002 and 2003:

Table 5. *Number of issued working permits*

	2002	2003
Persons with refugee identity card		
Bosnia and Herzegovina	75	40
Croatia	13	28
Republic of Srpska	1	20
<b>Total</b>	<b>89</b>	<b>88</b>
Persons with passports		
Bosnia and Herzegovina	16	32
Croatia	4	2
Republic of Srpska	12	3
<b>Total</b>	<b>32</b>	<b>37</b>

Source: Employment Fund

Since 2002, refugees have been requesting permission to work from the Employment Fund, and after receiving permission to work, they request working booklets from the municipal secretary. Therefore, since 2002, the condition to get working booklet is possessing permission to work from the Employment Fund. Data on the number of internally displaced persons who were employed does not exist, as they are not separately recorded in the Employment Fund. According to data from the Employment Fund, 89 permissions to work had been issued to persons with a refugee identity card in 2002. In 2003, 88 of them were issued.

According to data provided in table 5, a relatively small number of refugees work. On the other hand, according to data on the number of working booklets issued by the municipality, 246 working

booklets were issued to refugees and displaced persons from 2002 to March 2004.<sup>42</sup> Table 6 contains data on the number of working booklets issued, by municipality, from 1991 to 2004. According to the available data<sup>43</sup>, the highest number of issued working booklets to refugees and displaced persons was in Bar (1059 out of 2654), and the lowest was in Plav (only 1).

Table 6. *Working booklets issued to refugees and IDP by municipalities*

	Total	2004	2003	2002	2001	2000	1999	1998	1997	1996	1995	1994	1993	1992	1991
Podgorica <sup>44</sup>	132	4	56	22	16	34	-	-	-	-	-	-	-	-	-
Niksic	250	0	1	2	9	13	7	11	36	46	70	17	30	8	0
Herceg Novi	918	2	22	2	14	30	27	50	116	237	305	61	52	0	0
Kotor															
Budva															
Bar	1059	8	48	46	67	104	66	92	121	228	114	54	56	55	0
Berane	36	0	4	2	0	1	0	5	0	8	1	7	8	0	0
Bijelo Polje															
Pljevlja															
Mojkovac	30	0	0	0	0	3	3	5	1	3	4	5	4	2	0
Pluzine	24	0	0	0	0	0	0	1	0	6	5	4	8	0	0
Zabljak	53	1	3	1	3	4	1	2	2	6	7	7	9	7	0
Plav	1 <sup>45</sup>														
Andrijevica	10 <sup>46</sup>														
Tivat															
Ulcinj	30	4	4	2	11	7	2	0	0	0	0	0	0	0	0
Cetinje	11	0	0	0	0	0	0	1	0	2	1	1	2	4	0
Savnik	2					1				1					
Danilovgrad	98	2	6	4	5	6	2	8	5	12	5	12	15	13	3
Kolasin															
Rozaje															
<b>Total</b>	<b>2654</b>	<b>21</b>	<b>144</b>	<b>81</b>	<b>125</b>	<b>203</b>	<b>108</b>	<b>175</b>	<b>284</b>	<b>549</b>	<b>512</b>	<b>168</b>	<b>184</b>	<b>89</b>	<b>3</b>

The New Employment Law defines an unemployed person as a person between the ages of 15 and 65, who is registered with the Employment Fund and actively seeks employment; or as a person who is a foreign citizen or person without citizenship but has permission for permanent stay and work in Montenegro. According to this definition, displaced persons cannot be treated as unemployed because they do not have permanent residence in Montenegro. However, displaced persons can be employed in Montenegro. Box 1 contains details regarding the possibility of employing foreign citizens in Montenegro. The new Employment Law allowing work of foreigners was adopted in mid February 2004.<sup>47</sup>

**Box 2. Permissions for establishing labor relation**  
(Official Gazette I. SFRJ 11/78, 64/89 and OG. I. SRJ 42/92)

Permissions for establishing labor relation with foreign persons are issued by the Employment Fund of Montenegro

A foreign citizen can establish labor relation:

- with permission for permanent residence (for temporary stay in SRJ) if he/she obtains permission for establishing labor relation,
- without permission for establishing labor relation and without public announcement, if he/she has approval for temporary stay or permanent residence in SRJ and if the work relation is established for carrying out technical jobs that are specified in the contract for business (e.g., technical cooperation, long term production cooperation, technology transfer or foreign investments).

<sup>42</sup> These data do not include all municipalities.

<sup>43</sup> All municipalities did not provide data about number of issued working booklets.

<sup>44</sup> Data about number of issued working booklets in Podgorica before 2000 are not available

<sup>45</sup> There is no information about the year of issuing working booklet

<sup>46</sup> Nine refugees do not know the year of issuing, and one for internally displaced person was issued in 2003

<sup>47</sup> Law comes into force six months from publishing in Official gazette. Until then current regulations are applied.

Permission for establishing a labor relation is issued for the period of their valid permission for permanent, that is, temporary stay. For foreign citizens who have permission for permanent residence in SRJ, permission for establishing a labor relation is issued for the same period of their valid permission for permanent stay. For a foreign citizen who has permission for a temporary stay in SRJ, permission for establishing a labor relation is issued for a period no longer than the valid permission.

According to the new Law on Employment and Work of Foreigners: “A *foreigner can be hired, in other words can conclude a labor contract, if he/she has permission for temporary residence, that is temporary stay in Republic and if he/she gets a work permit (article 2.)*.” A work permit is the document in which an employer can offer a work contract or a special contract to a foreigner. A work permit for a foreigner is issued by the Employment Fund of Montenegro. The Government of Montenegro decides, based on its emigration policy, the conditions and movement of the labor market, including the annual number of foreign work permits (quota) it issues.

In the beginning of May 2003, the Government of Montenegro adopted a Decree of employing non-resident persons. According to this Decree, a tax system was determined for employers who engage non residents in Montenegro in activities in which profit is made. The employer has to submit an application to the Employment Fund, explaining why he wants to hire a non resident. If the request is approved, the employer has to pay 2.5€ for each day of work engaged by the non resident (1.25€ if the non resident is engaged in agricultural activity). The employer also has the responsibility to pay the minimum guaranteed salary to employees which is 60€ per month, as well as other taxes if they are applicable (tax is not paid for the first 600€ of salary). With regard to expenses of treatment, the employer has the obligation to cover them only if an employee gets injured at work. The final goal of adopting this Decree was to reduce the gray economy through legalization of working conditions.

According to survey data<sup>48</sup> in July 2003, 26.8% of refugees reported working activity. Just 10.8% of Roma and Egyptians (including domestic Roma) reported working activity, while 24.3% of the non-Roma internally displaced persons reported to work. According to the survey, the unemployment rate for refugees and internally displaced persons is higher than for residents. The unemployment rate of refugees and internally displaced non-Roma persons stands at 32.5%, while the unemployment rate of Roma in Montenegro stands at 43.3%<sup>49</sup>.

Two humanitarian organizations provide general and employment assistance to refugees and internally displaced persons. They are Alter Modus, an organization based in Podgorica, and HELP Montenegro, a German organization. They provide assistance primarily by means of offering credit lines (micro credits) for start-up of businesses.

In 1999, Alter Modus launched a credit program for refugees, and in 2001 launched the same program for internally displaced persons. Alter Modus then extended the program to include those who meet the specified criteria, of which social vulnerability is the most important criterion. To qualify for the program, the following criteria must be satisfied:

- Social vulnerability must be established (the maximum monthly household income was determined based on official reports of average cost in Montenegro);
- Potential client must be an active participant for the proposed business activity;
- Potential client must have completely repaid any previous credit or loans for business activities from other credit organizations or bank;
- Total number of full-time employees, including potential clients, cannot exceed 5.

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<sup>48</sup> Source: Household Survey of Roma, Ashkaelia and Egyptians, Refugees and Internally Displaced Persons in Montenegro, 2003.

<sup>49</sup> Data from July 2003. Unemployed is a person age 15 to 65, who does not work but is prepared to work if given the chance. Unemployment rate for Roma population includes domestic Roma. It is supposed that unemployment rate of displaced Roma is higher considering the fact that they do not speak the local language well.

There are two types of credit that the organization offers to its clients: basic product and loans for expansion of activities. According to Alter Modus, from 1999 to 2004, the total number of micro credits distributed was 2,630, totaling 3.69 million euros. Of the total credits, 2,286 were approved for refugees and 344 for internally displaced persons.

