

# Montenegro 2024 Human Rights Report

## Executive Summary

There were no significant changes in the human rights situation in Montenegro during the year.

Significant human rights issues included credible reports of: torture or cruel, inhuman, or degrading treatment or punishment; and serious restrictions on freedom of expression and media freedom.

The government took limited credible steps to identify and punish officials who committed human rights abuses.

## Section 1. Life

### a. Extrajudicial Killings

There were no reports the government or its agents committed arbitrary or unlawful killings during the year.

### b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

### c. War Crimes, Crimes Against Humanity, and Evidence of

## **Acts that May Constitute Genocide**

Human Rights Action, Civic Alliance, and other human rights nongovernmental organizations (NGOs) criticized the government's lack of progress in war crimes prosecution, as well as victim recognition and compensation, related to the 1990s war.

The trial of Slobodan Pekovic, accused of the 1992 killings of two Bosniaks and the rape of a civilian while serving as a soldier for the Bosnian Serb Army in the Bosnian town of Foca, continued at year's end. This was the first trial in the country for sexual violence committed during the war in Bosnia and Herzegovina.

In June, the Special State Prosecutor's Office ordered an investigation into former Special Prosecutor Milivoje Katnic over his alleged links to war crimes committed in Croatia during the breakup of the former Yugoslavia. According to the prosecution's statement, Katnic was "accused of inhuman treatment of certain civilians of Croatian nationality, including attacking, torturing, and physically injuring them."

The government's Committee for Missing Persons continued to monitor, study, and determine proposals for resolving the matter of missing persons from armed conflicts in the former Yugoslavia. The Center for Civic Education highlighted insufficient systemic efforts and commitment to locate and identify all persons who had been forcibly disappeared in the

1990s.

## **Section 2. Liberty**

### **a. Freedom of the Press**

The constitution provided for freedom of expression, including for members of the press and other media, and the government generally respected this right. Hate speech, verbal threats and insults against journalists and civil activists, officials' targeting of critical media, and unresolved attacks on journalists undermined freedom of expression.

On July 3, the Agency for Electronic Media updated its 2022 ban on broadcasting Russian state-owned media, including Russia Today, Sputnik, and Rossiya 1, to implement the government's June 6 decision to align fully with the EU's restrictive measures in response to Russia's war against Ukraine.

The Agency for Electronic Media urged all local audio-visual media service providers to suspend airing or distributing programs of 20 specific Russian media outlets via any means, including cable, satellite, internet protocol television, internet services, video sharing platforms, or applications. Some observers, including the Atlantic Council of Montenegro's Digital Forensic Center noted, however, authorities did not fully implement the decision, as these banned electronic media platforms remained accessible from the

country.

## **Physical Attacks, Imprisonment, and Pressure**

There were no reports the government used violence against media; however, officials continued to target critical journalists and media. Unsolved attacks from previous years contributed to an atmosphere of intimidation.

On July 31, the High Court in Podgorica confirmed the indictment proposal of the Special State Prosecutor's Office against 14 individuals suspected of the 2018 shooting of investigative reporter Olivera Lakic in Podgorica. The group accused of the assault was also charged with creating a criminal organization and committing multiple crimes, including a murder, illegal possession of weapons, and drug trafficking.

## **Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups**

Independent and pro-opposition media alleged unfair treatment and economic pressure from government ministries and agencies. Low salaries and political pressure contributed to self-censorship. Several media columnists complained of being threatened during the year because of their publicly expressed views.

Journalists faced intimidation, threats of violence, and attacks from

unknown individuals for their reporting, including reporting on controversial political, ethnic, and religious matters as well as on corruption and smuggling.

On November 11, the Basic Prosecutor's Office in Podgorica ordered the 72-hour detention of businessman Zoran "Coco" Becirovic, his son Luka Becirovic, and police officer Mladen Mijatović, reportedly acting as Becirovic's bodyguard, for verbally and physically attacking Ana Raickovic, a journalist and editor of the crime section at the daily newspaper *Pobjeda*, along with her family members near a fast-food restaurant in Podgorica on November 10. Zoran Becirovic, alleged to have ties to the former Democratic Party of Socialists-led government, had previously been accused by journalists of issuing threats and insults. The incident sparked widespread condemnation across the political spectrum from state officials, political parties, civil society groups, and media organizations.

