

**Standard Summary Project Fiche – IPA centralised programmes**

**Durable Solutions for Refugees and Displaced Persons in Montenegro**

**1. Basic information**

**1.1 CRIS Number:** 2008/020-316

**1.2 Title:** **Durable Solutions for Refugees and Displaced Persons in Montenegro**

**1.3 ELARG Statistical code:** 01.63

**1.4 Location:** Montenegro

**Implementing arrangements:**

**1.5 Contracting Authority:** EC Delegation in Montenegro

**1.6 Implementing Agency:** EC Delegation in Montenegro

**1.7 Beneficiary (including details of project manager):**

**Bureau for Care of Refugees**

The project manager will be:

Mr. Željko Šofranac

**Address:** Jovana Tomaševića 4

**Tel.:** ++382 81 241 071; 241 075;

**Fax:** ++382 81 244 379

**E-mail:** [zzzi@cg.vu](mailto:zzzi@cg.vu)

**Financing:**

**1.8 Overall cost:** €1.5 million

**1.9 EU contribution:** €1.5 million

**1.10 Final date for contracting:**

Two years after the signature of the financing agreement between the European Commission and the Government of Montenegro.

**1.11 Final date for execution of contracts:**

Two years after the final date for contracting

**1.12 Final date for disbursements:** One year after the final date for the execution of contracts.

**2. Overall Objective and Project Purpose**

## **2.1 Overall Objective:**

To contribute to a durable solution for refugees and dispersed persons through the implementation of the national document “Strategy for Resolving the Issues of Refugees and Internally Displaced Persons in Montenegro” adopted in 2005.

## **2.2 Project purpose:**

To ensure the rights of refugees and DPs choosing either to integrate locally or to return to their countries of origin.

## **2.3 Link with AP/NPAA / EP/ SAA**

The **European Partnership sets out** the need to protect the rights of refugees and displaced persons and to repeal all discriminatory provisions in the fields of labour, access to property rights, citizenship, health services and personal documents. It also stresses the need to ensure the right to a real choice between sustainable return to the place of origin or integration in the host society.

The **2007 Progress Report** underlines the need to regularise the status of refugees from Croatia, Bosnia and Herzegovina and Kosovo, who still lack full access to employment, health insurance, social welfare and adequate housing. In addition it highlights the need to urgently regulate by law the status of refugees so to avoid statelessness. The report also stresses that more needs to be done to “repeal all discriminatory provisions” affecting refugees and displaced persons and to “provide conditions for integration” of those who choose to remain in Montenegro.

The **Stabilisation and Association Agreement** reaffirms the right of return for all refugees and displaced persons and the protection of their property and other related human rights.

## **2.4 Link with MIPD 2008-2010**

The **MIPD** refers to the need to implement the National Strategy to address the needs of refugees and displaced persons

## **2.5 Link with National Development Plan**

Not applicable.**2.6 Link with national/ sectoral investment plans**

The “*Strategy for Resolving the Issues of Refugees and Internally Displaced Persons in Montenegro*” was adopted by the Government in 2005. It establishes the goal of finding an optimal solution for refugees and displaced persons through voluntary return, local reintegration and resettlement to third countries. This project is aimed directly at the first two components.

## **3. Description of project**

### **3.1 Background and justification:**

Following the conflicts arising from the break-up of Yugoslavia, Montenegro became host to many people who had fled Bosnia, Croatia and Kosovo. Those from Bosnia and Croatia were variously described as “refugees” or “displaced persons (DPs)” in different Montenegrin laws and decrees. To avoid confusion they are termed “refugees” in this project fiche. Those who fled Kosovo were described as “displaced persons (DPs)” because at the time they had not crossed an internationally recognized border. However, following Montenegrin independence in June 2006, they effectively became “displaced persons (DPs)” and are termed as DPs in this fiche.

Both categories were entitled to wide protection under the Montenegro Government’s Decree on Displaced Persons of 1992. Initially they could obtain Montenegrin ID cards and enjoy the same rights as Montenegrin citizens. However, this had become much more difficult by the time later waves of people (mostly ethnic Serbs, Montenegrins and Roma) arrived from Kosovo. Most refugees and DPs are currently excluded from acquiring property, registering their own companies, receiving social assistance or vocational training. They can only be employed, under fixed term contracts provided their employers pay an extra tax of €2.5 per day. This provision has an obvious discriminatory effect and amounts to a violation of Principle 22 on the UN Guiding Principles on Displaced Persons and also breaches Article 17 (right to employment) and Article 18 (right to self employment) of the 1951 Convention Relating to the Status of Refugees.