**Table 7. Number of approved loans to refugees and internally displaced persons (1999-2004)**

	Refugees		Internally displaced persons	
	Number of loans	Value of loans in €	Number of loans	Value of loans in €
1999	179	158,575.00	0	0
2000	605	650,390.00	0	0
2001	568	769,398.00	80	82,831.00
2002	477	829,855.00	114	136,470.00
2003	363	648,810.00	102	149,450.00
2004	94	192,200.00	48	75,250.00
<b>Total</b>	<b>2.286</b>	<b>3,249,229.00</b>	<b>344</b>	<b>444,001.00</b>

Source: Alter Modus

The average amount of an approved loan for refugees was 1,421€ and the average amount for internally displaced persons 1,290€. The lowest amount of loan for both groups was 500€, while the maximum amount of loan for refugees was 7,500€, and 5,000€ for internally displaced persons. The largest number of loans approved for refugees was in the area of trade (1,084), followed by service (805), while when it comes to internally displaced persons the most loans were approved for services.

Refugees and internally displaced persons are high-priority groups among other Alter Modus clients. Alter Modus plans to continue their credit program.

**Table 8. Distribution of approved loans according to activities**

	Refugees		Displaced persons	
	Number of loans	Value of loans in €	Number of loans	Value of loans in €
Agriculture	118	137,684.00	8	9,084.00
Cattle growing	101	121,830.00	54	67,110.00
Production	178	232,304.00	18	23,227.00
Services	805	1,126,529.00	166	213,760.00
Trade	1.084	1,630,883.00	98	130,855.00
<b>Total</b>	<b>2.286</b>	<b>3,249,229.00</b>	<b>344</b>	<b>444,001.00</b>

Source: Alter Modus

HELP Montenegro is another humanitarian organization actively implementing a number of projects to help refugees and internally displaced persons, among which are:

- 1. Recycling in Montenegro** (November 2001-May 2002) – This was a program financed by the Humanitarian Fund of European Union (ECHO). The purpose of this program was to improve the life conditions of displaced persons, focusing on Roma households. The program allowed participants to collect and sell secondary raw materials to recycle centers in Podgorica for profit, and in so doing, create a means of income. During this period, HELP achieved its goal by establishing a system for collecting secondary raw materials and enlarging recycling capacities in cooperation with the public utility company. During this period, recycle stations were started, many of which still operate under the supervision of the public utility company.

- 2. Improvement of measures for self-employment of socially vulnerable groups, especially single mothers, minorities (Roma) as well as refugees and internally displaced persons-** (July 2001- January 2002). This project was financed by the Ministry of Foreign Affairs of the Federal Republic of Germany. The main goal of the program was to provide income-producing materials to socially vulnerable refugees and internally displaced persons (average amount for an applicant was 1600 DM<sup>50</sup>). The goal was to create a mechanism for independent preservation of families. In total, 256 families received assistance in the form of tools for production (e.g., fishnets, sewing machines, hardware, etc). By the end of 2001, 85% of the target group was making an average income of 300-500 DM from the assistance they received. The majority of recipients were involved in craft making as opposed to being in the service and agriculture sectors. In May 2003, HELP restarted this program with the support of the Government of the Federal Republic of Germany through the Stability Pact for Southeast Europe. Since then, a total of 85 families have received assistance, averaging 800€ per family. The recipients were obligated to pay back in cash 15% of the value of the received materials. They also had to commit to 10 hours of community work for the development and assistance of other community projects. The third cycle of the program is taking place at this time. The maximum credit amount is set at 950€. The plan is to have about 100 participants. The local partner involved in this project is the Agency for Small and Medium Enterprise Development.

### 5.2.2 Health care

Between 1991 and 2003, the Republic of Montenegro provided health care to refugees and internally displaced persons through the Ministry of Health. The CDC<sup>51</sup> also organized international health care support for the most vulnerable persons by provisional help devices, medical operations, and medicine. Displaced persons enjoyed complete health care support during this period. The following table presents an overview of health care expenses of displaced persons for the given period. Detailed data regarding the types of examinations provided is not available.

Table 9. *Overview of Health Care Expenses for Displaced Persons (2000-2003)*

Year	Refugees	Internally displaced persons	Total
2000	422,118.50	1,267,865.00	1,689,983.50
2001	744,007.47	1,503,945.87	2,247,953.34
2002	858,911.51	1,207,407.38	2,066,318.89
2003	840,513.00	1,160,197.00	2,000,710.00
<b>UKUPNO</b>	<b>2,865,550.48</b>	<b>5,139,415.25</b>	<b>8,004,965.73</b>

Source: Health Fund of Montenegro

Concerning health care services in 2003, most of the expenses were dispensed for provision services related to ambulance services for general practice (43%), special ambulance services (19%), and laboratory services (17.6%). The breakdown of expenses related to hospital treatment in 2003 include, stationary hospital services (49.7%), sanitary materials in hospitals (17.8%), and medicines (13.4%). The same trend applies for the first five months of 2004.

### 5.2.3 Education of refugees and internally displaced persons

Since arriving in Montenegro, refugees and displaced persons had free access to all educational institutions. Considering the structure of refugees and internally displaced persons and the great share of Roma population, the education issue is even more important.

<sup>50</sup> 1 EUR=1,95538 DM

<sup>51</sup> Centers for Disease Control and Prevention

Montenegro lacks the necessary capacity in the pre-school institutions and elementary schools for the systematic involvement of the displaced population. In the kindergartens, there is a problem of insufficient building capacities, i.e. they are completely full. Compared to other countries, Montenegro has one of the lowest proportions of pre-school education enrollment as compared to the total number of pre-school aged children. Only 22% of pre-school aged children are attending the pre-school institutions. The inclusion of displaced persons in pre-school education is currently symbolic because parents are not financially capable to pay for their children's kindergarten, and also because of the lack of these institutions in the locations where displaced persons live.

In the central and coastal parts of Montenegro schools are over numbered, both with the local pupils and with refugees and internally displaced children. This is particularly a problem in the territories where the Roma population lives; since this population is concentrated in certain locations, the elementary schools near their settlements are more than over numbered. Because of that, 40 pupils sometimes attend the same classes in elementary and high schools, exceeding the legal maximum of 30 or 33 pupils.

The problem of overfull high schools is evident in cities where displaced persons are located, and particularly in Podgorica. In the municipalities of Podgorica, Bar and Budva, the problem of overcrowding is most evident in elementary schools and pre-school institutions.

### **5.2.3.1 Education of internally displaced RAE**

The involvement of the internally displaced persons from Kosovo in the educational system of Montenegro points to certain problems. These problems are related to the lower level of education of internally displaced persons in comparison with the local population, as well as insufficient language skills for attending the courses and lectures in schools.

The displaced Roma population is the most poor, most vulnerable and least educated displaced population that has found temporary residence in Montenegro. In order to have a closer look at this problem and to resolve it, the Ministry of Education created a database of internally displaced persons included in the regular educational system in Montenegro. There are about 5,500 Roma among the persons of internally displaced from Kosovo. The existing problems regarding the Roma population's involvement in the educational process are: high birth rate; high illiteracy (app. 76%); weak economic power of the families that mainly live on the edge of existence; traditional way of living where children and adults do not have elementary conditions for hygiene and for normal psychophysical development; and language barriers.

In order to overcome these barriers and to involve displaced Roma children in the education system, the Ministry of Education realized many special programs that included pre-school and elementary school age children. The first important results of these activities were achieved in the 2003/2004 school year, when the number of inscribed Roma children in the institutions of elementary education increased by 20%.

Programs orientated to the socialization of refugees and internally displaced persons and their involvement in the regular education system in Montenegro are conducted by the Ministry of Education, in cooperation with UNICEF, Open Society Fund, NGOs dealing with the problems of displaced persons, Pedagogical Center, Red Cross of Montenegro, and other international organizations.

Important projects implemented to assist in the socialization and to involve the Roma population in the pre-school education system include: Kindergarten As Family Center (Roma included in it); An Open School Project and the School As The Only Way To Rise From Poverty Project. A current project, "*Roma's educational initiative (REI)*," was realized in cooperation with UNICEF, Open Society Fund, Pedagogical center, and the NGO sector. This project includes Roma in pre-school, elementary and high school education in the municipalities of Podgorica, Niksic and Berane, which

covers about two-thirds of the Roma children in elementary education in Montenegro. Also in the elementary schools, after-school activities are organized for Roma children with the aim of surpassing the current language barrier, as well as to achieve better socialization. Roma involvement in elementary education is accomplished in coordination with the Ministry of Health (primarily because of their traditional way of living and poor hygiene). In February 2003, the Ministry of Education signed an agreement on cooperation with UNICEF and the Open Society Fund regarding joint activities for integrating Roma children in the formal education system. That is in conformity with the millennium development goals for eliminating illiteracy in Montenegro by 2015.

The total number of displaced persons from Kosovo enrolled in elementary schools in 2003 was 1,692, while 493 new students attended high schools.

