











Montenegro

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
80.0	50.8	85.0

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 Legal frameworks score	75.0	100.0	100.0	50.0	100.0	75.0	100.0	50.0	100.0	50.0
WBL 2.0 Supportive frameworks score	25.0	66.7	33.3	50.0	33.3	66.7	50.0	66.7	66.7	50.0
WBL 2.0 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
Safety		
Does the law address child marriage?	Yes	Family Law, Arts. 24 and 54; Criminal Code, Arts. 214-216
Does the law address 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)
Does the law address 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
Does the law address femicide?	No	No applicable provisions could be located
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 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 travel outside her home in the same way as a man?	Yes	Family Law, Arts. 3 and 39
Do a woman and a man have equal rights to confer citizenship on their spouses and their children?	Yes	Montenegrin Citizenship Law, Arts. 5-6 and 11
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 explicitly prohibit discrimination in recruitment based on marital status, parental status, and age?	Yes	Labor Law of 2019, Art. 7
Does the law prohibit discrimination in employment based on gender?	Yes	Labor Law of 2019, Art. 7-9
Does the law allow employees to request flexible work?	Yes	Labor Law of 2019, Art. 42
Pay		
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 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 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 be "head of household" or "head of family" in the same way as a man?	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
Parenthood		

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 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
Childcare		
Does the law establish the provision of center-based childcare services?	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 for 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 for nonstate childcare providers?	Yes	Law on Education and Upbringing, Arts. 65, 66, 136a and 139
Does the law establish quality standards for the provision of center-based childcare services?	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
Entrepreneurship		
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 for 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
Assets		
Do a woman and a man 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?	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
Pension		
Are the ages at which a woman and a man can retire with full pension benefits the same?	No	Law on Pension and Disability Insurance 2003, Arts. 17 and 197d
Are the ages at which a woman and a man can retire with partial pension benefits the same?	No	Law on Pension and Disability Insurance 2003, Arts. 17a, 27a and 197(e)(j)
Is the mandatory retirement age for a woman and a man the same?	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
Safety		
Has the government developed comprehensive mechanisms to address violence against women?	No	Insufficient evidence located
Are special procedures in place for cases of sexual harassment?	Yes	Law on the Prohibition of Discrimination, Arts. 22 and 29
Is a government entity responsible for monitoring and implementing national services, plans and programs addressing violence against women?	No	Insufficient evidence located

Is an annual budgetary allocation devoted to violence against women risk mitigation, prevention, and response programs?	No	Insufficient evidence located
Mobility		
Are passport application processes the same for a woman and a man?	Yes	Passport application procedures
Are the application processes for official identity documents the same for a woman and a man?	Yes	ID application procedures
Does a current policy or plan explicitly consider the specific mobility needs of women in public transportation?	No	Insufficient evidence located
Workplace		
Does a specialized body receive 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
Has the government published guidelines on nondiscrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
Pay		
Are pay transparency measures or enforcement mechanisms in place to address the pay gap?	No	Insufficient evidence located
Have sex-disaggregated data on employment in different industries or sectors been published?	Yes	Statistical Office of Montenegro: Persons in employment by sectors of activity and sex, LFS 2021
Marriage		
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
Parenthood		
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
Have sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
Childcare		
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 nonstate childcare providers?	No	Insufficient evidence located
Has the government published any reports on the quality of childcare services?	Yes	Official Website of the Institute of Education
Entrepreneurship		
Have sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses been published?	No	Insufficient evidence located
Are government-led programs supporting female entrepreneurs providing access to finance and training, coaching, or business development?	Yes	The National Digital Platform for Economic Empowerment of Women in Montenegro; Strategy for the Development of Women's Entrepreneurship 2021-2024
Does a current national government plan or strategy focus on women's access to financial services?	Yes	Strategy for developing women's entrepreneurship in Montenegro (2021-2024)
Assets		
Are mechanisms or incentives in place to encourage women to register immovable property (including joint titling)?	Yes	Property Relations Act, Art. 155
Are 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



Have anonymized sex-disaggregated data on property ownership been published?

