











# Montenegro

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>80.0</b>	<b>50.8</b>	<b>85.0</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women's economic empowerment in three areas: women's legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Montenegro, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Podgorica). The scores for Montenegro are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	75.0	100.0	100.0	50.0	100.0	75.0	100.0	50.0	100.0	50.0
Supportive frameworks score	25.0	66.7	33.3	50.0	33.3	66.7	50.0	66.7	66.7	50.0
Expert opinions score	75.0	100.0	75.0	75.0	75.0	100.0	75.0	75.0	100.0	100.0

In summary, the **WBL 2.0 legal frameworks score** for Montenegro (80.0 out of 100.0) is higher than the global average (64.2) and higher than the Europe & Central Asia regional average (77.0). When it comes to constraints on freedom of movement, laws affecting women's decisions to work, constraints related to marriage, laws affecting childcare and laws affecting women's property and inheritance, Montenegro obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Montenegro is on the indicator measuring laws affecting women's pay. To improve on the Pay indicator, Montenegro may wish to consider mandating equal remuneration for work of equal value and allowing women to work at night in the same way as men.

The **WBL 2.0 supportive frameworks score** for Montenegro (50.8 out of 100.0) is higher than the global average (39.5) and lower than the Europe & Central Asia regional average (51.3). Montenegro does not attain a perfect score on any of the WBL 2.0 supportive frameworks indicators. There is room for improvement across all ten indicators. As an example, one of the lowest scores for Montenegro is on the indicator measuring supportive frameworks affecting women's safety. To

improve on the Safety indicator, Montenegro may wish to consider developing comprehensive mechanisms to address violence against women, designating a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women, providing an annual budgetary allocation towards violence against women risk mitigation and prevention and response programs.

The **WBL 2.0 expert opinions score** for Montenegro (85.0 out of 100.0) is higher than the global average (65.7) and higher than the Europe & Central Asia regional average (75.2). When it comes to expert opinions on freedom of movement, expert opinions on women's work after having children, expert opinions on women's property and inheritance and expert opinions on women's pensions, Montenegro obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Montenegro is on the indicator measuring expert opinions on women's safety.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Is there legislation on domestic violence?	Yes	Law on Domestic Violence Protection, Arts. 2, 8(6)(8), 19-25, and 36; Criminal Code, Arts. 77a, 77b, 144(7), 204, and 220
Is there legislation on femicide?	No	No applicable provisions could be located
Is there comprehensive legislation on sexual harassment?	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, Arts. 7, 26(3), 34a(1)(2)
Is there legislation on child marriage?	Yes	Family Law, Arts. 24 and 54; Criminal Code, Arts. 214-216
<b>Mobility</b>		
Can a woman travel internationally in the same way as a man?	Yes	Law on Travel Documents, Arts. 2 and 7; Family Law, Arts. 3 and 39
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 and 39
Do women and men have equal rights to confer citizenship to their spouses and their children?	Yes	Montenegrin Citizenship Law, Arts. 5-6 and 11
<b>Workplace</b>		
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 Law of 2019, Art. 7-9
Does the law prohibit discrimination in recruitment based on marital status, parental status, and age?	Yes	Labor Law of 2019, Art. 7
Does the law allow employees to request flexible work?	Yes	Labor Law of 2019, Art. 42
<b>Pay</b>		
Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
Can a woman work at night in the same way as a man?	No	Labor Law of 2019, Art. 125
Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
<b>Marriage</b>		
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	Family Law, Arts. 3 and 39
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	Family Law, Arts. 3 and 39
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Family Law, Arts. 56-57
Does a woman have the same rights to remarry as a man?	Yes	Family Law, Arts. 56-58
<b>Parenthood</b>		