In addition, there is also the issue of education of the internally displaced adults, mainly Roma. The adult education center "Milun Božović" in Podgorica, organized courses for adults, while 68 adult Roma also attended courses in Nikšić. A general problem, which still exists in Montenegro, is that Roma children cannot be educated if their parents do not understand education as a real need. Therefore, education programs for adult Roma have to be developed in order to influence their attitudes on the education of their children. One of the main causes of extreme poverty of the Roma population is their high illiteracy. The Ministry of Education, in collaboration with the Pedagogical center, in the scope of the REI project, is conducting a training program for teachers, i.e., seminars for the educational staff authorized to train the Roma in pre-school and elementary education.

The following table shows the total fund for education as budget share of the Republic of Montenegro in 2002 and 2003:

Table 10. *Share of education expenses in the Budget*

	2002	2003
Realized	19.7%	18.9%
Planned	26.0%	21.4%

Source: The Ministry of finance of the Republic of Montenegro, Annual budget report for 2002 and 2003

In 2002, total education expense amounted to 5% of the national GDP. In 2003, it was 5.9%<sup>52</sup> of the total GDP. The share was lower than planned (7.3%) share of GDP in 2002, while in 2003 planned expenses for education were 7.1% of GDP. The Ministry of education and science provided premises and equipment and trained teachers to educate refugees and internally displaced persons. All expenses for enrollment in the first class of primary school for Roma children were covered as well as total expenses for schoolbooks for high school Roma children. The Ministry of education and science participated 40% of all costs for schoolbooks for other displaced populations. Total costs that the Ministry of education and science spent for the education of displaced persons amounted to €230 per person for 92 persons, totaling €21,160. The annual expenses that the Ministry of education and science had for the education of refugees from former Yugoslav Republics are given in Table 11 and for internally displaced persons in Table 12. The donation of textbooks for displaced persons per school year is presented in Table 13. In addition, expenses that the Ministry of education and science had for participation in various projects were €40,000 during the 2002/03 school year.

Table 11. *Costs per pupil for one school year (refugees)*

Education	Number of pupil	Price in €	Total (€)
Primary school	1,718	680	1,168,240
High school	462	650	300,300

Source: Ministry of Education and Science

<sup>52</sup> Source: Ministry of finance and ISSP

Table 12. *Costs per pupil for one school year (internally displaced persons)*

Education	Number of students	Price in €	Total (€)
Primary school	1,692	680	1,150,560
High school	493	650	320,450

Source: Ministry of Education and Science

Table 13. *Donation per set of textbooks*

Education	Number of students	Price in €	Total (€)
Primary school	3,410	14.98	51,081
High school	955	3.90	3,724

Source: Ministry of Education and Science

Total costs that the Ministry of Education had for various projects related to the inclusion of refugees and internally displaced persons in the education process during the 2002/2003 school year amounted to €3,055,515.

#### 5.2.4 Provision of social assistance to refugees and internally displaced persons

In 2004, the Commissariat for Displaced Persons, the Red Cross, and Ministry of Labor and Social Care, provided help to 1,500 households of displaced persons from Kosovo with an amount of 30 euros per month during 2004. As for the funding, the International Committee of Red Cross provided 97% of the total amount and the Government of Montenegro provided the remaining 3%. Criteria for receiving assistance were based on household income and number of family members in a household. Assistance was granted to one-member households with income lower than 40 euros and to households with five or more members with an income lower than 90 euros per household. However, these were not the only parameters. Other factors taken into consideration include possible illness or handicap of household members, aged persons, children, and self-supporting parents. The conditions of assistance are subject to change depending on situations and changes to the above listed criteria in a given month.

#### 5.2.5 Other help and rights

**Acquiring of ownership** – According to the Law about relations of legal ownership “Official Gazette SFRJ”, # 6/80 and 36/90 and “Official Gazette SRJ # 29/96, article 82a regulated that: “Foreign physical person may, according to condition of mutuality, gain the right of legal ownership of an apartment building as well as a citizen of Serbia and Montenegro”.

As refugees are treated as foreign citizens, and the question of mutuality is not regulated with the countries of former SFRJ, refugees in Montenegro cannot legally acquire the right of ownership. In practice, with the new law on local self-government, certain municipalities allow refugees to legally own property bought in Montenegro.

**Right to associate** – According to the law on Non Government Organizations in Montenegro, the question of associating is regulated. This Law provides broad legal and practical possibilities of associating refugee and displaced persons. Currently in Montenegro, there are about 15 active non government organizations that are involved with the question of refugees and internally displaced persons, mainly established by displaced persons themselves living in Montenegro.

**Right of intellectual property** – In regard to protection of intellectual property, especially inventions, drawings, models, and brands of commercial names, and in regard to literary, artistic and scientific property, every refugee will have protection, in the country where he/she resides.

### 5.3 Moving to third countries

During the crises of former Yugoslavia, hundreds of thousands of persons left this region, and in that way solved their refugee problem. There were two ways for departure to third countries. The first way is solely reserved for refugees and is called moving. The second way is moving out for economic reasons. It is necessary to emphasize that displaced persons from Kosovo may not be included in the first method, which is created for refugees living outside the country of their origin and do not enjoy the protection of their country. This is not the case with displaced persons from Kosovo. Displaced persons have very limited opportunities to move for economic reasons.

Moving abroad was possible through the High Commissary for Refugees in UNHCR and through emigration services of countries that allowed annual quotas of refugees.

Since 1992, a total of 23,000 persons moved out of Serbia and Montenegro through UNHCR. Of the total number, 13,500 moved to the USA, 5,500 to Australia, 700 to Canada and 760 to Sweden. During the same period, 350 families moved out of Montenegro. During 2003, there were 116 refugee families from Bosnia and Herzegovina and 171 families from Croatia, totaling 469 persons who moved to third countries. Of that number, only 11 persons were refugees in Montenegro. The low number indicates that it is becoming harder to find refugees that satisfy the UNHCR criteria for moving.

In Montenegro, UNHCR is the only organization that handles questions of moving abroad. They apply specific criteria for choosing refugees who are, for some reason, unable to return to their country of origin and cannot be successfully integrated into Montenegrin society either. At the beginning of 2004, UNHCR stopped receiving new applications for moving abroad; the reason for this is that since the war in the former Yugoslavia stopped in 1995, it has been difficult to continue justifying the need and support for such a large program. UNHCR continues to work on individual cases that are considered serious and dangerous and will keep trying to provide means for refugees to move abroad. However, the number of cases is extremely small and ephemeral in the broader scope of solving the question of refugees.

In addition to the humanitarian programs, countries like Canada, Australia, and New Zealand have relocation programs for economic reasons. Canada and Australia still have such programs. Refugees can apply as equal domicile citizens in Serbia and Montenegro to obtain emigrant visas, reserved for persons with certain professional skills. The total number of persons who moved out of Montenegro in this manner to the above mentioned countries is unknown, but it is believed that tens of thousands have done so.

According to the Survey of the American Committee for Refugees completed in September 2004, the majority of refugees and internally displaced persons did not claim discrimination in regard to employment, health care, or involvement in the education process. However, a significant number of displaced persons (two-fifths of refugees and three-fifths of internally displaced) are not satisfied with their current life standard, but they do not attribute that to the local community. Indeed, they feel they share mutual problems with the domicile population. This is probably one of the reasons why a significant number of persons polled responded that departure to third countries was the most desirable option. Moving to third countries is the most desirable solution for 25.6% of refugees and almost one half (51.1%) of internally displaced persons.

## **6. FURTHER ACTIVITIES IN FINDING PERMANENT SOLUTIONS (BASIC DIRECTION FOR STRATEGY IMPLEMENTATION)**

The problem of refugees and internally displaced persons has governmental, social, and international importance and its solution requires consensus and political will. The gravity of this problem and its complexity are beyond the capabilities that institutions in Montenegro have. In order to solve this problem successfully, it is necessary to create a program arrangement of all Montenegrin governmental institutions, the international community, international organizations, regional countries, non-governmental organizations, refugee associations, and other relevant institutions.

In preparing the strategy, we began from the current international and domestic framework. Security in countries of origin, the economic conditions in Montenegro, the living standard of Montenegrins, adopted strategies (firstly, the Strategy for Poverty Reduction), and desires of the displaced, lead us to three (partly achieved) durable solutions for refugees and internally displaced persons. These solutions are repatriation, local integration, and moving to third countries.

In consideration of the possible durable solutions for refugees and internally displaced persons and in respect to international conventions that were ratified, the Government of Montenegro chose a combination of all three. At the same time, the Government considered information and analyses related to previously implemented programs, as well as results of refugee and internally displaced registrations recently conducted in Montenegro.

The strategy is based on the following:

1. Repatriation of refugees and return of internally displaced persons to Kosovo and Metohija;
2. Local integration when persons keep refugee status or continue to live in Montenegro after termination of their status, as a foreigner or through naturalization;<sup>53</sup>
3. Moving to third countries.

Without intending to create unreal expectations, the option of moving to third countries is held open, given the wishes expressed by displaced persons to move to third countries,<sup>54</sup> even though this option is not possible for refugees from this region anymore.

