

# Montenegro

*Women, Business and the Law 2021* presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Podgorica). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Montenegro scores 88.1 out of 100**. The overall score for Montenegro is higher than the regional average observed across Europe & Central Asia (83.4). Within the Europe & Central Asia region, the maximum score observed is 93.8 (Croatia and Serbia).

## Montenegro - Scores for Women, Business and the Law 2021



### Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, constraints related to marriage, constraints on women's starting and running a business, and gender differences in property and inheritance, Montenegro gets a perfect score.

### Areas for Improvement

However, when it comes to laws affecting women's pay, laws affecting women's work after having children, and laws affecting the size of a woman's pension, Montenegro could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Montenegro is on the indicator related to laws affecting the size of a woman's pension (the WBL2021 Pension Indicator). To improve on the Pension Indicator, Montenegro may wish to consider equalizing the ages at which men and women can retire with full pension benefits, and equalizing the ages at which men and women can retire with partial pension benefits.

### Recent Reforms

Montenegro eliminated restrictions on women's employment in industrial jobs such as mining, construction, manufacturing and the water sector. It also removed restrictions on women's employment in jobs deemed dangerous.



Further data details for Montenegro are available at:  
<https://wbl.worldbank.org/en/data/exploreconomies/montenegro/2021>



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	Family Law, Arts. 3, 39 and 42
	Can a woman travel outside her home in the same way as a man?	Yes	Family Law, Arts. 3, 39 and 42
	Can a woman apply for a passport in the same way as a man?	Yes	Law on Travel Documents, Arts. 2 and 7; Passport application procedure
	Can a woman travel outside the country in the same way as a man?	Yes	Family Law, Arts. 3 and 39
Workplace	Can a woman get a job in the same way as a man?	Yes	Family Law, Arts. 3, 39 and 43
	Does the law prohibit discrimination in employment based on gender?	Yes	Labor Act, Art. 7
	Is there legislation on sexual harassment in employment?	Yes	Law on Prohibition of Harassment at Work, Art. 3; Labor Law, Art. 10; Law on Gender Equality, Art. 7(8); Law on Prohibition of Discrimination, Art. 7
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Law on Prohibition of Discrimination, Art. 34a(2) <i>Civil:</i> Law on Prohibition of Discrimination, Art. 26(3)
Pay	Does the law mandate equal remuneration for work of equal value?	Yes	Labor Act, Art. 99; Law on Prohibition of Discrimination, Art. 16
	Can a woman work at night in the same way as a man?	No	Labor Law, Art. 125
	Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
	Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	Family Law, Arts. 3 and 39
	Can a woman be head of household in the same way as a man?	Yes	Family Law, Arts. 3 and 39
	Is there legislation specifically addressing domestic violence?	Yes	Law on Domestic Violence Protection; Criminal Code, Arts. 142(31), 144(7) and 220
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
	Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
Parenthood	Is paid leave of at least 14 weeks available to mothers?	Yes	Labor Act, Art. 126
	Does the government pay 100% of maternity leave benefits?	Yes	Law on Social and Child Protection, Arts. 1, 3 and 51-55
	Is paid leave available to fathers?	No	No applicable provisions could be located
	Is there paid parental leave?	Yes	Labor Law, Art. 127
	Is dismissal of pregnant workers prohibited?	Yes	Labor Act, Art. 123
Entrepren.	Does the law prohibit discrimination in access to credit based on gender?	Yes	Law on Prohibition of Discrimination, Arts. 2 and 11
	Can a woman sign a contract in the same way as a man?	Yes	Family Law, Arts. 3 and 39
	Can a woman register a business in the same way as a man?	Yes	Companies Act, Art. 92
	Can a woman open a bank account in the same way as man?	Yes	Family Law, Arts. 3 and 39
Assets	Do men and women have equal ownership rights to immovable property?	Yes	Family Law, Arts. 11 and 291
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Law on Inheritance, Arts. 10 and 11
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Law on Inheritance, Arts. 9, 11 and 13
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Family Law, Arts. 291 and 292
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Family Law, Art. 294
Pension	Is the age at which men and women can retire with full pension benefits the same?	No	Women: Law on Pension and Disability Insurance, Arts. 17 and 197d Men: Law on Pension and Disability Insurance, Arts. 17, 197 and 197d
	Is the age at which men and women can retire with partial pension benefits the same?	No	Women: Law on Pension and Disability Insurance, Arts. 17a, 27a, 197e and 197j Men: Law on Pension and Disability Insurance, Arts. 17a, 27a, 197j
	Is the mandatory retirement age for men and women the same?	Yes	Women: Labor Law, Art. 164(1) Men: Labor Law, Art. 164(1)
	Are periods of absence due to child care accounted for in pension benefits?	Yes	Pension and Disability Insurance Law, Arts. 25, 26 and 64