No

Insufficient evidence located

Pension

Are incentives in place to increase women's retirement benefits?

No

Insufficient evidence located

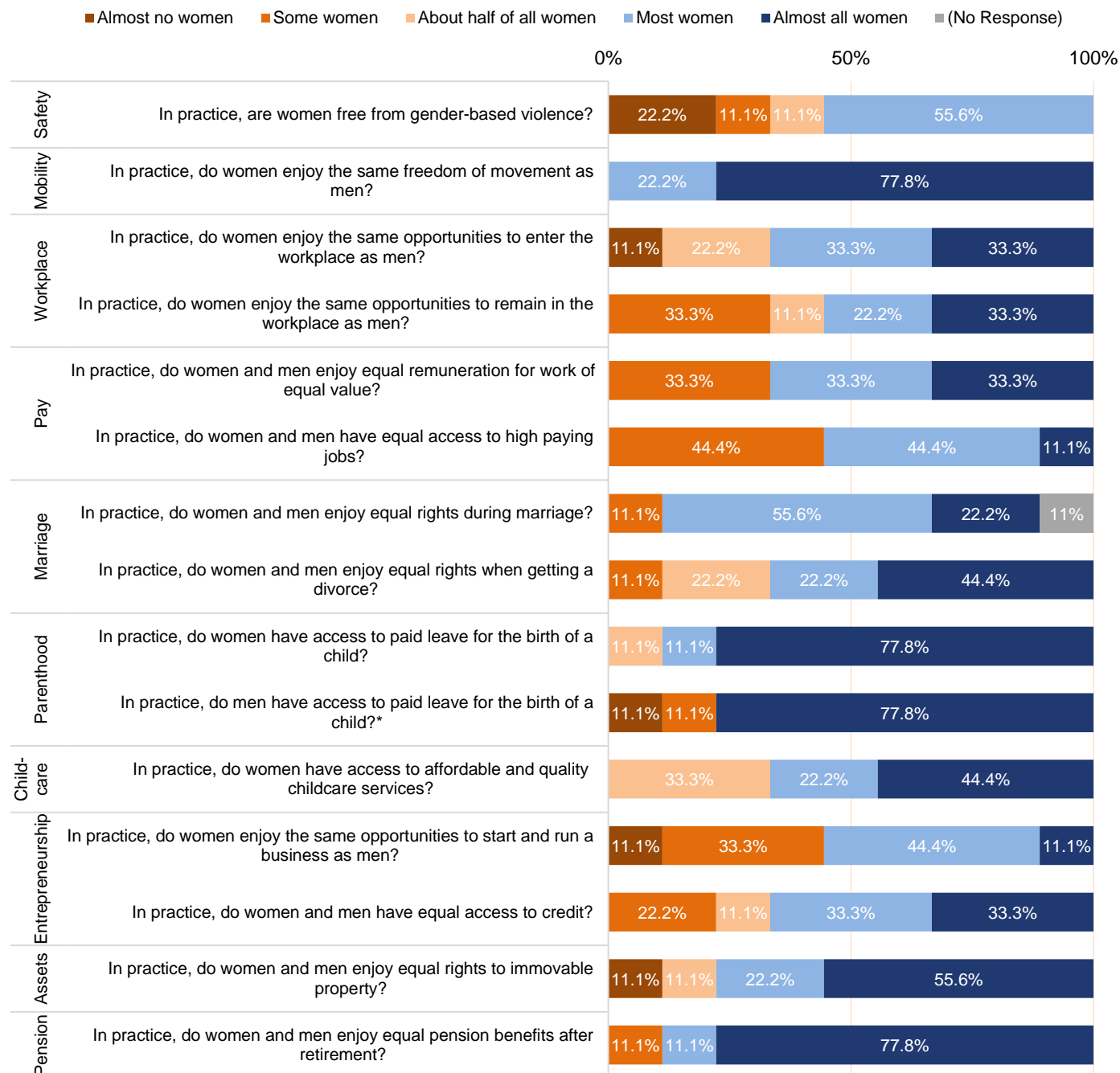
Is a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?

Yes

Law on Pension and Disability Insurance 2003, Art. 90



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.