Parallel with the efforts to solve the refugee problem in the region, the European Commission, OEBS and UNHCR expressed a willingness to provide assistance for B&H, Croatia, and Serbia and Montenegro during the preparation and implementation of the regional Road map for solving the question of refugees and internally displaced persons. The goal is to define how to finally close the "refugee dossier."

The international organizations recognize the following as main elements of the Road map:

- accommodation – as a basic condition for refugees to return to their origin countries – refunding property, restituting property...
- accessible rights – as a precondition to ensure their sustainable return; this right includes the right to employment, education, social care, health care, pension, and regulated status after their return
- infrastructure and economic factors
- local integration
- information and terms – availability of accurate and updated information is very important, as well as harmonization of common databases and review of certain program terms.

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<sup>53</sup> This is not related to citizenship issue. This issue would be solved by special legal document.

<sup>54</sup> It exclude citizenship issue, because it would be included in special act of Law

The national strategy identifies and develops all mentioned elements and suggests their concretization.

Given that numerous initiatives were started within the Stability Pact and MARRI framework that directly relate to issues proposed in the Road map, it would be useful to establish closer relations between MARRI, Regional Action Plan, and the Road map in order to continue common cooperation and activities, which are compatible. The MARRI Regional Center, so-called Friendship Forum, was opened recently in Skoplje to support regional activities and to enable national coordinators to exchange information and to establish cooperation in realization of other strategic tasks. The Commissariat for Displaced Persons of the Government of Montenegro is directly involved in this Forum work.

## **6.1 Repatriation of refugees and return of internally displaced persons**

Repatriation is the right of every refugee and displaced person in Montenegro wanting to return home and freely dispose his or her property<sup>55</sup>. It is clear that possibilities for repatriation firstly depend on conditions for return to their countries of origin<sup>56</sup>. The role of Montenegro is to support and provide help in achieving program goals and to inform refugees settled in its territory regarding their possibilities of return. However, Montenegro's available capabilities are limited and depend on bilateral agreements with the refugees' countries of origin. Therefore, it is crucial to this process that the international community plays an active role in helping to ensure the safe return of refugees.

The basic principles of this repatriation strategy are as follows:

1. Security/protection;
2. Property restitution;
3. Realization of basic rights in home countries<sup>57</sup>.

Some persons currently settled in Montenegro use protection of their home countries (including citizenship, residence, personal documents, etc.), and in addition, property has been returned to some of them as well. Both rights, for protection in home country and/or for property return were accomplished according to the free will of persons currently settled in Montenegro. Therefore, their continued refugee status in Montenegro, accompanied with their accomplishing the mentioned rights, could mean that they actually have more rights than the domicile population. On other side, Kosovo and Metohija are under the UN control.

At the same time, refugees must not be an issue of manipulation. Conditions for their return must be based on realistic estimations and adequate guarantees. The following are some hopeful factors to consider:

- A significant number of Western European countries have proclaimed Croatia and Bosnia and Herzegovina as safe countries and they have sent refugees from their territories to Croatia and Bosnia and Herzegovina.
- Bosnia and Herzegovina returned 92% of registered properties that were taken. Similar activities are taking place in Croatia, but much slower. Considering Croatia's desire to become an EU member, it is expected that those obligations will be fulfilled in accordance to the current international practice.
- Significant progress has been achieved in Bosnia and Herzegovina and Croatia in accomplishing other rights for persons that previously lived in those countries.

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<sup>55</sup> It is determined by Universal Declaration for Human Rights in 1948.

<sup>56</sup> First of all, safety and economic issues.

<sup>57</sup> Right on education, health care, citizenship, employment, pension and invalid insurance...

### 6.1.1 The procedure for repatriation to Croatia

The Protocol for the procedure of organized return was signed between Croatia and the State Union of Serbia and Montenegro in April 1998. Both sides agreed that implementation should be done by UNHCR. Refugees currently settled in Montenegro but wanting to return to Croatia have the following options:

- A refugee can apply for organized return in the Montenegrin Office of the Commissariat for Refugees and Displaced Persons and UNHCR. After the Croatian Office of the Commissariat for Refugees and Displaced Persons confirms this, the person can return if the dwelling (house/apartment) is not occupied and has appropriate conditions for living. If the dwelling is not available or suitable, temporary settling would be provided until the problem of property is resolved. If a refugee chooses organized return, all that is needed is documentation of being a refugee and nothing else. Travel and transportation required for moving property are free of charge.
- A refugee can also apply for a travel document to organize unassisted traveling, or do it through UNHCR.

Some of the problems encountered that have interrupted the return of refugees to Croatia are as follows:<sup>58</sup>

- property return;
- fear among returnees – there have been cases of arrest, and criminal prosecution for war crimes (even in absence), and high jail penalties<sup>59</sup>;
- fear of discrimination in the employment process – most of those returning are older persons from rural areas and are not self-sustainable. Refugees from urban areas have a harder decision to make because of the lack of jobs and their expected discrimination in the employment process.

The most critical issue is related to the return of property. On the other hand, individual tenancy rights have been abolished according to the Law on tenancy rights that was valid in the former

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<sup>58</sup> Obstacles for sustainable and proper return are collected in the OEBS Mission Report for Croatia in 2003. The most important issues are the following:

- Legal and administrative framework is improving, although through slow steps and without decisive implementation, which is necessary for practical success. A few important issues are still not handled, including the return of property (land and business facilities), as well as issues regarding acceptance of work age for persons who were settled in the territory previously controlled by Serbs. Authorities still do not want to take over positive steps without active participation of the international community. The Counseling Body for issues regarding the return of refugees was suspended at the beginning of 2003 with the expectation that the Government would oblige to participate its work.
- Return of occupied property is going on, but very slowly. In October 2003 the Government adopted measures for solving property return issues based on 2,700 applications up to the end of 2003. This ambitious goal was not accomplished. However, small progress is evident through activities of the local lawyers and courts in the property return processes.
- The expectations of refugees, as previous legitimate property owners, were in a manner justified by the Decision of the Government in June 2003. According to this Decision, the settlement for such persons out of the Law of special state interest should be provided. The Decision is in addition to the existing, similar one. Implementation has not begun yet. Although conditions for the rental or purchase of houses/apartments are better when compared to market values, it will be clear in the future how many potential users of this program would be able to use it. The Program does not treat some important issues, such as legal justification of abolishing the tenancy rights to refugees and displaced persons.
- The efforts of the Government to help reconstruction have had some positive results. An additional 13,500 applications remain unsolved. Out of that number, 8,500 are expected to be included in the reconstruction Program for 2003/2004.

<sup>59</sup> Up until April 2004, 71 returnees were arrested, 7 of them were convicted, while 46 of them were free of charge. The remaining 18 are still under the process. Source: UNHCR.

Yugoslavia, which made tenants lose their tenancy rights if they stayed out of their apartment longer than six months. Despite numerous interpretations that tenancy rights establish ownership, the problem has not been solved in a proper manner yet. In Croatia, about 50,000-60,000 tenancy rights beneficiaries were deprived of their rights.<sup>60</sup> In July 2003, the Government of Croatia presented a proposed solution for tenancy rights in Croatia. An alternative solution was offered to the ex-beneficiaries of these rights that were willing to return to Croatia under certain terms, including the term that they not have property in any other republics of former Yugoslavia. Despite the fact that UNHCR does not see this solution as correct and appropriate, it was agreed with the office, that certain steps must be taken and interested refugees must be informed. In addition, assistance should be provided for all those who think that this proposal is acceptable in order to register them in accordance with the provided procedure.

In the Republic of Croatia, the rights of current interim property users are still better protected than the rights of real property owners. The current procedure for return of property is determined by the Program of return and is supported by Amendments of Law for areas under special state protection, as adopted in 2002. The procedure does not repossess property to returnees (legal owners) until alternative dwellings are provided for the interim property users. Refugees who want to return but with occupied property, could only accomplish that right by provision of their own dwelling or by settling in collective centers provided by the Government. Amendments adopted in 2002 include one positive measure – the possibility that owners who apply for return of property on time and whose property remains occupied be compensated.

The situation is somewhat better when considering return of houses and damaged property. The Law on reconstruction in the Republic of Croatia determines deadlines and methods of reconstruction. The previous deadline for applications for reconstruction was December 31, 2001 and was extended to September 31, 2004. One of the main conditions for the reconstruction provision is an obligation for persons whose property has been reconstructed to return and continue living on the reconstructed property.

The private property right is determined in all international documents. Therefore, it is necessary to intensively work towards solving the problem of return of property through intermediation of the international community. The Ministry of Foreign Affairs of the Republic of Montenegro, in cooperation with the Commissariat for Displaced Persons, will work more intensively to solve this issue.

