Information for the Report of the Special Rapporteur on adequate housing

MONTENEGRO

**Regarding the needs and circumstances of different populations, particularly the marginalized groups,** according to Article 4 of the Social Housing Law (<http://www.mrt.gov.me/en/library/zakoni?alphabet=lat>), the groups with priority in exercising the right to social housing are the following: single parents i.e. legal guardians, persons with disabilities, persons over the age of 67, the young who used to be children without parental care, families with children with disabilities, members of Roma and Egyptian population (RE population), displaced persons, internally displaced persons from Kosovo who reside in Montenegro, foreigners with permanent residence or temporary stay with an acknowledged status of displaced or internally displaced persons, and victims of domestic violence.

Article 8 of the law in question (Social Housing Law) stipulates that the exercise of the right to social housing shall be provided by using the following criteria: 1) existing housing situation: 2) income and assets; 3) duration of uninterrupted stay or residence in the place where the housing issue is being solved; 4) number of household members; 5) disability; 6) health condition; 7) age. More closely defined criteria, in accordance with the social housing programme, are determined by the Government regulation, and/or the local self-government unit’s regulation, in accordance with the local programme. The local self-government unit reaches the regulation with the previous consent from the state administration authority in charge of social housing affairs.

**When it comes to the right to appeal about the exercising of right to housing**, bearing in mind that in the area of social and child protection, the right to housing has not been envisaged, compared to other rights from social protection proscribed by the Law on Social and Child Welfare (<http://www.mrs.gov.me/en/library/zakoni?alphabet=lat>), we would like to point out that Article 73, paragraph 2 of the law in question proscribes the jurisdiction of the Ministry of Labour and Social Welfare to act upon the complaints against the decisions of first-instance institutions (centres for social work). Also, an administrative dispute can be initiated by an appeal against the second-instance decisions of the Ministry of Labour and Social Welfare before the Administrative Court of Montenegro.

**One of the goals is to solve housing issues.** Through the Regional Housing Programme for Montenegro (<http://regionalhousingprogramme.org/media/publications/>), it was envisaged to provide funds to solve the housing issue for 6,063 persons (1,177 households) from the most vulnerable categories (persons in informal collective centres and vulnerable persons in private housing, particularly focusing on Konik Camp).

The Regional Housing Programme is implemented in more than 13 Montenegrin municipalities.

The Programme envisages the following: the construction and construction material for housing units, purchasing of apartments, reconstruction of existing structures etc. The total project value is 27.696 million euros. The state will contribute 15%, i.e. 4.154 million euros, meaning that funds which are still needed amount to 23.542 million euros.

This programme will contribute significantly to the closure of the Konik Camp (the largest collective camp for displaced persons in Montenegro), and of the remaining collective centres for the housing of displaced and internally displaced persons. For this phase of the Sub-Programme, The Ministry of Labour and Social Welfare, in cooperation with the EC, UNHCR and OSCE (joint committee members) finalised the selection of beneficiaries for housing in 120 housing units, after which the preconditions were created to take action and implement measures to remove a part of the temporary container settlement, in order to close down the Konik Camp I.

The entire programme is implemented by the Directorate of Public Works, and the preparation of project planning documents is done by the Agency for Planning and Design of Nikšić Municipality.

Four partner countries (Montenegro, Serbia, Bosnia and Herzegovina and Croatia) established many bilateral and regional working groups, with important support from UNHCR, OSCE and other international organisations, which act in accordance with the agreed framework. The implementation of the Regional Housing Programme aims to close the chapter on the issue of displacement in the former Yugoslav republics.

Within this Programme some of the Sub-Projects were successfully implemented and housing units are constructed. The selection of beneficiaries was implemented in accordance with the Social Housing Law, with support from UNHCR and OSCE. Other Sub-Projects are in phase of realisation, with the different status in different municipalities.

**National Strategy for Sustainable Development until 2030** <http://www.mrt.gov.me/en/library/strategije> is umbrella, horizontal and long-term development strategy of Montenegro that relates not only to environment and economics, but also to human resources and social capital that should ensure prosperous development. Positioned in such a way, NSSD gives answers to: identified unsustainable development trends, incompatible sectoral policies; institutional framework that is not compatible with necessities to implement sustainable development policies and with requirements of good governance and incompatibility of the system of public finance for sustainable development priorities.

A very important element for the improvement of life quality in urban areas is responsible housing policy which recognizes the right on flat as regulated through numerous international treaties and conventions to which Montenegro is contracting party.

NSSD defines measure Improve the state in the housing sector in line with SDG 11 (11.1), (11.3) within which there are several sub-measures defined:

3.4.6.1 Strengthen the participation of local self-governments in the field of improved housing policy, primarily with regard to the implementation of the Law on Housing (maintenance of residential buildings, establishment of the tenants’ assembly, control over payment of fees for maintenance of buildings, etc.), and availability of funds for the construction of social housing and maintenance of residential buildings, SDG 11 (11.1, 11.3).

3.4.6.2 Develop renting sector, both public and private one, along with the creation of conditions for full legal security for all stakeholders in this process, SDG 11 (11.1)

3.4.6.3 Resolve housing problems of young families, families with many children, persons with disabilities and other groups with special needs within the social housing, SDG 11 (11.1).

3.4.6.4 Improve the quality of housing in informal settlements, SDG 11 (11.1).

The Ministry of Sustainable Development and Tourism is preparing 3rd phase of “The project of solving the housing needs of citizens at affordable conditions - 1000+ project", which is a project of social housing for citizens with medium and lower incomes who cannot solve their housing needs in the market. The project was successfully implemented in the period of 2010–2011 and 2016–2017 year, when 809 households, total of 2149 citizens of members of these households have solved their housing issues.

The priority in exercising the right to meet the housing need through approval of the loan for purchase of an individual residential facility were particularly given to: single parents, or guardians, disabled persons, family households with members who are disabled persons, family households with children having developmental impairments, young persons who had no parental care or were the victims of domestic violence. In the previous two phases of the mentioned project, 809 family households (2149 members of these households) have solved their housing issues.