Today, the number of refugees stands at 8,527 and DPs at 16,155 (UNHCR figures, November 2007). It is widely recognised that many cannot or will not be able to return to their places of origin and will probably choose to integrate locally. The Montenegro Government adopted the “*Strategy for Resolving the Issues of Refugees and Internally Displaced Persons in Montenegro*” in 2005. It set out three possible options: voluntary repatriation, local integration and resettlement to third countries. This very ambitious strategy, with an estimated cost of €100 million over the period 2005-2007, remains largely unimplemented.

Clarifying the legal status and entitlements of refugees and DPs is important in improving the quality and dignity of their lives. The Law on Asylum of 2006, has yet to be implemented. The Law on Citizenship which includes the definition of the conditions for refugees and DPs to become naturalised citizens was passed on the 13<sup>th</sup> February 2008. But the relevant by laws, which would allow full implementation, have yet to be passed. The Law on Foreigners is expected to be adopted before June 2008 and it will further define the status of refugees and DPs, hopefully removing some discriminatory practices. But UNHCR and local legal experts agree that progress is slow and that much remains to be done in completing and implementing an adequate legal framework – i.e. consistent with the European Partnership and the relevant UN Guiding Principles and Conventions.

The Bureau for the Care of Refugees (BCR) is the only state institution responsible for assisting refugees and DPs, but its mandate and budget does not extend to providing housing or income generation schemes. Instead it focuses on liaison, monitoring and coordination with municipalities, other public bodies (like the Agency for the Development of Small and Medium Enterprises), and international partners/donors. In the longer run, there may also be an important role for the office of the Ombudsman

In the meantime, it is essential that support for refugees and DPs continues. This is best directed through those actors, like the municipalities, who are already actively engaged in finding practical solutions for refugees and DPs. Some municipalities have already made a significant contribution by allocating land and the connection to utilities free of charge. But there are still significant unmet needs with large numbers of refugees and DPs living in very

difficult circumstances. BCR estimates that between 1,200 and 1,500 DPs are in need of proper accommodation. This may be an under estimate given that there are over 2,000 DPs in makeshift housing in the Konik camps alone. The German NGO HELP has registered an additional 350 requests for urgently needed construction material by DPs.

The proposed project will help to provide adequate housing for some of the DPs living in precarious conditions, such as collective accommodation, camps or small barracks in targeted municipalities, where local authorities are willing to contribute with the provision of land. The BCR has already identified some 200 families in five municipalities. This will be combined with income generation and vocational training activities so as to help refugees and DPs achieve economic independence.

The proposed project will also support those who have not yet decided whether to integrate or to return. Many have not been to their pre-war homes since the end of the conflicts. Making it possible for them to visit their homes will help to create the conditions for them to make a free and informed choice about a possible return.

### **3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact (where applicable).**

The project is expected to have a positive **impact** on refugees and DPs, and the host communities. There is a general consensus on the effectiveness of previous housing and income generation schemes and the wish for those activities to continue. The programme of visits will also satisfy any interest for return, especially to Kosovo.

Providing adequate housing solutions for refugees and DPs will have the **catalytic effect** of enabling them to start their integration into wider Montenegrin society. They will also be exposed to the activities of local business centres which are already available to Montenegro citizens. This will contribute to eroding the gap between refugees and DPs and the local domiciled population.

Provision of housing and income generation will help to provide **sustainable** solutions to the needs of refugees and DPs well beyond the lifetime of this project. In the longer run, it is also possible to envisage a broader sustainability by encouraging a more active role on refugees and DPs for the Montenegrin Government leading to the possibility of future funding from the state budget. By creating a Steering Board with the participation of civil society organisations (including representatives of national DP associations), and government representatives, there will be more direct governmental exposure to the implementation of this project.

The project has an obvious potential **cross border impact** through the third activity - i.e. “Go-and-See”, “Go-and-Inform” visits and “Municipal Working Groups”.

### **3.3 Results and measurable indicators:**

#### **Results**

- 1) Provision of adequate housing for selected refugees and DPs through construction of new apartment buildings, prefabricated houses, and/or construction packages.
- 2) Improved access to income generation scheme, including tools, equipment and some basic vocational training on how to start a business and function in the formal economy.
- 3) Improved knowledge for selected refugees and DPs in order to be able to make a choice for local integration or return to their municipalities of origin.