Is paid leave of at least 14 weeks available to mothers?	Yes	Labor Law of 2019, Arts. 126 and 127
Are leave benefits for mothers paid solely by the government?	Yes	Law on Social and Child Protection, Arts. 1, 3 and 51-55
Is there paid leave available to fathers?	No	No applicable provisions could be located
Is dismissal of pregnant workers prohibited?	Yes	Labor Law of 2019, Art. 123
<b>Childcare</b>		
Does the law establish provision of childcare services in center-based settings?	Yes	Law on Preschool Education, Arts. 5 and 8; Law on Education and Upbringing, Arts. 3, 18 and 135
Does the law establish any form of support to families for childcare services?	Yes	Law on Preschool Education, Art. 35; Law on Education and Upbringing, Art. 135(14)(14a); Rulebook of the Ministry of Education on Determining the Amount of Children's Nutrition Costs Paid by Parents in a Public Preschool Institution, Arts. 3-4
Does the law establish any form of support to non-state childcare providers?	Yes	Law on Education and Upbringing, Arts. 65, 66, 136a and 139
Does the law establish quality standards for the provision of childcare services in center-based settings?	Yes	Law on Preschool Education, Arts. 24, 28 and 29; Rulebook on the Content, Forms and Methods of Quality Assessment of Educational Work at Institutions, Arts. 3, 6, 8, 9, 12, 15, 17, 18 and 20
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Family Law, Arts. 3 and 39; Companies Act, Arts. 62, 66, 92, 106 and 264
Does the law prohibit discrimination in access to credit based on gender?	Yes	Law on Prohibition of Discrimination, Arts. 2 and 11
Does the law prescribe a gender quota on corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
<b>Assets</b>		
Do men and women have equal administrative power and ownership rights to immovable property, including land?	Yes	Family Law, Arts. 11, 291 and 292; Property Relations Act, Art. 8
Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Law on Inheritance, Arts. 9-11
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Law on Inheritance, Arts. 9-11 and 13
Does the law provide for the valuation of nonmonetary contributions?	Yes	Family Law, Art. 294
<b>Pension</b>		
Are the ages at which men and women can retire with full pension benefits equal?	No	Law on Pension and Disability Insurance 2003, Arts. 17 and 197d
Are the ages at which men and women can retire with partial pension benefits equal?	No	Law on Pension and Disability Insurance 2003, Arts. 17a, 27a and 197(e)(j)
Is the mandatory retirement age for men and women equal?	Yes	Labor Law of 2019, Art. 164(1)
Are periods of absence due to childcare accounted for in pension benefits?	Yes	Law on Pension and Disability Insurance 2003, Arts. 25, 26 and 64

## WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
<b>Safety</b>		
Has the government developed comprehensive mechanisms to address violence against women?	No	Insufficient evidence located
Are there special procedures for cases of sexual harassment?	Yes	Law on the Prohibition of Discrimination, Arts. 22 and 29
Is there a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women?	No	Insufficient evidence located

Is there an annual budgetary allocation towards violence against women risk mitigation, prevention and response programs?	No	Insufficient evidence located
<b>Mobility</b>		
Are passport application processes the same for women and men?	Yes	Passport application procedures
Are the application processes for official identity documents the same for women and men?	Yes	ID application procedures
Is there a current policy or plan that explicitly considers the specific mobility needs of women in public transportation?	No	Insufficient evidence located
<b>Workplace</b>		
Has the government published guidelines on non-discrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
Is there a specialized body that receives complaints about gender discrimination in employment?	Yes	Law on Prohibition of Discrimination, Arts. 21 and 34a; Law on the Protector of Human Rights and Freedoms of Montenegro, Art. 27
<b>Pay</b>		
Are there pay transparency measures or enforcement mechanisms to address the gender pay gap?	No	Insufficient evidence located
Is sex-disaggregated data on employment in different industries or sectors published at least on an annual basis?	Yes	Statistical Office of Montenegro: Persons in employment by sectors of activity and sex, LFS 2021
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	Yes	Family Law, Art. 89, 224, 317, 360 and 366
Are there specialized family courts?	No	Insufficient evidence located
Is legal aid available for family law disputes?	No	Insufficient evidence located
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Law on Social and Child Protection, Art. 50
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	Yes	Labor Law of 2019, Art. 123
Has sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	Yes	Official Website of the Ministry of Education
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers?	No	Insufficient evidence located
Has the government published any reports on quality of childcare services within the last 3 years?	Yes	Official Website of the Institute of Education
<b>Entrepreneurship</b>		
Is sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses published on a regular basis?	No	Insufficient evidence located
Are there government-led programs that provide support to female entrepreneurs such as access to finance or regarding agency and empowerment?	Yes	The National Digital Platform for Economic Empowerment of Women in Montenegro; Strategy for the Development of Women's Entrepreneurship 2021-2024
Is there a current national government plan or strategy with a focus on women's access to financial services?	Yes	Strategy for developing women's entrepreneurship in Montenegro (2021-2024)
<b>Assets</b>		
Are there mechanisms or incentives to encourage women to register immovable property?	Yes	Property Relations Act, Art. 155