### **6.1.2 The procedure for repatriation to Bosnia and Herzegovina**

Conditions for return of refugees were more suitable in Bosnia and Herzegovina than in the Republic of Croatia. High Representative in Bosnia and Herzegovina enacted a few Property Laws that completely protect the rights of pre-war owners as holders of tenancy rights even if their facility is temporarily occupied by other displaced persons or domicile population. These Laws completely respect property rights as the most important and do not condition the return of property to the rightful owner with the provision of alternative accommodation for the temporary user. It is important to mention that in this way, not only is the return of private property legally regulated, but also the return of previous tenancy rights to holders that gained the opportunity to repurchase the property. In this way their status became equal with the status of private owners. In March 2004, 92% of these Property Laws were implemented.

In Bosnia and Herzegovina, the apartment holder could purchase his/her apartment as well as that of his/her close family members on permission or in the case of death. The apartment holder, spouse, or close family member could purchase only one apartment. According to the Decision of the High

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<sup>60</sup> The greater part of these beneficiaries are refugees with their temporary place of residence in the territory of Serbia and Montenegro.

Representatives in Bosnia and Herzegovina adopted in July 24 2001, the Clause of the previous Law that commanded a two-year use obligation before being able to purchase an apartment, was abolished. With this, the conditions for purchasing the apartment could be fulfilled as soon as a person moves in.

The process of purchasing apartments in the Republic of Srpska is regulated by the Law on privatization of state-owned apartments and its amendments adopted by the High Representative in Bosnia and Herzegovina in 2001. The Law and its amendments regulate the privatization of apartments, rights for purchase, purchasing contracts, prices, procedure for disposing of property acquired through purchase, usage of apartments that are not purchased, etc. The apartment holder or his/her spouse has the right to purchase the apartment. Other family household members could purchase the apartment with the apartment holder's permission.

Concerning reconstruction of damaged property, there is no organized process of damaged property reconstruction, so major funds are used directly through municipalities and non-governmental organizations. The condition that refugee must meet in order to reconstruct damaged property is to be settled in the territory of Bosnia and Herzegovina.

### **6.1.3 The procedure of return to Kosovo and Metohija**

Although international agreements focused on problems of internally displaced persons do not exist<sup>61</sup>, the situation in the Union of Serbia and Montenegro is that internally displaced persons are not entering from a territory controlled by domestic institutions but from a territory of the Union that is controlled by UN forces, according to Resolution #1244. This additionally complicates the problems that internally displaced persons in Montenegro must face.

Previous experience tells us that the conditions for return of internally displaced persons to Kosovo is the most inviolable. Safety, especially after the events in March 2004, is still very inviolable. Another huge problem is the slow return of property, property that has been taken, damaged, burned down, etc. The undefined status of Kosovo and the endangered situation of non-Albanian communities add to the difficulty of the process of returning internally displaced persons.

The return of displaced persons to Kosovo is still uncertain. The international military forces in Kosovo have not provided the basic conditions for return of the displaced non-Albanian population.<sup>62</sup> None of the plans related to concrete solutions to the problems surrounding returns were fulfilled. There are no assumptions related to timing or obligatory activities that ensure their return. Displaced persons do not have the chance to change the situation in Kosovo, thus the main characteristic of their return is uncertainty.

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<sup>61</sup> The UN Commission for Human Rights adopted the Paper titled as “*UN guidelines for internally displaced persons treatment*” in April 1998. According to this Paper, internally displaced persons have the right to find safety in other parts of internationally recognized state and to be accepted by Law and to have documents that enable them to join all rights. The Paper is not related to situation if those persons leave territory under UN control.

<sup>62</sup> The safety situation in Kosovo and Metohija, is described in the Report of OEBS Mission in Kosovo, after the events in March of the current year: “*Still many displaced persons interviewed by OMiK (OSCE Mission in Kosovo) just after the violence, showed strong will to stay in Kosovo and to return again and reconstruct their houses if KFOR (Kosovian Forces of Reinforcement) ensure proper protection. The arrival of KFOR's reinforcement and re-establishment of fixed and noticeable safety points in and around enclaves and church's estates, in the short term have returned the trust of minority's communities. But, despite the fact that is clear that the greater presence of KFOR is needed, as well as direct answer on the events from the middle of March, it still cannot be ensured permanent sustainable solution for the safety of members of minority's communities. UNMIK (United Nations Mission in Kosovo) and PIS (Provisional Institutions of Self-government) must identify and regulate the main causes of violence in order to create conditions in which safety of minorities could be achieved within the scope of normal activities of UNMIK policy and eventually of activities of multi-ethnic KPS (Kosovo Police Service).*”

#### 6.1.4 Measures for a more intensive repatriation process and return to Kosovo

The basic direction for return and protection of pre-war rights for refugees and internally displaced persons are as follows:

- (1) In cooperation with UNHCR, intensify the data collecting process regarding refugees' return to their countries of origin;
- (2) To establish direct mechanisms for cooperation between Montenegro and Bosnia and Herzegovina, Croatia, Kosovo, and international organizations that Montenegro does not currently have direct contacts established with, to develop regional approaches to solving this problem;
- (3) To intensify bilateral cooperation for initiatives of bilateral agreements regarding refugees between Montenegro and Bosnia and Herzegovina and Croatia<sup>63</sup>
- (4) To intensify multilateral cooperation between Montenegro, Bosnia and Herzegovina, and Croatia, as well as international organizations, to promote previously accomplished refugee rights;
- (5) To create a protocol for organized return through which the basic directions for sustainable return would be established and return procedure determined;
- (6) To provide complete engagement of all relevant governmental institutions of Montenegro, Bosnia and Herzegovina, and Croatia through consistent enforcement of agreements endorsed by these countries and the State Union of Serbia and Montenegro;
- (7) To establish mechanisms of deregistration of those refugees who returned to Bosnia and Herzegovina and Croatia<sup>64</sup>.
- (8) To initiate issues regarding complete security, freedom of movement, rights to employment, social and health care, education, free access and participation in social life; including participation in the institution for interim self-government in Kosovo, as a very important condition for return to Kosovo;
- (9) To initiate reconstruction of damaged property through stronger cooperation and coordination with international organizations that perform their activities in Montenegro and in Kosovo; to establish various types of cooperation between the Government of Montenegro, interim institution in Kosovo, and international organizations;
- (10) To develop simulative programs for repatriation;
- (11) To accelerate legal and administrative reforms;
- (12) To organize informative campaigns that provide information to refugees regarding their rights in their countries of origin so they can make informed decisions.

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<sup>63</sup> Until now, Montenegro wasn't signatory of bilateral agreement about refugees with these countries

<sup>64</sup> Since a system of deregistration of persons who repatriated doesn't exist because an agreement between Montenegro and countries/regions does not exist and because of regime on border with B&H and administrative border with Kosovo, it is impossible to define the exact number of persons who really need help in Montenegro. The Government of Montenegro needs to attain agreement with the governments of Bosnia and Herzegovina, Croatia and Kosovo to get reports from them about returnees, which would be used as an indicator of status of these people and his possible abolishing. Since the procedure of checking the status of every person separately is currently on-going, in accordance with Directives for take away status of refugees, one can say that one of mechanism of deregistration of refugees is already activated in Montenegro.

## 6.2 Local Integration

Local integration relates to providing basic rights for living on Montenegrin territory for refugees or for foreigners permanently settled in Montenegro, including the possibility for them to obtain naturalization, as well as protection and help for internally displaced persons. It is necessary to stress that local integration of displaced persons does not mean naturalization. The usual practice in most countries is the gradual integration of refugees. Creating conditions for integration of refugees and internally displaced persons is a very serious task. Integration involves the opening of the entire system to include the displaced population into a significant portion of social life. It is necessary to provide conditions for residence, education, employment, health care, care for persons with special needs, and overall adequate infrastructures. At the same time, while facing problems of social and health care, employment possibilities, and economic prosperity of displaced persons, Montenegro should not neglect the need of the domicile population.

The starting point of integration is to provide the possibility for complete participation in social, economic and political processes. Obstacles to the successful integration of refugees currently placed in Montenegro are firstly social in nature, but the overall economic situation should not be underestimated. Montenegro does not have enough capacity for the social care system or specialized institutions. Therefore, further settling and protection of vulnerable and displaced persons depends on the help and support of the international community.

The capabilities for undertaking the obligations regarding local integration of displaced persons largely depend on the interest of the international community and the willingness of displaced persons to accept a gradual accomplishment of the integration goals. These factors combined will define the tempo and success of local integration.

The basic principles for local integration are:

1. Common treatment of problems refugees and internally displaced person are facing with the treatment received by the domicile population;
2. Avoid concentration of refugees and internally displaced persons;
3. Rely on real capabilities for finding solutions, meaning that if a refugee or internally displaced person refuses an offered program, which are primarily related to accommodation and/or professional orientation of those who want to be locally integrated, that person would lose priority to be locally integrated until conditions for meeting his/her requirements are met, but there would be no guarantees that a solution for that person would be found based on the local integration program.