#### **Measurable indicators**

The process of registration of refugees and DPs will start by the end of 2008, after which the precise official data on the number of refugees and DPs in Montenegro will be available. All the indicators will have baseline figures and targets to be achieved before starting the project implementation.

#### **The measurable indicators at the level of project results will be:**

- At least 100 families will have access to newly completed housing units, prefabricated houses and/or construction packages
- Reduced number of families using temporary municipal buildings for accommodation;
- Improved income generation situation of 100 families;
- At least 400 refugees and DPs enabled to visit their municipalities of origin; assess the conditions and make an informed decision on return;

### **3.4 Activities:**

1. Construction of new apartment buildings, prefabricated houses or distributing construction materials to socially vulnerable families of refugees and DPs and a limited number of domicile residents. In detail this will include:
  - Identify municipalities where refugees and DPs live in particularly bad conditions.
  - Conduct preparatory activities; conclude agreement on provision of land and infrastructure with a municipality, obtaining using licence and prepare designs of the buildings.
  - Carry out tenders and select contractors for the construction of the buildings as well as for the provision of construction material
  - Construction of prefabricated houses
  - Draft criteria for the delivery of construction material under self-help scheme; liaise with UNHCR, BCR and where applicable with the municipality in order to set up a commission for the selection of beneficiaries.

- Publicly inform, through media, leaflets and public meetings, potential beneficiaries of the self help programmes.
  - Compile and preserve information on housing needs and difficulties in providing housing for refugees and DPs.
  - Select the beneficiaries through joint commissions composed of implementing partners, BCR and UNHCR as well as municipalities where applicable.
2. Income generation activities target refugees and DPs in need. In detail, this will include:
- Providing public information and collecting applications from individuals.
  - Conducting the outreach activities in Roma settlements in order to obtain applications from Roma DPs.
  - Developing criteria for the allocation of small income generation packages.
  - Assessing the feasibility of those applications ensuring their compatibility with national development plans and Poverty Reduction Strategy.
  - Defining the final list of beneficiaries
  - Compiling and preserving information on the specific needs and difficulties of DPs to get access to employment and income generation activities
  - Organizing basic business trainings for beneficiaries. Encouraging municipalities to integrate economic activities in the local economy.
3. Return related activities to enable DPs to make free and informed choices about whether to return to their place of origin. In detail, this will include:
- Disseminating information about “Go-and-See visits amongst DP population.
  - Collecting and screening applications
  - Selecting beneficiaries and organising groups
  - Organising visits to the places of origin (with sleeping, food, security provided);
  - Liaising with the municipality of origin and the one of displacement in order to coordinate further support and cross-border activities
  - Follow up and informing DPs on possibilities for return, reconstruction and income generation in the municipalities of origin.

### **3.5 Conditionality and sequencing:**

- The project includes the following conditions: Commitment by the municipalities to: (i) donate certain plots of land for the construction of houses; (ii) to ensure the connection

of essential utilities free of charge; and (iii) to provide all necessary construction permits free of charge.

- Confirmation of the commitment by local business centres to participate in the distribution of material, selection and training of final beneficiaries.
- Participation by the beneficiary institution in the tender process as per EU regulations.
- Appropriate coordination with other international organisations active in Montenegro in the same sector.

In the event that these conditions are not met, suspension or cancellation of the project of specific activities will be considered.

### 3.6 Linked activities

This activity builds on previous EC assistance to support the integration and return of DPs, including Roma, Ashkalia and Egyptians (RAEs) under the CARDS instrument. It also complements the ongoing EU- funded programmes related to the sector.