The Media Trade Union noted this was the 18th case of attacks or threats, including online threats, against journalists and media outlets over the year. According to the Media Trade Union, 14 of these incidents were reported to police and prosecutors for investigation and further action.

## **b. Worker Rights**

### **Freedom of Association and Collective Bargaining**

The law provided for the rights of workers, including members of the armed forces, to form and join independent trade unions, bargain collectively, and conduct legal strikes. To represent workers in collective bargaining at the enterprise level, a union had to count at least 20 percent of the workforce in the enterprise as members. To act as a worker representative in a sector, group, or branch of industry, a trade union had to include at least 15 percent of the total workforce in that sector, group, or branch. The law prohibited discrimination against union members or those seeking to organize a union and required the reinstatement of workers dismissed for union activity.

The law required employers to consult with a labor union (or employee representatives) and notify the Employment Agency regarding the consultations in cases of a collective layoff (i.e., dismissal of at least 20 employees over a 90-day period). All employment agreements had to contain a reference to bargaining agreements being defined with the employer, which had to be registered with the Ministry of Labor, Employment and Social Dialogue.

The government effectively enforced laws protecting freedom of association, collective bargaining, and the right to strike. Workers faced employer interference despite exercising their right to unionize and bargain

collectively. According to the Union of Free Trade Unions (USSCG), workers in the trade sector were intimidated when establishing unions, and they belonged to the category of workers whose rights were the most endangered. Penalties for violations against freedom of association, collective bargaining, and the right to strike were commensurate with those for analogous crimes such as civil rights violations; penalties were regularly applied against violators.

Although allowed by law, collective bargaining was rare. The government was party to collective negotiations at the national level. Only the union with the largest registered membership at any given level was entitled to bargain, negotiate settlements of collective labor disputes, and participate in other government bodies.

The right to strike was restricted for public servants whose absence from work would jeopardize public interests, national security, the safety of persons and property, or the functioning of the government. International observers noted the range of professions in which strikes were proscribed exceeded international standards. Employers could unilaterally establish minimum service requirements if negotiations with trade unions failed to lead to an agreement.

Management and local authorities often blocked attempts to organize strikes by declaring them illegal, citing lack of legally required advance notice, which ranged from two to 10 days, depending on circumstances.

Employees of privatized or bankrupt companies were eligible for retroactive pay and severance, although there were outstanding claims. Workers occasionally were not able to collect on their claims, despite valid court decisions in their favor. Several local governments failed to pay their staff for months at a time. Trade unions claimed workers were largely unaware of their rights and afraid of retaliation if they initiated complaints.

There were no reported incidents of the government or employers using violence or threats to target labor activists or union members.

## **Forced or Compulsory Labor**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Acceptable Work Conditions**

### **Wage and Hour Laws**

The law provided for a minimum wage for all sectors. According to the National Statistics Office, the national monthly minimum wage was slightly above the government's absolute poverty line. Significant portions of the workforce, particularly in rural areas and in the informal sector, earned less than the minimum wage.

The law limited overtime to 10 hours per week, and total work time could not exceed 48 work hours per week on average within a four-month period,



but seasonal workers often worked much longer.

Allegations of wage, hour, and overtime law violations were notably prevalent in tourism and hospitality, construction, and retail. Many workers, particularly women employed in the commercial, catering, and service industries, worked unpaid overtime, and employers sometimes forced them to work on religious holidays without additional compensation or to forgo their rights to weekly and annual leave.

### **Occupational Safety and Health**

The government set occupational safety and health (OSH) standards that were current and appropriate for the main industries. The government proactively identified unsafe conditions. Workers could remove themselves from situations that endangered health or safety without jeopardy to their employment. Regulations required employers and supervisors to supply and enforce the use of safety equipment, conduct risk assessment analysis, and report any workplace deaths or serious injuries within 24 hours.

Alleged violations of OSH standards were most common in the construction, energy, wood-processing, transportation, and heavy industries. Most of the injured were foreign nationals. Common causes of injuries on construction sites were unsecured workstations and lack of protective equipment. The most frequent reasons cited for unsafe working conditions were the lenient fines for violations of safety rules, failure to use safety equipment, lack of

work-related information and training, inadequate medical care for workers, and old or inadequately maintained equipment.

### **Wage, Hour, and OSH Enforcement**

The government did not effectively enforce minimum wage and overtime laws, although penalties for violations were commensurate with those for other similar crimes. Penalties were rarely applied against violators. The Labor Inspectorate was responsible for enforcing wage, hour, and OSH laws.