The Law on asylum determines when ones refugee status expires and the procedure of expiration, according to Article 1C of the Geneva Convention for Refugees. If refugee status expires, it enables individuals to regulate their status in the Republic of Montenegro in accordance to the Law on movements and residence of foreigners.

### 6.2.1 Procedures for local integration implementation

**Accommodation** – According to international documents, Montenegro, with the support of programs and international organizations, has until now provided accommodation for refugees and displaced persons. Capabilities for provision of accommodation in the future depend on assistance from international organizations and maintenance of existing collective centers.

The provision of basic accommodation for refugees who choose local integration is the priority. Out of all refugees in Montenegro, 32.3% have solved their accommodation problem and live in their

own apartment/house. The remaining 5,750 refugees in Montenegro are settled in rented dwellings (32.3% of all refugees), with friends/family (13.3%), in family accommodation centers (14.1%), in collective centers (5%) or some other types of accommodation (3%).

The Strategy is designed to permanently solve accommodation problems for the socially most vulnerable population as well as for those settled in collective centers that are planning to close. This program would include part of the domicile population and internally displaced population from Kosovo as well. Considering the limited financial resources, the National Strategy relies on provision of accommodation for refugees who choose local integration by using international donations, favorable credits, and their own resources. Montenegro would provide most of their own resources for accommodation in terms of providing land and the primary infrastructure.

According to the Survey<sup>65</sup> results, 20% of refugees currently settled in Montenegro are interested in returning to their countries of origin. Under the assumption that those interested in return did not solve their accommodation problem in Montenegro, as well as previously mentioned principle of including local population and need to temporarily take care of part of internally displaced persons from Kosovo and Metohija, it is estimated that 6,150 households would need basic accommodation. This includes 2,100 refugee households, temporary accommodation for 2,750 households from Kosovo and Metohija, and 1,300 for resident households.

Montenegrin collective centers currently host 4,800 refugees and internally displaced persons. The number of collective centers that the Commissariat for Displaced Persons is obliged to finance has significantly decreased. However, displaced persons who did not want to move to another collective center or alternative solutions (became Montenegrin residents) are still settled in those centers. Of special problem are the unofficial collective centers, where RAE are placed (Konik I and Konik II). Those unofficial collective centers present a significant burden for local municipalities since their occupation blocks the usage of those premises as they were made for.

The National Strategy defines three basic ways for solving accommodation problems: 1) *ownership of accommodation units*, building of new units under favorable conditions; 2) *using and keeping houses and land (without charge) and/or buying out of old peoples' properties*; and 3) *social accommodation* that includes state (municipality) owned accommodation capacities for the most vulnerable, but also accommodation in institutions for social and medical care.

In solving the housing problems of refugees, the following principles are taken as starting points:

- Each program must encompass part of the local population;
- The place for realizing local integration will depend on available resources and the urban plan of the Republic;
- When deciding about the location of housing sites, the following factors will be considered: number of refugees and their share in the total population of a certain region, type of families in view of their former way of life (urban-rural), economic potential of the region, available building land, primary infrastructure (water resources, electric power, sewage systems, dump areas) and existing public services (schools, medical facilities).
- Criteria and the decision procedures for building/purchasing/getting free of charge accommodation capacities will be transparent and upfront;

The following is an account of the three suggested ways for solving the problem and goal of provision accommodation for 6,150 households:

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<sup>65</sup> Survey of refugees and internally displaced persons, American Refugee Committee (ARC), September 2004

**1) New accommodation units:**

- Building apartments for individual accommodation (2,300 domicile households);
- Building apartments for sustainers family (300 households);
- Support to started construction owned by beneficiaries (1,700 households);

**2) Using and keeping houses and land (without charge) and/or purchase of old peoples' house and land**

- Using and keeping houses and land without charge or with charge included (500 households);
- Using and keeping objects that are purchased (200)
- Property rights achieved through contract on lifetime support (500 households);

**3) Housing in institutions of social and medical care**

- Adaptation of collective centers or other unused public buildings, Elderly Homes, with temporary or permanent use (550 users);
- Enlarging existing capacities of special institutions for the most vulnerable and invalids (9,200 users);
- Enlarging existing capacities of special medical institutions for those whose health is the most vulnerable (200 users).

**Employment – Legislation in Montenegro does not discriminate against refugees and internally displaced persons but regulates the employment of those persons, especially nonresidents, in accordance to international standards.**

According to the Survey results, the unemployment rate for refugees and internally displaced persons is much higher than that of the domicile population (over 30% in relation to 17.1% for the domicile population)<sup>66</sup>. Considering the unfavorable education structure, the unemployment rate for internally displaced Roma population from Kosovo and Metohija is even higher (43.3%). However, the Survey<sup>67</sup> showed that most refugees and internally displaced persons (70.4% of refugees and 76% of internally displaced persons) believe that discrimination in the employment process does not exist.

The strategy includes provision of rights to work for refugees under the same conditions as for foreigners with approved residential status. In this sense, the clause on non-resident employment, adopted by the Government of Montenegro at the beginning of May 2003, will be reviewed so that refugees and internally displaced persons who choose local integration would be excused.

Employed refugees with confirmed status would have equal rights as Montenegrin citizens (health care, pension and invalid insurance).

It is certain that employment possibilities and income generation are the best instruments for improving the socio-economic position of the displaced population, as well as domiciles.

In order for economic improvement of the displaced working population and part of the domicile population, programs of additional education, skill trainings, and self-employment programs through a mini credit line will be initiated. International donors will provide the resources for realization of this project.

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<sup>66</sup> Source: Household Survey on Roma, Ashkaelia and Egyptians, refugees and internally displaced persons in Montenegro, ISSP&UNDP, 2003

<sup>67</sup> The Survey on standpoints of refugees and internally displaced persons, American Committee for Refugees, September 2004

**Health care** – According to the law on health care, the Government would provide funds from the budget for health care of foreigners documented as refugees and displaced persons in accordance to special legal acts and international agreements. The Ministry of health would prepare special sub-law acts in order to clearly regulate ways for enforcing Article 13 of this Law.

For the first five months of 2004, the costs of health care for refugees and internally displaced persons amounted to approximately 627,000 euros. Out of that, the costs of treatments in medical centers was roughly 174,000 euros, and in hospitals about 434,000 euros. Data on the number of visits and provided medical services does not exist because, in the previous period, data on the medical treatment of refugees and displaced persons was not collected separately and it is not possible to structure those costs.

It is expected that, at the end of 2004, these costs will be lower in comparison with the costs from 2003 because, since the beginning of 2004, refugees and internally displaced persons were deprived of the right to have free medicines, which they used to get on receipt. Costs for this service of health care in 2003 amounted to about € 75,000, which was 3.75% of the total health care costs for refugees and displaced persons.

The average treatment costs in the hospitals for refugees and displaced persons in 2003 amounted to € 39.73; i.e., the average cost per refugee amounted to € 35.43, and per internally displaced person € 42.91.

Regarding treatments in the medical centers (health houses), the highest costs were those of the ambulant services at the general medicine level, laboratory services and specialist-ambulant services. Thus, for the ambulant services at the general medicine level, the average cost per refugee amounted to 6.07€, and 8.18 € per displaced person. The average cost per refugee for the laboratory services amounted to 3.19€, while per displaced person it amounted to 2.85€<sup>68</sup>.

From the overall health care costs of refugees and displaced persons, 62.2% represents costs of hospital treatments, 23.4% are costs of treatments in medical centers, while the rest, 20.6%, include the other costs of treatments (medications given on receipt in the pharmacies, treatment out of the public health system of Montenegro, refunds of medicines and other rights, orthopedic equipment and helping devices, refunds for transport costs and per diems).

A household survey conducted on a representative random sample<sup>69</sup> showed that, in the period of one year, about 20% of refugees and 16.8% of internally displaced persons had some kind of disease or injury. The most frequently mentioned are: chronic diseases, ache in the spine/knees, cold from influenza and pneumonia, headaches, and psychological problems. According to the same survey, about 4% of refugees are invalids, as are 2.2% of internally displaced persons.

The Fund for health, in cooperation with international organizations, would make an effort to find mechanisms for provision of health care to registered refugees and displaced persons during realization of the strategy. In addition to this, it is very important to perform more complete and qualitative health service for refugees and internally displaced persons as well as the domicile population, and to provide equipment for ambulances and hospitals, donations of medicines, ambulance vehicles, and material for mobile ambulance teams that visit collective centers. It is also very important that Montenegrin medical doctors are given the opportunities to study abroad.

**Education** – Refugees and internally displaced persons would have the right to attend state owned primary and secondary schools and would have free access to university.

