

**24 Annex - Justice, freedom and security**

**180. DECREE ON THE CONTENTS AND METHOD OF  
KEEPING RECORDS IN THE FIELD OF ASYLUM**

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ASYLUM

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Pursuant to Article 70 paragraph 2 of the Law on Asylum (Official Gazette of the Republic of Montenegro 45/06) at its session held on 27 December 2007, the Government of Montenegro adopted the following

**DECREE ON THE CONTENTS AND METHOD OF KEEPING RECORDS IN THE FIELD OF  
ASYLUM**

(Official Gazette of Montenegro 09/08 of 8 February 2008)

**Scope of decree**

**Article 1**

This Decree regulates the contents and method of keeping records about the following: asylum seekers, recognized refugees and persons granted subsidiary or temporary protection, the rights the said persons use, documents issued under the Law on Asylum and about temporary seized documents.

**Records about asylum seekers**

**Article 2**

Records about asylum seekers shall contain:

- serial number
- name of a non-competent authority where the asylum seeker expressed intent to submit the asylum application
- place and date when the intent to submit the asylum application was expressed
- date when the Asylum Office was informed about the intent to submit the asylum application
- date about admittance to the reception centre or to other facility for collective accommodation or about accommodation that the asylum seeker provided
- data about sex of officer and interpreter and data about language that the asylum seeker wishes to participate in and use during the procedure
- data about the asylum seeker (name and surname, surname at birth, master citizen number, sex, marital status, name and surname of both parents, date, place and country of birth, ethnic affiliation, religious affiliation, citizenship, educational qualification, occupation, native language and any other languages the asylum seeker understands)
- data about place and country of last habitual residence
- data about accompanying family members of the asylum seeker (name and surname, kinship, date and place of birth, citizenship)
- data about family members not accompanying the asylum seeker (name and surname, kinship, date and place of birth, citizenship, country of temporary residence, legal status)

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- data about identifications and other documents owned by the asylum seeker (type of identification or document, number, issuer country and authority, issue date, period of validity, original document or copy);
- name of country from which the asylum seeker entered Montenegro
- data about place and time of entry to Montenegro;
- data about earlier asylum applications (country where the application has been submitted, time of submitting, type of decision rendered upon the application)
- date of submitting asylum application to the competent authority
- data about place and address of temporary residence in Montenegro
- fingerprints, photography and signature
- data about issued identification (number, issue date, period of validity, issuing authority)
- data about application for emergency travel document (granted or denied application, number of the issued emergency travel document, period of validity, issuing authority, reason for denial)
- data about registration of a minor into the emergency travel document of a parent or guardian (name and surname, date of birth, date of registration)
- data about temporary restriction of movement
- space for notes (unaccompanied minor, person with special needs)
- data about granting/denying asylum application, or suspension of procedure and date of granting or denying the asylum application, or suspension of the procedure
- decision upon the complaint;
- number and date of rendering decision upon the complaint

### **Records about recognized refugees**

#### **Article 3**

Records about recognized refugees shall contain:

- serial number
- data about the recognized refugee (name and surname, surname at birth, master citizen number, sex, marital status, name and surname of both parents, date, place and country of birth, ethnic affiliation, religious affiliation, citizenship, educational qualification, occupation, native language and any other languages the recognized refugee understands)
- data about place and country of last habitual residence
- data about accompanying family members of the recognized refugees (name and surname, kinship, date and place of birth, citizenship)
- data about non-accompanying family members (name and surname, kinship, date and place of birth, citizenship, country of temporary residence, legal status)
- date of submitting asylum application
- fingerprints, photography and signature
- space for notes (unaccompanied minor, person with special needs)
- date and number of issued document certifying the recognized refugee status
- data about place and address of residence in Montenegro

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- date and place of cancellation of residence
- data about issued identification card issued to the recognized refugee (serial number, issue date, period of validity, issuing authority)
- data about application for issuing travel document (approved/denied application, type and number of issued travel document, period of validity, issuing authority, reason for denial);
- data about registration of a minor into the travel document of a parent or guardian (name and surname, date of birth, registration date)
- data about the ceased or terminated refugee status and the date of cessation or termination of the refugee status
- decision upon the complaint
- number and date of rendering decision upon the complaint.

### **Records about persons granted subsidiary protection**

#### **Article 4**

Records about persons granted subsidiary protection shall contain:

- serial number
- data about person granted subsidiary protection (name and surname, surname at birth, master citizen number, sex, marital status, name and surname of both parents, date, place and country of birth, ethnic affiliation, religious affiliation, citizenship, education, occupation, native language and any other languages the person understands)
- data about place and country of last habitual residence
- data about accompanying family members (name and surname, kinship, date and place of birth, citizenship)
- data about non-accompanying family members (name and surname, kinship, date and place of birth, citizenship, country of temporary residence, legal status)
- date of submitting asylum application
- fingerprints, photography and signature
- space for notes (unaccompanied minor, person with special needs)
- date and number of the certificate granting the subsidiary protection
- data about place and address of temporary residence in Montenegro
- data about date and place of cancellation of residence
- data about issued identification card (serial number, issue date, period of validity, issuing authority)
- data about application for emergency travel document (approved/denied application, type and number of issued travel document, period of validity, issuing authority, reason for denial)
- data about registration of a minor into the emergency travel document of a parent or guardian (name and surname, date of birth, registration date)
- data about prolongation of period of validity of subsidiary protection and date of prolongation of period of validity of subsidiary protection
- data about the ceased or terminated subsidiary protection and date of cessation or termination of subsidiary protection

- decision upon the complaint
- number and date of rendering decision upon the complaint.

