



European Union



MINISTRY OF
INTERIOR



EMPLOYMENT AGENCY OF MONTENEGRO



The Health Insurance
Fund of Montenegro

BROCHURE FOR ASYLEES AND FOREIGNERS

UNDER SUBSIDIARY PROTECTION IN MONTENEGRO



Disclaimer:

This publication has been printed with the assistance of the European Union, under the IPA II project “Regional Support to Protection-Sensitive Migration Management in the Western Balkans and Turkey”. The contents of this publication are sole responsibility of the aforementioned institutions and can in no way be taken to reflect the views of the European Union.

CONTENTS

INTRODUCTION	3
RIGHTS AND OBLIGATIONS OF AN ASYLEE AND FOREIGNER UNDER SUBSIDIARY PROTECTION	4
RIGHT TO RESIDENCE	5
RIGHT TO ACCOMMODATION	5
RIGHT TO MONETARY ASSISTANCE	6
RIGHT TO WORK	7
RIGHT TO HEALTH CARE	8
RIGHT TO EDUCATION	10
RIGHT TO FREE LEGAL AID	11
RIGHT TO SOCIAL CARE	12
RIGHT TO FAMILY REUNIFICATION	13
RIGHT TO ASSISTANCE DURING INTEGRATION IN THE SOCIETY	13
RIGHT TO LEARNING THE MONTENEGRIN LANGUAGE, HISTORY AND CULTURE	14
RIGHT TO PROPERTY	14
RIGHT TO DOCUMENTS	15
RIGHT TO OBTAINING MONTENEGIN CITIZENSHIP	15

INTRODUCTION

Dear Sir/Madam,

You have in front of you the Brochure through which we would like to acquaint you with the **rights** and **obligations** that you have as a person to whom Montenegro has granted international protection through the asylee status or foreigner under subsidiary protection status. We hope that this Brochure will be useful to you in order for you to enjoy the rights you are entitled to and fulfil your obligations in a quality manner.

RIGHTS AND OBLIGATIONS OF AN ASYLEE AND FOREIGNER UNDER SUBSIDIARY PROTECTION

As a person to whom the state of Montenegro has granted international protection you have the right to the following:

1. residence;
2. accommodation;
3. monetary assistance;
4. work;
5. health care;
6. education;
7. free legal aid;
8. social care;
9. family reunification;
10. help during integration in the society;
11. learning the Montenegrin language, history and culture;
12. property;
13. documents in accordance with the law,
14. obtaining of Montenegrin citizenship.

Apart from the above mentioned rights you are obliged to:

1. respect the Constitution, laws and other Montenegrin regulations;
2. report the residence address within 15 days from the day of delivering the decision on granting international protection, to the Ministry of the Interior Section for the Integration of Foreigners with Granted International Protection and Reintegration of Returnees upon Readmission
3. carry with yourself a personal ID and present it to the authorised person for insight.

In accordance with the reasons stipulated by the Law on International and Temporary Protection of Foreigners, international protection (asylum and subsidiary protection) may cease or be withdrawn.

RIGHT TO RESIDENCE



As an asylee and foreigner under subsidiary protection you are entitled to residence in Montenegro from the day of delivery of the decision on granting international protection.

If you move from Montenegro or you stay in another country without interruption longer than six months, without informing the Ministry of the Interior prior to this, the decision on granting you the right to residence in Montenegro shall be revoked.

In case you return to Montenegro you may reapply for the granting of international protection to the Ministry of the Interior, which shall consider your application and adopt a relevant decision.

website: www.mup.gov.me

RIGHT TO ACCOMMODATION



The Ministry of the Interior will provide you with adequate accommodation. The period during which accommodation is granted is no longer than two years from the day of delivery of the decision on granting international protection.

Accommodation will be provided to you in a facility of state property, or a facility owned by a legal or natural person with whom the Ministry has signed a contract on provision of accommodation services.

If you are a pregnant woman, a single parent with a child up to the age of three, a disabled person, an elderly and severely ill person who is in dire need of help and the care of another person, a person who is dependent on alcohol and narcotic substances, an unaccompanied minor, a minor with a behavioural disorder, accommodation can be provided to you in an appropriate institution.

In case you refuse the accommodation, without a justified reason, you lose the right to accommodation at the expense of the state of Montenegro.