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<sup>68</sup> Health Fond of Montenegro, data related on 2003

<sup>69</sup> Source: Household Survey on Roma, Ashkaelia and Egyptians, refugees and internally displaced persons in Montenegro, ISSP&UNDP, 2003

Montenegrin educational institutions are already over numbered, especially in municipalities where the displaced population is more concentrated. Another problem is the inclusion of a significant part of the internally displaced Roma population from Kosovo and Metohija in the education system. In order to include as much of the Roma population in the process of education, and in accordance to Roma Decade, many projects were created.

Considering further activities regarding inclusion of refugees and internally displaced persons in the education process in Montenegro, the Government would make an effort to increase school capacities. New school capacities would be placed on locations where refugees and internally displaced persons have a high concentration.

In the realization of education programs, international donor community's help is expected.

**Social assistance** - Access to the social assistance system, in terms of using social work services for solving legal problems in a family, would be provided for refugees and internally displaced persons.

**Cash assistance** – Refugees and internally displaced persons who do not obtain any income, do not possess any property, and do not live with other individuals who might support them would be eligible for receiving cash assistance in accordance to Montenegrin capabilities.

The cash assistance level would be determined by the following: disability/ability to work and generate income, whether legal obligation of support exists and material conditions, and number of household members. The cash assistance would also depend on budget and donor availability and would be for a limited time only.

There are about ten international humanitarian organizations currently active in Montenegro and they are completely or partly conducting humanitarian activities. Most of them “transformed” their programs from humanitarian into developmental, although that does not mean that their budgetary strength is increasing, but rather the opposite.

### **6.2.2 Measures for implementation of local integration**

- (13) To create program for providing accommodation
- (14) To create employment program
- (15) To provide access to primary health care
- (16) To create programs for involving refugees and internally displaced persons in the educational system
- (17) To create programs for access to social care system
- (18) To provide implementation of cash assistance system

### **6.2.3 Naturalization**

As mentioned before, local integration does not consider the naturalization of refugees. However, it is expected that a certain number of refugees and those who lose refugee status in Montenegro would be interested in obtaining Montenegrin citizenship. The Republic of Montenegro is preparing a Law on Citizenship. Having in mind that the Law is not in the adoption process because of refugees, there are rights and obligations that Montenegro has in order to independently make decisions and enforce legislations regarding citizenship.

The Law on Montenegrin citizenship would determine conditions under which refugees could obtain Montenegrin citizenship. In accordance with Article 34 of the Geneva Convention for Refugees, the Republic of Montenegro is obliged to provide integration and naturalization of refugees as much as possible under its own economic and other capabilities.

The legislative and administrative reform would also determine the following:

- means of using the rights guaranteed by international legal acts, as well as the scope of rights for individuals who keep refugee status;
- capability of Montenegro to naturalize refugees, as well as apply for Montenegrin citizenship;
- the basic rights of individuals who lose Montenegrin protection and do not have the possibility to apply for Montenegrin citizenship.

### **6.3 Moving to third countries**

The Government of Montenegro and its officials point out the wishes of displaced persons who are unable to return home, to establish a new life in some of the Western developed countries through bilateral communication with officials of these countries, which will provide them with the possibility to accomplish their goals. However, it is possible, with certain educational qualifications and expertise of emigrants, that the government would take the obligation of informing potential emigrants regarding conditions for move-in to certain countries.

The basic principles for the process of moving to a third country are:

1. Voluntary
2. Transparent

#### **6.3.1 Measures for implementation of moving to third countries**

- (19) To initiate bilateral communication with “third countries” to find a solution for keeping displaced persons in those countries as refugees.
- (20) To make an effort for keeping the possibility of moving to third countries open as one of the permanent solution for problems of refugees.
- (21) To organize informative campaigns and arrange possibilities for a move to third countries.

## 7. THE ACTION PLAN

Activities	Implementers	Dead-line	Resources
<b>Revising contracts/agreements/protocols contracted between former federal administration and countries which accepted refugees</b>	Ministry of Foreign Affairs (MIP) Ministry of Internal Affairs (MUP)	2005	
<b>Revising status of refugees from former Yugoslav republics</b>	Ministry of Internal Affairs (MUP) Commissariat for Displaced Persons UNHCR	During the Strategy realization	
<b>Issuing adequate documents for refugees with the confirmed status</b>			
<b>Building accommodation center</b>	Ministry of Internal Affairs (MUP)	2005-2007	
<b>Establishing local integration center within the Commissariat for Displaced Persons</b>	Ministry of Work and Social Care Commissariat for Displaced Persons International organizations NGOs	2005-2007	€60,000
<b>REPARTRITION</b>			
<b>Collecting data on conditions for return of refugees to countries of origin</b>	Ministry of Foreign Affairs (MIP) Commissariat for Displaced Persons UNHCR Other international organization NGOs	During the Strategy realization	
<b>Defining regional approach in solving problems:</b> <ul style="list-style-type: none"> <li>• To establish direct mechanisms for cooperation between Montenegro and Bosnia and Herzegovina</li> <li>• To establish direct mechanisms for cooperation between Montenegro and Croatia</li> <li>• To establish direct mechanisms for cooperation between Montenegro and those international organizations with whom Montenegro doesn't have direct contacts</li> <li>• To establish direct mechanisms for cooperation between Montenegro and official institutions in Serbia, the Government of Kosovo and UNHCR</li> </ul>	Ministry of Foreign Affairs (MIP) Ministry of Internal Affairs (MUP) Commissariat for Displaced Persons		
<b>Signing bilateral agreements:</b> <ul style="list-style-type: none"> <li>• To initiate bilateral agreements on refugees between Montenegro and Bosnia and Herzegovina</li> <li>• To initiate bilateral agreements on refugees between Montenegro and Croatia</li> </ul>	MIP MUP Commissariat for Displaced Persons	2005	
<b>Signing multilateral agreements related to promotion of previously accomplished refugee rights:</b> <ul style="list-style-type: none"> <li>• To intensify multilateral cooperation between Montenegro, Bosnia and Herzegovina, and Croatia as well as international organizations</li> </ul>	MIP MUP Commissariat for Displaced Persons International organization	2005	
<b>Defining basic directives for sustainable return and procedures in return realization:</b> <ul style="list-style-type: none"> <li>• To establish Protocol on organized return</li> </ul>	MIP UNHCR Commissariat for Displaced Persons	2005	

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<b>Monitoring of enforcing agreements between Montenegro and refugees' origin countries</b>	MIP Commissariat for Displaced Persons	During the Strategy realization	
<b>Initiative activities for return of refugees with special needs who settled in specialized institutions</b>	Ministry of Labor and Social Care Ministry of Health MUP Commissariat for Displaced Persons	During the Strategy realization	
<b>To determine mechanism for deregistration of refugees who returned to Bosnia and Herzegovina and Croatia</b>	MUP Commissariat for Displaced Persons UNHCR	2005	
<b>Initiate question on determining:</b> <ul style="list-style-type: none"> <li>• Complete safeness</li> <li>• Free movement</li> <li>• Labor rights</li> <li>• Social and health care</li> <li>• Education, access and participation in public life</li> <li>• Involving in institutions temporary self-governance in Kosovo</li> </ul>	Commissariat for Displaced Persons NGOs	2005 and during the Strategy realization	
<b>Initiate reconstruction of damaged property in Kosovo</b>	Commissariat for Displaced Persons NGO	2005 and during the Strategy realization	
<b>Repatriation of non-Serbian population, primarily Roma population from Kosovo</b>	Commissariat for Displaced Persons International organizations and NGO	2005	€3,000,000
<b>To develop programs of simulative repatriation</b>	Commissariat for Displaced Persons International organizations NGO	During the Strategy realization	
<b>To apply positive laws which regulate this area</b>	MUP Commissariat for Displaced Persons and authorized governmental bodies	During the Strategy realization	
<b>To organize informative campaigns</b>	Commissariat for Displaced Persons NGO	During the Strategy realization	
<b>LOCAL INTERGRATION</b>			
<b>Program for provision basic accommodation:</b> <ul style="list-style-type: none"> <li>• Building apartments for individual accommodation (2,300 domicile households);</li> <li>• Building apartments for host families (300);</li> <li>• Assistance in already started construction of own buildings by beneficiaries (1,700 households);</li> <li>• Using and keeping houses and land with or without charge included (200 households);</li> <li>• Using and keeping purchased buildings (200 households);</li> </ul>	Ministry of Labor and Social Care Ministry on Environmental Protecting and Physical Planning Local municipalities governments Commissariat for Displaced Persons International donors NGO	During the Strategy realization	€28,750,000 €2,610,000 €5,100,000  €1,900,000 €600,000