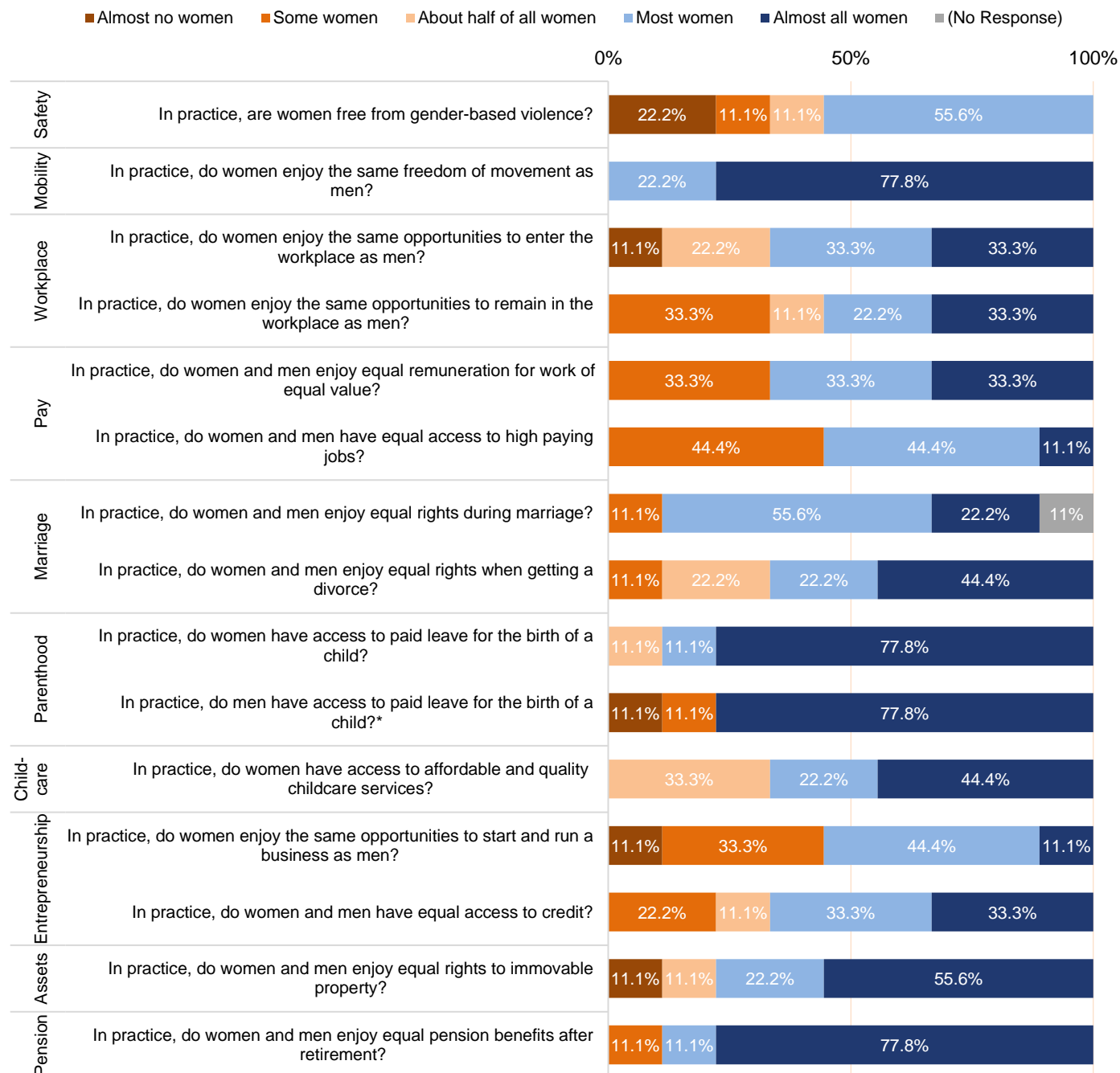


Are there awareness measures in place to improve women's access to information about marital and inheritance rights?	Yes	Campaign on inheritance right "don't divide the children", supported by Ministry of Human and Minority Rights
Is anonymized sex-disaggregated data on property ownership published on a regular basis?	No	Insufficient evidence located
<b>Pension</b>		
Are there incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
Is there a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	Law on Pension and Disability Insurance 2003, Art. 90

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## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.