Name of project (Amount M €)	Start End	Activities/Results	Programme
Local Integration Programme for the Displaced through Housing and Economic Livelihood Assistance (€2.4 million-EU funds).	Dec 2006 - Dec 2008	The construction of an apartment building in Niksic to accommodate the remaining residents of the last collective centre in Montenegro; 25 prefabricated houses for DP RAE families living in temporary accommodations; construction of a facility of the Risan elderly home accommodating refugees and DPs; provision of building material for the construction of 30 and adaptation of 40 housing units in the municipalities hosting DPs; creation of data bank of applications for housing assistance; provision of individual income-generating grants for 40 displaced and domiciled poor;	CARDS National Programme 2006
Durable Solutions for Roma through Empowerment (€0.3 million- EU funds)	Nov. 2005 - June 2007	The project supported the social inclusion of Roma, Ashkalia and Egyptian DPs from Konik 1 and 2 camps (the municipality of Podgorica) through the provision of educational activities. It also facilitated the return to Kosovo (the town of Pec / Peja) for 22 RAE families who had chosen to return.	CARDS National Programme 2005
Institutional Building Support to the Commissariat for Displaced Persons (MCDP) (€0.4 million- EU funds)	Mar. 2006 - Mar. 2007	Strengthening the organisational capacity of the MCDP so as to address the issues of refugees and DPs; improvement of information flow/communications leading to better data collection and management; improvement of transfer of information to DPs, the donor community as well as relevant authorities at national and regional level; the development of MCDP's capacity to advocate systematically on behalf of refugees and DPs and be the interface of their rights/interests.	CARDS National Programme 2005
Integration by Adult Literacy and Vocational Training (€1.6 million- EU funds)	Feb. 2007 - Aug. 2008	The project provides literacy and vocational training courses that enable young illiterate adults (Roma) to acquire basic skills as reading, writing, arithmetic and other capabilities necessary to become an active part of the labour market and the society. The project contributes to the better social and economic integration of the ethnic minorities in Montenegro.	CARDS National Programme 2006 (Civil Society)
Supporting the National Strategy	Jan. 2007	Main activities under the project are, as follows: Provision of 30 income-generation grants and basic business training for	CARDS Regional

Name of project (Amount M €)	Start End	Activities/Results	Programme
for Resolving the Issues of Refugees and Internally Displaced Persons in Montenegro through Support for Individual Living and Economic Livelihood Enhancement in Herceg Novi (€0.3 million)	- Dec. 2007	individual income-generation grants in cooperation with the Agency for the Development of Small and Medium Enterprises and the Local Business Centre in Herceg Novi; Construction of 8 apartments for 30 beneficiaries and the provision of building materials for upgrading 8 existing refugee housing units for another 30 beneficiaries in cooperation with the Local Trustee for Refugees and Displaced Persons of the municipality of Herceg Novi and UNHCR Montenegro The implementation of a community project proposed by the host community	Programme 2006
Social Inclusion of and Access to Human Rights of Roma, Ashkali and Egyptian Communities in the Western Balkans (€1 million of EU funds and €0.25 million of UNHCR funds)	Feb. 2008 - Aug 2009	The proposed action in Montenegro includes the following components: (i) civil registration of RAE, (ii) education and outreach campaign for RAE, (iii) education campaign for civil servants and general public. It is estimated that 100 clients will be represented in administrative and judicial proceedings necessary for subsequent or renewed civil registration. This will allow them to obtain birth certificates and other documents required for either their return or local integration.	CARDS Regional Programme 2006

The project will also link to the regional action under Multi Beneficiary Programme IPA 2008 and those of other donors:

- **“Support for Civil Registration of Marginalised Communities”** is the proposed project under MB IPA 2008 (worth €1 million). This project aims to contribute to the increased legal and social inclusion of the marginalised communities and facilitate their full enjoyment of citizenship rights in the region of the Western Balkans.
- **“Supporting Return and Reintegration of DPs from Kosovo”** is the project implemented by Danish Refugee Council with the funds of Bureau for Population, Refugees and Migration (US\$ 1.4 million). The estimated cost of the Montenegrin component is US\$ 160.000 and the total budget is US \$1.4 million. The project covers Kosovo, Serbia, Montenegro and FYROM. It aims at providing required information to DPs so that they can make free and informed choice, and to support them if/once they decide on return.
- **“Regional Project for DP Associations in Kosovo, Serbia and Montenegro”** is a UNDP project financed by the Bureau for Crisis Prevention and Recovery. (worth US \$ 123,000 ). The project is aimed at empowering IDP associations to lobby and advocate for their rights with local governments.



- **“Decreasing Vulnerability of Roma”** is a UNDP regional project financed by SIDA (€0.5 million). The project addresses the social inclusion of the Roma population by ensuring their access to employment, basic education and welfare. It is limited only to domicile Roma, i.e. those who can be registered with the Employment Agency.

### 3.7 Lessons learned

**Coordination within the government:** Further improvements- in line with the spirit of EU accession - could be realised in a stronger government leadership in the coordination efforts among central and local level. The project Steering Committee shall address this important issue.