Employers sometimes failed to pay the minimum wage, other employee benefits, or mandatory contributions to pension funds. Employees often did not report such violations due to fear of retaliation. The practice of formally paying a worker only the minimum wage, thus being responsible for lower mandatory contributions, and giving the employee cash payments as a supplement was common. Also common was the practice of signing short-term work contracts or having lengthy “trial” periods for workers instead of signing them to permanent contracts as prescribed by law. The USSCG stated that the use of temporary or occasional work agreements continued for a significant number of employees in the public sector, undermining workers’ rights to dignified labor, creating legal uncertainty, and depriving employees of fundamental labor rights.

Administrative and judicial procedures were subject to lengthy delays and appeals, sometimes taking years. As a result, many persons sought recourse

through alternative dispute resolution. Most disputes reviewed by the Agency for Peaceful Resolution of Labor Disputes involved accusations of government institutions violating laws on overtime, night work, holidays, social insurance contribution requirements, or other administrative regulations.

The government effectively enforced OSH laws. Penalties for violations of OSH standards were generally commensurate with those for other similar crimes in the formal sector. Penalties were sometimes applied against violators.

The number of labor inspectors was sufficient to enforce compliance in the formal economy. Inspectors had the authority to make unannounced inspections and initiate sanctions but rarely did so.

The government implemented measures to prevent violations; it introduced laws, labor inspections, antitrafficking efforts, and social inclusion programs to prevent labor violations, particularly for vulnerable groups like the Roma and Balkan-Egyptians. Nevertheless, challenges such as underreporting and limited enforcement resources persisted, requiring continued commitment to fully protect these communities.

A November 2023 report by the European Commission stated the Ministry of Finance estimated the size of the informal economy at 20.6 percent of GDP, considering businesses and employees working in the formal sector.

The government did not have sufficient resources to enforce labor laws in the informal sector.

## **c. Disappearance and Abduction**

### **Disappearance**

There were no reports of enforced disappearances by or on behalf of government authorities.

### **Prolonged Detention without Charges**

The constitution and law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government usually observed these requirements. Detainees had a right to be compensated in cases of unfounded detention, and the government generally followed these requirements.

Arrests required a judicial ruling or a “reasonable suspicion by police that the suspect committed an offense.” Police generally made arrests using warrants issued by judges and based on sufficient evidence. The law required a suspect be brought promptly before a judicial officer and charged with a crime, but those rights were not always respected. Police and prosecutors could detain suspects for up to 72 hours before bringing them before a judge and charging them. Although the law prohibited excessive

delays in filing formal charges against suspects and in conducting investigations, delays sometimes occurred, without punitive repercussions for authorities responsible. At arraignment, judges made an initial determination regarding the legality of the detention, and arraignment usually occurred within the prescribed period.

Courts increasingly used bail. Judges could also release defendants without bail and limit their movements, impose reporting requirements on them, or retain their passports or other documents to prevent flight. The law permitted a detainee to have an attorney present during police questioning and court proceedings, and detainees generally had prompt access to a lawyer. Although the law required legal assistance be made available to those in need, government financial constraints sometimes limited the quality and availability of assistance. The law restricted free legal assistance to those noncitizens who did not have “money or belongings of high value.” Authorities had to immediately inform the detainee’s family, common-law partner, or responsible social institution of an arrest, and they usually did so.

#### **d. Violations in Religious Freedom**

See the Department of State’s annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

## **e. Trafficking in Persons**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Section 3. Security of the Person**

### **a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment**

Although the constitution and law prohibited such practices, there were credible reports government officials employed them. While the government ratified the European Convention on Human Rights and such practices were prohibited by domestic law, prominent NGOs reported police tortured suspects and beatings occurred in prisons and detention centers across the country. The government prosecuted some police officers and prison guards accused of overstepping their authority, but there were delays in the court proceedings.

The NGOs Human Rights Center and Women's Rights Center stated on June 26 that there was a prevailing lack of initiative among state prosecutors toward serious reports of abuse, leading to ineffective investigations. NGOs noted several police officers responsible for violating the rules of their service, including cases of excessive use of force, remained on duty. The Office of the Ombudsperson received complaints alleging police torture,

noting most complaints involving criminal proceedings did not result in heavy penalties.