You are obliged to immediately inform the Ministry of the Interior Section for the Integration of Foreigners with Granted International Protection and Reintegration of Returnees upon Readmission on the leaving of the provided accommodation (change of residence address).

website: www.mup.gov.me

RIGHT TO MONETARY ASSISTANCE



The Ministry of Labour and Social Welfare provides you with monetary assistance through the competent centre for social work. The period for which monetary assistance is granted is no more than two years from the day of delivering the decision on granting international protection.

You may submit the application for monetary assistance to the centre for social work in the town where you have residence.

If, because of your personal characteristics and circumstances (age, pregnancy, serious illness, mental health or the consequence of torture, rape or other serious forms of psychological, physical or gender and sex-based violence), you are not fully capable of exercising your rights and obligations without appropriate assistance, your monetary assistance will be extended until your personal characteristics and circumstances are altered to the extent where you can take care of yourself.

The amount of the monthly monetary assistance shall be as follows:

- for an individual 66.68 euros;
- for a family with two members 80.08 euros;
- for a family with three members 96.11 euros,
- for a family with four members 113.47 euros
- for a family with five and more members 126.77 euros.

If you get employed prior to the expiration of the period of two years, you lose the right to monetary assistance.

website: www.mrs.gov.me

RIGHT TO WORK



How can you obtain an employment booklet?

At the bookstore you will buy an employment booklet form and two forms - application forms for its issuing that you need to fill in and sign. You then need to go to the Ministry of the Interior - Asylum Office to be issued with a certificate of residence address. In addition to the above mentioned documentation, you also need to bring with you your personal ID and evidence of recognised education degree

in Montenegro. The method of recognition of a foreign educational document is described in detail in the section related to education. Non-possession of an evidence of school qualification is not an obstacle to the issuance of an employment booklet. Then you go to the municipal authority responsible for labour affairs according to the address of your residence, where you personally submit the documents. Your request is certified by a stamp and signature of the official and one copy is handed to you. You can collect the employment booklet the next day. There is no administrative fee for issuing an employment booklet.

Registering in the records of unemployed persons

You can register in the records of unemployed persons of the Employment Agency of Montenegro - Labour Bureau, if you are between 15 and 67 years of age, are capable or partially able to work, are actively seeking employment and are available for work, and have the status determined by Ministry of Interior in accordance with the law.

You register according to the place of residence, in person, through a registration form- Registration in the records of unemployed persons, which you receive in the Labour Bureau.

On this occasion you need to bring with you a personal ID, employment booklet as well as evidence on the level of education i.e. qualification.

As an unemployed person you have the following possibility:

- informing about the possibilities and conditions for employment;
- counselling in order to increase employability and employment;
- professional orientation;
- mediation in employment.

- exercising the right to monetary compensation during unemployment in accordance with the law;
- exercising the right to monetary assistance and reimbursement of transportation costs during education and training and inclusion in other measures aimed at increasing employment, i.e. reducing unemployment, in accordance with the law and the act of the state administration body competent for labour affairs.

As an unemployed person you have the following obligations:

1. to actively seek employment;
2. to be available for work;
3. to conclude with the Agency an individual employment plan and carry out the obligations determined by the individual employment plan;
4. to participate in active employment policy programmes, in accordance with this law and individual employment plan;
5. to accept the offered employment, in accordance with the law;
6. to inform the Agency on every change affecting the obtaining or losing of rights, i.e. obligations according to the law, no later than eight days from the day of the occurrence of the change.

The Employment Agency publishes vacancies on the website <http://www.zzzcg.me> and they are also published in daily newspapers on Mondays, Wednesdays and Fridays.

For more detailed information please contact the competent bureaus according to place of residence.

website: www.zzzcg.me

RIGHT TO HEALTH CARE

You exercise health care through the health care system in Montenegro which is organised in three levels:

PRIMARY	Primary health care centre
SECONDARY	Hospitals (general and specialised)
TERTIARY	Clinical Centre and Public Health Institute

You are entitled to health care on the basis of a health booklet, which is issued to you by the Health Insurance Fund of Montenegro after you have been registered in the database of insured persons.