**Co-financing:** Support by municipalities significantly increases the ownership of, and political will to promote project activities. Therefore, this project will seek in-kind co-financing from target municipalities.

**Participatory approach:** The associations of DPs and the organisations representing the RAE population highlighted the necessity and importance of participatory approach to designing and implementation of assistance programmes. Their participation in the work of Steering Committee of a project would ensure better results as well as closer links between civil society organisations, government officials and the international community.

**Free and informed choice of refugees and DPs on their integration or return:** Previous experience in similar projects showed that this should be the basic principle to be applied in assistance programmes. It is important that none of the options is imposed upon refugees and DPs.

**Socio-economic measures:** Socio-economic opportunities for refugees and DPs do not only enhance the quality of their life but also facilitate their integration in host community. Therefore, this particular project shall provide beneficiaries with income generation support.

#### 4. Indicative Budget (amounts in MEUR)

			SOURCES OF FUNDING									
			TOTAL EXP.RE	IPA COMMUNITY CONTRIBUTION		NATIONAL CONTRIBUTION					PRIVATE CONTRIBUTION	
ACTIVITIES	IB	INV	EUR (a)=(b)+(c)+(d)	EUR (b)	%	Total EUR (c)=(x)+(y)+(z)	%	Central EUR (x)	Regional/ Local EUR (y)	IFIs EUR (z)	EUR (d)	%
Activities												
contract 1	x	x	1.5	1.5	100							-
												-
TOTAL IB			1.1	1.1	100							
TOTAL INV			0.4	0.4	100							
<b>TOTAL PROJECT</b>			<b>1.5</b>	<b>1.5</b>	<b>100</b>							

Amounts net of VAT

## 5. Indicative Implementation Schedule (periods broken down per quarter)

Contracts	Start of Tendering	Signature of contract	Project Completion
Grant	Q2 2009	Q4 2009	Q1 2011

## 6. Cross cutting issues (where applicable)

### 6.1 Equal Opportunity

Gender issues will be actively mainstreamed throughout the whole process. Specific criteria will be drafted in order to select the beneficiaries, and these will take into account families headed by women.

The provision of new housing will carry specific gender-related benefits. Women predominantly bear the brunt of domestic and child caring responsibilities and as a result spend more of their time at home. Improving family living conditions will therefore have a positive impact on their lives.

### 6.2 Environment

Environmental issues will be mainstreamed through the whole project. Many refugees and DPs live in collective accommodation or camps which are in very poor condition. Water supplies, sewage and garbage disposal are often major problems. Closing those settlements and offering improved housing to refugees and DPs will have a positive impact on them and the wider surrounding environment and communities.

### 6.3 Minorities

The project will directly assist ethnic minorities. Refugees and DPs come from a variety of ethnic groups. RAE population face particular problems and special outreach measures will also be adopted on the income generation schemes so as to elicit applications from RAEs.

## ANNEXES

- I. Log frame in Standard Format
- II. Amounts contracted and Disbursed per Quarter over the full duration of Programme
- III. Reference to laws, regulations and strategic documents.
- IV. Institutional Framework
- V. Details per EU funded contract (\*) where applicable:

## ANNEX 1: Logical framework matrix in standard format

LOGFRAME PLANNING MATRIX FOR		Programme name and number	
<b>Durable Solutions for refugees and DPs in Montenegro</b>		Contracting period expires: Two years after the signing of FA	Disbursement period expires: 1 year after the execution of contracts
		Total budget :€1.5 million	IPA budget: €1.5 million
<b>Overall objective</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	
To contribute to a durable solution for refugees and disbursed persons through the implementation of the national document “Strategy for Resolving the Issues of Refugees and Internally Displaced Persons in Montenegro” adopted in 2005.	Improved overall assessment on the overall situation of returned and integrated refugees and DPs in Montenegro	Reports by UNHCR; 2010 EC Progress Report; EX-post and impact evaluation of the project;	
<b>Project purpose</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
To ensure the rights of refugees and DPs choosing either to integrate locally or to return to their countries of origin	<ol style="list-style-type: none"> <li>1. Increased number of refugees and DPs, living together with local citizens in residential blocks;<sup>1</sup></li> <li>2. Increased number of refugee and DP children attending the same schools as local children;</li> <li>3. Increased number of mixed civil marriages concluded and number of children born from those marriages;</li> <li>4. Reduced number of social assistance beneficiaries among refugees and DPs;</li> </ol>	<p>Project final report Reports by municipalities and BCR;</p> <p>Report by the social worker from the Bureau for the Care of Refugees responsible for social activities of refugees and DPs;</p> <p>Database of the Bureau for the Care of Refugees on marriages and children born;</p> <p>Statistics of municipalities and Ministry of Labour, Health and Social Welfare on the number of refugees and DPs that receive social allowances</p>	<p>Conducting the registration of refugees and DPs (end of 2008) and regulating their status;</p> <p>Municipalities confirm their commitment to provide land and utilities (if needed) available free of charge;</p> <p>Continued cooperation with the Agency for the Development of Small and Medium Enterprises (SMEDA);</p> <p>Good cooperation between NGOs dealing with refugees and DPs and Bureau for The Care of Refugees;</p> <p>Local authorities of places of origin of refugees</p>