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<ul style="list-style-type: none"> <li>Contractual lifetime support for achieving property rights (500 households);</li> <li>Reconstruction of unused public buildings into Elderly Houses for temporary or permanent use (550 users);</li> <li>Enlarging existing capacities of special institutions for the most vulnerable population and invalids (200 users);</li> <li>Enlarging existing capacities of special medical institutions for those whose health is the most vulnerable (200 users);</li> <li>Functional maintenance of camps Konik I and Konik II and the refugee settlement in Vrela Ribnicka</li> <li>Providing land for cemeteries</li> </ul>			<p>€2,000,000 €2,200,000 €500,000 €500,000 €75,000</p>
<p><b>Employment programs:</b></p> <ul style="list-style-type: none"> <li>Retraining, reeducation and additional qualifications</li> <li>Seasonal employment</li> <li>Self employment through micro credit arrangements</li> <li>Program for employment of the RAE population</li> <li>Regulating legal framework for employment of refugees and internally displaced persons</li> </ul>	<p>Ministry of Labor and Social Care Ministry of Education Employment Biro (Education Center) Direction for Small and Medium Enterprises Development NGOs International Donors</p>	<p>During the Strategy realization</p>	<p>240,000€ 3,000,000€ 70,000€</p>
<p><b>Programs of health care:</b></p> <ul style="list-style-type: none"> <li>Creating sub-law documents for access to primary health care</li> <li>Preparing ambulances and hospitals</li> <li>Preparing moving teams <ul style="list-style-type: none"> <li>Training for providing health care</li> <li>Health education: <ul style="list-style-type: none"> <li>Reproductive health</li> <li>Prevention of addictions</li> <li>Prevention of diseases</li> <li>Mother and child care</li> </ul> </li> </ul> </li> <li>Providing medical and sanitary material</li> <li>Education of doctors and nurses</li> <li>Contracts with Republic of Serbia on covering costs for secondary health care and possible health treatment in IRL in Serbia</li> <li>Contracts with B&amp;H and Croatia on covering costs for secondary health care and possible health treatment</li> </ul>	<p>Ministry of Health Health Fund Red cross International donors NGO</p>	<p>During the Strategy realization</p>	<p>€1,500,000  (costs for primary health care) + donors assistance in providing equipment and sanitary material</p>
<p><b>Program for involvement in the education system:</b></p> <ul style="list-style-type: none"> <li>Creating a database on children, young and adults and their educational level <ul style="list-style-type: none"> <li>Defining programs needed for training and additional education</li> <li>Preparation of education institutions for involving refugees and IRL in education</li> </ul> </li> </ul>	<p>Ministry of Education and Science Education Institute Red Cross International donors NGOs</p>	<p>During the Strategy realization</p>	<p>€15,000  €8,000</p>

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<ul style="list-style-type: none"> <li>• Preparation of programs to improve the literacy of the Roma population and children who have not begun elementary school on time</li> <li>• Enlargement and adjustment of the infrastructure</li> <li>• Media campaign and promotion of projects for the integration of Roma children into kindergartens and elementary schools</li> <li>• Kindergartens in camps for internally displaced persons and in refugee settlements</li> <li>• Providing free textbooks</li> <li>• Informal education for youth and adults             <ul style="list-style-type: none"> <li>▪ Elementary improve literacy</li> <li>▪ Primary education for youth who stopped normal education</li> <li>▪ Specialized educational workshops (PC using, learning language)</li> </ul> </li> </ul>			<p>€800,000</p> <p>€4,000,000</p> <p>€400,000</p> <p>€21,000</p> <p>€1,100,000</p> <p>€24,000</p>
<p><b>Access to social care and child care systems and money assistance:</b></p> <ul style="list-style-type: none"> <li>• Providing access to Families Material Support</li> <li>• Creating programs related to the social care of children with special needs</li> <li>• Creating programs related to care for invalids</li> <li>• Creating programs for the protection of elderly persons</li> <li>• Psycho-social care programs</li> <li>• Assistance programs for risky and socially vulnerable families</li> <li>• Program for children with socially unacceptable behavior</li> <li>• Socialization program for children and youth in collective centers</li> <li>• Establishing expert movable teams for visiting most vulnerable families</li> <li>• Providing resources for one-time financial assistance in case of death</li> </ul>	<p>Ministry of Labor and Social Care Social Care Center Commissariat for Displaced Persons International donors NGO</p>		<p>€6,120,00</p>
<p><b>MOVING TO THIRD COUNTRIES</b></p>			
<ul style="list-style-type: none"> <li>• Identify countries that are willing to accept refugees and internally displaced persons</li> <li>• Create bilateral agreements for arranging the possibility of moving to a third country</li> <li>• Initiate bilateral communication with third countries to find solutions for keeping displaced persons in those countries as refugees,</li> <li>• Organize informative campaigns and arrange possibilities for a move to third countries</li> </ul>	<p>MIP MUP Commissariat for Displaced Persons International donors</p>		

**8. OVERVIEW OF THE COSTS OF INTEGRATION OF REFUGEES AND INTERNALLY DISPLACED PERSONS**

(in millions of EUROS)

Programs	Description	2004*	2005	2006	2007	Total
<b>1. Housing</b>	1) New accommodation units owned by beneficiary; 2) Using and keeping houses and land (without charge) and/or purchase of old peoples' house and land; 3) Housing in institutions of social and medical care; (total: 6,150 households)		23	13	9.6	45.6
<b>2. Collective centers</b>	1) New accommodation units owned by beneficiary; 2) Accommodation with foster families and in institutions for social and medical care (total: 1,600 households)		5	2.4	2	9.4
<b>3. Employment</b>	1) Program of additional training and prequalification (2,000 beneficiaries); 2) In-kind grants for small business (5,000 beneficiaries)	0	1	1	1	3
<b>4. Health insurance and social assistance</b>	Covering the debt and regular financing for the provision of primary health care and social assistance (primary health care for everyone and social assistance for 6,000 households, including the domicile population as well)	8.5	7.12	7.12	7.12	29.86
<b>5. Regular education</b>	1) Costs of financing regular schooling for 3,500 primary and 1,000 secondary school pupils; 2) Costs of providing textbooks for primary and secondary education for 3,500 pupils of primary and 1,000 pupils of secondary school; 3) Scholarships for 300 pupils and students	3.26	3.26	3.26	3.26	13.04
<b>TOTAL</b>		<b>11.8</b>	<b>39.4</b>	<b>26.8</b>	<b>23</b>	<b>100.9</b>

\*Reported sources relate to project and activities to support refugees and internally displaced persons concluded in 2004.

Specific projects related to the programs listed above will be presented at the Donors' Conference. For realization of these projects, funds from both domestic and international sources are needed. After the Donors' Conference the structure of the sources (domestic and international) will be known. Domestic sources include funds from the Budget of the Republic and municipal budgets.

## **9. MONITORING OF THE STRATEGY IMPLEMENTATION**

In order to achieve the national strategy for a permanent solution to the problem of refugees and internal displaced persons in Montenegro, a number of institutions will be involved.

Overall coordination is taking place through the Ministry of labor and social care. The Ministry will tighten cooperation with international organizations and the Commissariat for refugees and displaced persons of Montenegro with the aim of finding possibilities to implement the strategies.

The first period of strategy realization will determine refugee status. The Ministry of internal affairs will be actively checking each individual case with the Commissariat for refugees and the UNHCR.

The Ministry for foreign affairs will be in charge of data collection for activities regarding the terms of return, and will also be responsible for direct communication with organizations in neighboring countries. In the area of bilateral agreements, the Ministry will act on behalf of the Government of Montenegro. In the area of collecting information for the possibilities of return, the Ministry will tighten cooperation with the Commissariat for refugees and international organizations. Also, this Ministry will have a significant role in negotiating with third countries about the possibilities of repatriation of interested refugees who fulfill the required conditions and quotas.

In regards to achieving local integration, the national strategy will involve local municipalities with respect to provision of property and primary infrastructure for solving the question of housing. In the area of employment, the Employment bureau and Agency for SME will be actively involved through training and prequalification programs, as well as through a mini loan program aimed to encourage start-up businesses.

In all of the mentioned activities regarding the settling of refugees in Montenegro, and especially in maintaining and serving the camps in Konik, the Montenegrin Red Cross will be an important partner in the revitalization process.

Ministries in charge include the Ministry of health and the Ministry of science, which will be in charge of providing primary health protection for refugees and integration in the educational process.

Depending on the cooperation and support provided by the international organizations, local partners will be determined for individual projects. During this phase, contribution from any institutions will be considered.

The overall coordination of the Ministry of Labor and social care and all activities aimed at achieving the national strategy represent a synchronized process of adjusting the existing capacities, Wishes, and possibilities of all interested parties for the benefit of the state of Montenegro and its citizens.

Support of international organizations is recognized as a key factor in the realization of the strategy, so special attention will be dedicated to establishing direct cooperation and involving individual organizations in solving this problem.

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