In order to be registered in the Fund's database of insured persons, you must apply on the form provided to you by the Fund's branch office in the town where you reside. Along with the application, you also submit your personal ID for insight and a certified photocopy thereof. After registering in the database of insured persons, the Fund will issue you a health booklet on the basis of which you exercise the prescribed health care rights.

Within the right to primary health care you have the right to select the following doctor:

- general practitioner for adults;
- paediatrician for children of up to 18 years of age;
- gynaecologist for female persons;
- dentist for children of up to 18 years of age and persons older than 65 years of age.

You select your doctor at the Primary Health Care Centre in the town where you reside, while you can select your dentist at the branch office of the Health Insurance Fund of Montenegro, where you are registered for health insurance (there is one in each municipality). You can make your selection from the list of dental clinics that have a concluded contract with the Fund.

When exercising the right to primary health care you have the right to the following:

- on the basis of a prescription issued by a doctor in primary health care, collect the prescribed medication in pharmacies (AU Montefarm) and other pharmacies with which the Fund has concluded a contract on issuing medication;
- protection from and treatment of infectious diseases (right to voluntary and confidential counselling and testing for HIV/AIDS, as well as testing for syphilis);
- be informed by doctors in primary health care of the need and possibilities for the protection and treatment of infectious diseases, as well as the importance of carrying out the compulsory immunization program;
- to health care in centres and support units on the proposal and on the instructions of primary health care doctors.

If your selected doctor deems that you are in need of a specialist examination, hospital treatment or other type of health care, he or she will refer you to the secondary and tertiary level of health care.

If you are dissatisfied with the health care services provided or have been denied treatment, you have the right to file a complaint (verbally or in writing). The complaint is submitted to the protector of patient's rights at the health care facility.

website: www.mzd.gov.me

RIGHT TO EDUCATION



You exercise the right to primary, secondary and high education under the same conditions as a Montenegrin citizen.

Primary education is obligatory for all children from the age of six to fifteen and it lasts nine years.

In order for your child to enrol in a primary school near your place of residence, you need to go to the school administration with your child. If you have documents to prove your child's age and grades that he or she completed before coming to Montenegro, it is important that you bring all the documents with you so that the school can correctly determine which grade the child should enrol in.

If the child is late in mastering the school curriculum, or is having difficulty mastering the materials envisaged, the school may organize additional classes, which are free of charge.

The school year in Montenegro begins on September 1st and it ends in mid-June.

The winter holidays are in January during which children do not go to school. For the acquisition of general secondary education (high school) and vocational secondary education in an institution financed by the Budget of Montenegro, if you are a full-time student you do not pay tuition. If you are a part-time student, you pay the appropriate tuition.

If you wish to obtain a professional qualification, you must submit your application to an education organiser of adults licensed by the Ministry of Education.

Recognition of the certificate of acquired or commenced education (primary school, secondary vocational or secondary general school or higher education), in order to continue education, is carried out in the appropriate educational institution in which you wish to continue your education. The same is relevant for the higher education that has been commenced, i.e., the recognition is given by the institution of higher education where the education is to be continued.

In order for your foreign educational document to be recognised, you are obliged to file an application for recognising the document to the ENIC Centre in Podgorica. Along with your application you submit the following:

- three translations of the Diploma or Graduation Certificate whose recognition you are requesting, certified by a court interpreter;
- translation of the Certificate on Passed Exams or of the Diploma Appendix certified by a court interpreter;
- a copy of the diploma and
- a copy of the Certificate on Passed Exams or of the Diploma Appendix.

The application is subject to payment of a fee. Information on recognition of foreign educational documents in the field of higher education can be found at the following link: <http://www.mps.gov.me/rubrike/enic-centar/108335/Dokumenta-neophodna-za-priznavanje-inostranih-obrazovnih-isprava-ostecenom-visokom-obrazovanju.html>

website: www.mps.gov.me

RIGHT TO FREE LEGAL AID



You exercise the right to free legal aid by submitting an application for granting free legal aid to the service of the competent Basic Court, according to your place of residence.

You submit the application on the form which you may obtain in every basic court, i.e. the service for free legal aid.

The service is obliged to give you information and advice on the possibilities and conditions for exercising the right to free legal aid, and may also provide you with legal counselling as a form of free legal aid. All forms of free legal aid are provided to you by lawyers.

website: www.mpa.gov.me

RIGHT TO SOCIAL CARE



In order to exercise the right to social and child care you need to come to the competent centre for social work in the town you reside in and bring a personal document along.