<sup>1</sup> The process of registration of refugees and DPs will start by the end of 2008, after which the precise official data on the number of refugees and DPs in Montenegro will be available.

	5. Increased number of DPs enabled to make a free and informed choice about return.	Reports by SMEDA Reports by Ombudsman EU reports UNHCR reports  Bureau's database and annual reports	and DPs willing to cooperate in a sustainable return;
<b>Results</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
1) Provision of adequate housing for selected refugees and DPs through construction of new apartment buildings and/or prefabricated houses	<ul style="list-style-type: none"> <li>At least 100 families will have access to newly completed housing units, prefabricated houses or construction packages<sup>2</sup></li> <li>Reduced number of families using temporary municipal buildings for accommodation</li> </ul>	<p>Project report progress</p> <p>Feedback from municipalities</p> <p>Feedback from BCR;</p> <p>Licences for using objects issued;</p>	Cooperation with local authorities and licences issued;
2) Improved access to income generation scheme, including tools, equipment and some basic vocational training on how to start a business and function in the formal economy;	<ul style="list-style-type: none"> <li>Improved income generation situation of 100 families</li> </ul>	<p>Project progress reports;</p> <p>Feedback by SMEDA;</p>	<p>Continued cooperation with SMEDA and its local business centres.</p> <p>Local institutions' support to income generation activities by DPs and Refugees</p>
3) Improved knowledge for selected refugees and DPs in order to be able to make a choice for local integration or return to their municipalities of origin	<ul style="list-style-type: none"> <li>At least 400 refugees and DPs enabled to visit their municipalities of origin; assess the conditions; and make an informed decision on return;</li> </ul>	<p>Project progress reports;</p> <p>Requests for return/reconstruction submitted outside of Montenegro;</p>	<p>Successful cooperation with BCR, UNHCR and municipalities</p> <p>NGOs are able to operate across boundaries/borders.</p>

<sup>2</sup> The exact indication of new houses, prefabricated houses and construction packages will be known after the result of the call for proposal.

Activities	Means	Costs	Assumptions
<p>1)</p> <ul style="list-style-type: none"> <li>• Identify municipalities where refugees and DPs live in particularly bad conditions.</li> <li>• Conduct preparatory activities; conclude agreement on provision of land and infrastructure with a municipality, obtaining using licence and prepare designs of the buildings.</li> <li>• Carry out tenders and select contractors for the construction of the buildings as well as for the provision of construction material</li> <li>• Construction of prefabricated houses</li> <li>• Draft criteria for the delivery of construction material under self help scheme; liaise with UNHCR, BCR and where applicable with the municipality in order to set up a commissions for the selection of beneficiaries.</li> <li>• Publicly inform potential beneficiaries of the self help programmes:</li> <li>• Compile and preserve information on housing needs and difficulties in providing housing for refugees and DPs.</li> <li>• Select the beneficiaries through joint commissions composed of implementing partners, BCR,</li> </ul>	<p>Grant agreement covering all 3 activities</p>	<p>€1.5 million</p>	

<p>UNHCR and municipalities where applicable.</p> <p>2)</p> <ul style="list-style-type: none"> <li>• Providing public information and collecting applications for income generation packages from individuals.</li> <li>• Conducting the outreach activities in Roma settlements in order to obtain applications from Roma DPs.</li> <li>• Developing criteria for allocation of small income generation packages</li> <li>• Assessing feasibility of submitted applications and <i>ensuring</i> their compatibility with national strategy and Poverty Reduction Strategy.</li> <li>• Defining the final list of beneficiaries</li> <li>• Compiling and preserving information on the specific needs and difficulties of DPs to get access to employment and income generation activities</li> <li>• Organizing basic business trainings for beneficiaries. Encouraging municipalities to integrate economic activities in the local economy</li> </ul>			
--	--	--	--