In March, several NGOs called on the Special State Prosecution to investigate cases of systematic police torture, after photos of police brutality were published in the media. Citing a EUROPOL report to the Montenegrin government from May 2023, news portal *Libertas Press* published photos and SKY ECC secure messaging application transcripts of police special unit officers and their prisoners, who were members of the Kavac drug gangs. The published photos showed special unit police officers beating prisoners, putting guns in their mouths, suffocating them, and torturing them with electricity.

Impunity was a problem in the security forces, particularly among police and prison officers. NGOs cited corruption, lack of transparency, a lack of capacity by oversight bodies, and political influence over prosecutors and officials within the Police Administration and the Ministry of Interior as factors contributing to impunity. During the year, authorities offered numerous training sessions, often in conjunction with international partners, and held working groups dedicated to the promotion and protection of human rights.

NGOs noted the lack of designated interrogation rooms, including audio and video equipment to record interrogations and help deter mistreatment, was a problem.

## **b. Protection of Children**

### **Child Labor**

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

### **Child Marriage**

The minimum legal age for marriage was 18 in most cases, and persons as young as 16 could marry with the consent of a court or a parent, but the law was not effectively enforced by the government. Punishment for arranging forced marriages ranged from six months to five years in prison, but convictions were rare, generally due to a lack of evidence or poor understanding of the law.

Child marriage was a serious problem in the Romani and Balkan-Egyptian communities. The government had not acted on recommendations by UN monitoring bodies to raise the minimum age for marriage. The practice of arranged child marriages in Romani communities remained a concern.

Official statistics on child marriages remained scarce, as many went unregistered despite legal safeguards. According to the NGO Center for Roma Initiatives, from 2020 to 2023, 54 percent of registered victims of arranged child marriages were ages 15-16, while 32 percent were between 12 and 14. According to UNICEF, 32 percent of Romani girls and one in six



Romani boys ages 15-19 were married. There were reports underage girls were sold into “traditional” or “arranged” marriages without their consent, including to persons in neighboring countries.

The custom of buying or selling virgin brides was common in the Romani, Ashkali, and Balkan-Egyptian communities. Brides found not to be virgins prior to marriage faced severe repercussions, including violence, from the groom’s family, their family, and the community at large.

### **c. Protection to Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Between the start of Russia’s full-scale invasion of Ukraine in February 2022 and September, more than 263,560 Ukrainians arrived in the country. The government cooperated with the Red Cross of Montenegro, UNHCR, and the International Organization for Migration to provide housing, necessities, and other assistance to refugees.

In March, the government extended the temporary protection (TP) regime for Ukrainian refugees for another year, until March 2025. On July 31, parliament amended the asylum law to remove the limit on the time period asylum seekers were covered by the TP regime. The March extension of the

TP regime, however, needed to be harmonized with the amended asylum law to enable extension of the TP regime for those already in the country for more than two years. This lack of harmonization negatively impacted those Ukrainian refugees residing in the country for more than two years and exacerbated challenges in their access to the labor market.

In parallel with Ukrainian refugees, a significant number of citizens of the Russian Federation and Belarus entered the country after February 2022. As of September, there were 43,228 citizens of the Russian Federation residing in the country.

### **Provision of First Asylum**

The law provided for the granting of refugee or subsidiary protection status, and the government had a system for providing protection to refugees. Authorities did not employ methods for managing mixed migration movements effectively, such as prioritization or accelerated procedures.

Based on UNHCR advocacy efforts with the Border Police, as of 2022, registration of asylum intention was allowed in every municipality, as foreseen by the 2018 asylum law.

During the year, the backlog of asylum applications pending more than six months decreased and the Ministry of Interior continued significant efforts to resolve at the first-instance level all pending applications within a six-month period. Despite progress made by the government to process asylum

applications within a six-month period, the NGO Civic Alliance reported applicants waited for periods beyond this timeframe. Although the deadline for a decision was six months, the asylum law allowed its extension up to 21 months.

## **Resettlement**

A path to citizenship for refugees was available but required evidence the applicant had renounced citizenship in their country of origin, which many refugees could not obtain. Those displaced persons from countries of the former Yugoslavia who chose integration rather than return to their country of origin enjoyed access to basic services and naturalization in the country.

### **d. Acts of Antisemitism and Antisemitic Incitement**

The Jewish community population was estimated to be approximately 400 to 500 individuals. There were no known reports of antisemitic incidents.