Within the social and child care you have the right, if you fulfil certain requirements, to material benefits and services.

Material benefits from social care are the following:

- material securing,
- personal disability benefit,
- allowance for care and assistance,
- funeral costs,
- single monetary assistance,
- allowance for a parent or guardian beneficiary of personal disability benefit.

As the beneficiary of any of the material benefits you are entitled to exercising health care at the expense of the Health Insurance Fund of Montenegro.

Material benefits from child protection are as follows:

- allowance for newborn child,
- child allowance,
- nutrition costs in pre-school institutions,
- assistance for upbringing and education of children and youth with special educational needs,
- reimbursement of salary compensation and salary compensation for maternity, i.e. parental leave,
- compensation based on childbirth,
- reimbursement of salary and salary compensation for work with half of full-time.

The services of social and child care are the following: support for life in community, counselling and therapy and social and educational service, accommodation and urgent intervention.

RIGHT TO FAMILY REUNIFICATION



As an asylee or a foreigner under subsidiary protection, you are entitled to reunification with family members. On this basis, your family members are granted asylum i.e. subsidiary protection by the Ministry of the Interior.

The following shall be considered a family member of an asylee or of a foreigner under subsidiary protection:

- the spouse or the common-law spouse, as well as the person considered to be the civil partner;
- the common minor child of spouses or common-law spouses, their common minor adoptive child, the minor child and the minor adoptive child of one of the spouses i.e. of common law spouses or the civil partner who has custody over that child;
- the adult child who is not married, and who due to his/her medical condition is unable to take care of himself/herself;
- the parent or other legal guardian of a minor,
- a first-degree blood relative in the direct ascending line who lived in the common household, if found to be dependent on the assistance of the person concerned.

website: www.mup.gov.me

RIGHT TO ASSISTANCE DURING INTEGRATION IN THE SOCIETY



For no longer than three years from the date of delivery of the decision granting international protection, you are entitled to assistance during integration into Montenegrin society.

You apply to the Ministry of the Interior which based on your individual needs, knowledge, abilities and skills, develops an integration plan and provides assistance in its implementation.

The Ministry also monitors the implementation of your integration plan. Other government bodies and civil society organizations can also assist you in integrating into society.

website: www.mup.gov.me

RIGHT TO LEARNING THE MONTENEGRIN LANGUAGE, HISTORY AND CULTURE



In order to integrate into Montenegrin society, you are required to take a course or other form of learning the Montenegrin language, history and culture.

Attendance and learning of the Montenegrin language, history and culture are free of charge.

The Ministry of Education will inform you, directly or through the Ministry of the Interior, of the time, place and manner of learning the Montenegrin language, history and culture.

In the event of failing to attend an organised course or other form of learning the Montenegrin language, history and culture, without a justified reason, you are obliged to reimburse the costs of organizing the course.

website: www.mps.gov.me

RIGHT TO PROPERTY



As an asylee or a foreigner under subsidiary protection, you acquire the right to property. This right includes the purchasing/ownership of a residential facility. There are various restrictions regarding the ownership of land on which there is no residential facility.

website: www.mek.gov.me

RIGHT TO DOCUMENTS



As an asylee or foreigner under subsidiary protection you are entitled to personal ID and travel documents.

You submit the application for issuing the documents to the Ministry of the Interior- Asylum Office.

An asylee is entitled to the following:

- personal ID for an asylee, issued for the period of five years;
- travel document for an asylee, issued for the period of five years;

A foreigner under subsidiary protection is entitled to the following:

- personal ID for a foreigner under subsidiary protection, issued for the period of three years;
- travel document for a foreigner under subsidiary protection, issued for the period of three years;

If you are an asylee or a foreigner under subsidiary protection, you may be denied the right to be issued with a travel document in the cases provided for by laws.

You are required to carry at all times the document on you and to present it at the request of an authorised person.

website: www.mup.gov.me



RIGHT TO OBTAINING MONTENEGRIN CITIZENSHIP

After a certain time of residence in Montenegro or if you enter marriage with a Montenegrin citizen you are entitled to ask for Montenegrin citizenship.

website: www.mup.gov.me