Activities	Means	Costs	Assumptions
<p>3)</p> <ul style="list-style-type: none"> <li>• Disseminating information about “Go- and –See” visits amongst refugees and DPs.</li> <li>• Collecting and screening applications</li> <li>• Selecting beneficiaries and organising groups</li> <li>• Organising visits to the places of origin (with sleeping, food, security provided);</li> <li>• Liaising with the municipality of origin and the one of displacement in order to coordinate further support and cross -border activities</li> <li>• Follow up and informing DPs on possibilities for return, reconstruction and income generation in the municipality of origin</li> </ul>			



**ANNEX II: indicative amounts (in €) Contracted and disbursed by quarter for the project**

Contracted	III/2009	IV/2009	I/2010	II/2010	III/2010	IV/2010	I/2011
Contract 1		1,500,000					
Cumulated		1,500,000					
Disbursed							
Contract 1		800,000			550,000		150,000
Cumulated		800,000			1,350,000		1,500,000

**ANNEX III Reference to laws, regulations and strategic documents:**

**1) Reference to laws**

**International Law**

<i>European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950</i>
<i>UN Convention relating to the Status of Refugee as amended by the 1967 Protocol, 1951</i>
<i>UN Convention Related to the Status of Stateless Persons, 1954</i>
<i>International Covenant on Civil and Political Rights, 1966</i>
<i>International Covenant on Economic, Social and Cultural Rights, 1966</i>
<i>Guiding Principles on Internal Displacement, 1998</i>

**Laws of the Republic of Montenegro**

<i>Law on Adoption and Promulgation of the New Constitution of Montenegro</i> (Official Gazette of the Republic of Montenegro No.66/06)
<i>Constitutional Law for the Implementation of the Constitution of The Republic of Montenegro</i> Official Gazette of the Republic of Montenegro No 66/06
<i>Law on Citizenship of the Republic of Montenegro</i> (adopted on the 13 <sup>th</sup> February 2008) Yet to be published
<i>Law on Asylum of the Republic of Montenegro,</i> Official Gazette of the Republic of Montenegro No. 45/2006
<i>Decision on the Temporary Retention of the Status and Rights of Displaced and Internally Displaced Persons in the Republic of Montenegro</i> Official Gazette of the Republic of Montenegro No. 46/2006
<i>Decree on Changes and Amendments to the Decree on the Government Administration's Organization and Manner of Work,</i> Official Gazette of the Republic of Montenegro, No.72/06
<i>Law on Employment</i> Official gazette of the Republic of Montenegro, No. 05/02

<i>Law on Residence</i> Official gazette of the Republic of Montenegro No. 45/93 and No.27/24
<i>Law on Montenegrin Citizenship</i> Official gazette of the Republic of Montenegro No. 41/99
<i>Law on Employment of Aliens</i> Official gazette of the Republic of Montenegro No.11/04
<i>Law on Health Care</i> Official gazette of the Republic of Montenegro No.39/04
<i>Decree on the Displaced Persons,</i> Official Gazette of the Republic of Montenegro, No.37/92

## 2) Reference to AP /NPAA / EP / SAA

### Reference to EP

The European Council updated its decision “On Principles, Priorities and Conditions contained in European Partnership with Montenegro” in January 2007, that lists priorities which Montenegro has to meet in short-term (1-2 years) period. The chapter titled Regional issues and international obligations requires from Montenegro to meet the following political criterion:

- *Ensure protection of the rights of refugees and displaced persons. Repeal all discriminatory provisions in the fields of labour, access to property rights, legal redress and access to citizenship; guarantee unhindered access to health services and personal documents. Ensure the right of a real choice between sustainable return and integration and provide conditions for integration for those who choose the latter.*

### Reference to EC Montenegro 2007 Progress Report states:

*Most critically, Montenegro has yet to regularise the status of its large populations of refugees from Croatia, Bosnia and Herzegovina and Kosovo, who still lack full access to employment, health insurance, social welfare and property rights. Little progress has been made towards the European Partnership priorities to “repeal all discriminatory provisions” in key fields affecting refugees displaced persons and to “provide conditions for integration” of those who choose to remain in Montenegro. Physical living conditions for displaced Roma are particularly poor. Concerns persist regarding discrimination against displaced persons for employment purposes and in relation to unemployment benefits. Montenegro needs to allow refugees and displaced persons who opt to integrate locally to do so without major obstacles.*