### **Records about persons granted temporary protection**

#### **Article 5**

Records about persons granted temporary protection shall contain:

- serial number;
- data about person granted temporary protection (name and surname, surname at birth, master citizen number, sex, name and surname of both parents, date, place and country of birth, citizenship)
- data about place and country of last habitual residence
- data about non-accompanying family members (name and surname, kinship, date and place of birth, citizenship, country of temporary residence, legal status)
- data about a country from which the person entered Montenegro
- data about place and time of entry to Montenegro
- data about place and address of temporary residence in Montenegro
- photography and signature
- space for notes (unaccompanied minor, person with special needs)
- data about issued identification card (serial number, issue date, period of validity, issuing authority)
- data about application for emergency travel document (approved/denied application, number of emergency travel document, issue date, period of validity, issuing authority, reason for denial)
- data about registration of a minor into the travel document of a parent or guardian (name and surname, date of birth, registration date)
- data about ceased or denied temporary protection and date of cessation or denial of temporary protection
- data about prolongation of period of validity of temporary protection and date of prolongation of period of validity of temporary protection
- decision upon the complaint
- number and date of rendering decision upon the complaint.

### **Records about rights exercised by asylum seekers, persons granted subsidiary or temporary protection and recognized refugees in Montenegro**

#### **Article 6**

Records about rights exercised by asylum seekers, persons granted subsidiary or temporary protection shall contain data that refer to:

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- accommodation
- work
- education
- health protection
- social protection
- humanitarian assistance
- legal aid
- family unity

Records about rights exercised by recognized refugees in Montenegro shall contain data that refer to:

- accommodation
- work
- education
- health protection
- social protection
- humanitarian assistance
- legal aid
- family reunification;
- real estate acquisition
- assistance in social inclusion

### **Records on issued documents**

#### **Article 7**

Records about issued travel documents to recognized refugees shall contain:

- name and surname of the recognized refugee
- date, place and country of birth
- master citizen number
- citizenship
- type of travel document
- number of travel document, issue date, period of validity, issuing authority
- data about place of temporary residence and address
- delivery date of the travel document
- data about damaged or disappeared documents
- data about cancellation of travel document

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- data about application for a duplicate of identification card (number of identification card, type and issue date)
- data about temporary seizure of the travel document
- data about registration of a minor into the travel document of a parent of guardian (name and surname, date of birth, registration date)

Records about issued identification cards to recognized refugees shall contain:

- name and surname of the recognized refugee
- date, place and country of birth
- master citizens number
- citizenship
- number of identification card, issue date, period of validity, issuing authority
- data about place of temporary residence and address
- delivery date of the identification card
- data about damaged or disappeared documents
- data about cancellation of the identification card
- data about application for a duplicate of the identification card (number of identification card, issue date)
- data about registering or canceling the place of temporary residence

Records about issued identifications to asylum seekers and persons granted subsidiary or temporary protection shall contain:

- name and surname of the asylum seeker, person granted subsidiary or temporary protection
- date, place and country of birth
- master citizen number
- citizenship
- number of identification, issue date, period of validity, issuing authority
- data about place of temporary residence and address
- delivery date of the identification card
- data about damaged or missing identification card
- data about cancellation of identification card
- data about application for a duplicate of identification card (number of identification, issue date)
- data about registering or canceling the place of temporary residence

Records about issued emergency travel documents for asylum seekers and for persons granted subsidiary or temporary protection shall contain:

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- name and surname of the asylum seeker, person granted subsidiary or temporary protection
- date, place and country of birth
- master citizen number
- citizenship
- number of emergency travel document, issue date, period of validity, issuing authority
- date about place of residence and address
- delivery date of the emergency travel document
- data about damage or missing of emergency travel document
- data about the cancellation of emergency travel document
- data about application for a duplicate of emergency travel document (number of identification, issue date)
- data about temporary seizure of emergency travel document
- data about registering a minor into the emergency travel document of a parent or guardian (name and surname, date of birth, date of registering);

### **Records about temporary seized documents**

#### **Article 8**

Records about temporary seized documents shall contain:

- name and surname of the asylum seeker
- date, place and country of birth
- type of temporary seized document
- number of identification, issue date, period of validity, issuing authority and country
- date of seizing the identification
- reason for seizure
- number and date of issued certificate about temporary seized identification
- date of return of the identification

### **Method of keeping records**

#### **Article 9**

Records stipulated by this Decree shall be kept electronically and have the form of electronic data base.

Records referred to in paragraph 1 of this Article shall be united, systemized and kept in a form of register.

### **Entering into force**

#### **Article 10**



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This decree shall enter into force on the eight day upon publishing in the Official Gazette of Montenegro.

No: 03-11050

Podgorica, 27 December 2007

Government of Montenegro

Prime Minister

Zeljko Sturanovic, m.p.