### Reference to MIPD

The section Priority axis 1 under political criteria (2.3.1) underlines that:

*Large populations of displaced persons still lack full access to employment, health insurance, social welfare and property rights. Physical living conditions of displaced Roma are*

*particularly poor. Montenegro needs to allow displaced persons who opt to integrate locally to do so without major obstacles.*

Expected results to be achieved include that (2.3.1.1):

*Displaced live under sustainable solutions: this would include either integration or return to places of origin where appropriate; National Strategy in addressing the needs of the internally displaced persons is implemented; social inclusion measures are widespread...*

### **The Stabilisation and Association Agreement (SAA, March 2007):**

The preamble of SAA underlines:

*"Reaffirming the right of return for all refugees and DPs and to the protection of their property and other related human rights."*

Article 82

*The Parties shall co-operate in the areas of visa, border control, asylum and migration ...*

*Co-operation will focus in particular:*

- on the area of asylum on the implementation of national legislation to meet the standards of the 1951 Geneva Convention and the 1967 New York Protocol thereby to ensure that the principle of ‘non-refoulement’ is respected as well as other rights of asylum seekers and refugees.*
- In relation to migration, the Parties agree to the fair treatment of nationals of other countries who reside legally on their territories and to promote an integration policy aiming at making their rights and obligations comparable to those of their citizens.*

### Reference to the Montenegro Government’s **European Partnership Action Plan:**

Under the chapter on Human Rights and Protection of Minorities, the Government identifies, inter alia, the following short-term priority:

- Overall implementation of the National Strategy for the permanent resolution of issues relevant to the refugees and DPs in Montenegro.*

### **3) Reference to other strategic documents**

<i>Strategy for Resolving the Issues of Refugees and Internally Displaced Persons in Montenegro, 2005</i>
---

<i>National Action Plan for the “Decade of Roma Inclusion 2005-2015” in the Republic of Montenegro, 2005</i>
--

<i>Poverty Reduction Strategy Paper, 2003</i>
---

## **ANNEX IV                      Institutional Framework**

The Bureau for the Care of Refugees is the successor to the Montenegrin Commissariat for Displaced Persons. It was established by the Government's decree on the organisation and work of state administration (Official Gazette of the Republic of Montenegro No. 72/06) as a new administrative body under the umbrella of the Ministry of Health, Labour and Social Welfare. However, it enjoys a broad measure of operational independence. The BCR's present mandate is defined in the Law on Asylum of 2006. It encompasses assistance in realisation of the rights of asylum seekers and persons recognised as refugees or accorded subsidiary or temporary protection to:

- Accommodation, education, healthcare, social welfare, labour
- Legal assistance
- Religious freedom
- Access to humanitarian and non-governmental organisations, humanitarian assistance
- Family reunification
- Social inclusion
- Other rights prescribed by this law.

The BCR is composed of: (i) the sector for rendering legal and other types of assistance, (ii) the sector for finance and general affairs. The former sector consists of two departments: (i) for legal and other assistance, (ii) Asylum centre. The staff of the department for legal aid includes a sociologist, a liaison officer for EU integration and public relations, a lawyer, a person in charge of buildings and other structures, a database operator. The BCR is not fully staffed yet. However, it coordinates its activities in the municipalities through so-called "trustees". They are municipal employees who are in charge of addressing refugees and DPs related issues in the municipalities.

Although the Bureau is in charge of a number of issues aimed at fulfilling the rights of refugees and DPs, its budgetary allocation does not allow it to implement the projects concerned with providing housing or income generation activities. As the UNHCR is phasing out its budgetary support, a larger part of the budget shall be paid by the Government. This has already led to the reduction of employees' salaries and subsequent loss of qualified staff.

## **ANNEX V    Details per EU funded contract (\*) where applicable:**

The activities under this proposed project are such that it should be implemented by an international non-profit making body or NGO with extensive experience in working with refugees and DPs. The project will therefore be implemented through one grant agreement following a call for proposals from international non-profit making bodies and NGOs.

The maximum grant contribution of € 1.5 million includes an estimated amount of € 0.4 million for the construction of houses, and an estimated amount of € 1.1 million for the soft components of the project.