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Permanent Mission of Montenegro to the UN, OSCE  
and other International Organizations in Vienna

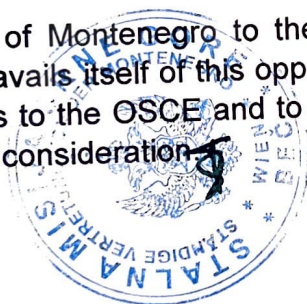
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The Permanent Mission of Montenegro to the UN, OSCE and other International Organizations in Vienna presents its compliments to all Permanent Missions and Delegations to the OSCE and to the OSCE Conflict Prevention Centre, and in accordance with the FSC Decision 02/09 has the honor to submit herewith the Montenegrin Answers to the Questionnaire on the Code of Conduct on Politico-Military Aspects of Security for the year 2023.

The Permanent Mission of Montenegro to the UN, OSCE and other International Organizations in Vienna avails itself of this opportunity to renew to the all Permanent Missions and Delegations to the OSCE and to the OSCE Conflict Prevention Centre assurances of its highest consideration.



**To: All Permanent Missions/Delegations to the OSCE  
Conflict Prevention Centre  
Vienna**



***MONTENEGRO  
MINISTRY OF FOREIGN AFFAIRS***

***ANSWERS TO THE QUESTIONNAIRE ON THE CODE OF CONDUCT ON  
POLITICO-MILITARY ASPECTS OF SECURITY***

**14 April 2023**

## **SECTION I: INTER-STATE ELEMENTS**

### **1. ACCOUNT OF MEASURE TO PREVENT AND COMBAT TERRORISM**

#### **1.1 To which agreements and arrangements (universal, regional, subregional and bilateral) related to preventing and combating terrorism is your State a party?**

The List of agreements and arrangements enclosed in the Annex 1 of this document.

#### **1.2 What national legislation has been adopted in your State to implement the above-mentioned agreements and arrangements?**

The national security system of Montenegro is a complex system in which, besides National Security Agency (ANB), Ministry of the Internal Affairs, Police Directorate, Ministry of Defence and Armed Forces, other governmental bodies also participate, some with major and some with smaller roles. These are: Ministry of Justice, Directorate for the Protection of Classified Information (National Security Authority), Customs Administration, Tax Administration, etc.

The national laws, which regulate prevention and combating terrorism, are:

- Criminal Code
- Criminal Procedure Code
- Office Law on Public Prosecution
- Law on Courts
- Law on Internal Affairs
- Law on Defence
- Law on the Armed Forces of Montenegro
- Law on the Basic Principles of Intelligence and Security Sector
- Law on Prevention of Money Laundering and Terrorist Financing
- Law on the National Security Agency
- Law on Asylum
- Law on Border Control
- Law on Foreigners
- Law on Travel Documents
- Law on Personal Data Protection
- Law on Classified Information
- Law on International Restrictive Measures
- Law on Determining and Protecting Critical Infrastructure

Other legislative and policy developments in this area are:

- Law Ratifying the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism,
- Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism

These documents and laws define which criminal activities represent a criminal act of terrorism, which institutions participate in countering terrorism and in what manner, how to constantly improve Montenegro's capacities for countering terrorism, how to prevent potential terrorist financing, how to punish perpetrators of criminal acts of terrorism etc.

New national plans and strategies relating to terrorism include:

- Strategy for the Prevention and Suppression of Radicalization and Violent Extremism for the period 2020-2024
- Strategy for Countering Violent Extremism,
- National Security Strategy,
- National Defence Strategy

In 2020, the Ministry of the Internal Affairs, in accordance with the Law on Designation and Protection of Critical Infrastructure, established the Department for Coordination and Protection of Critical Infrastructure.

Draft Regulation on Sectoral Criteria for Determining Critical Infrastructure has been completed and sent to line ministries for opinion, and its adoption is expected at a Government session in 2023.

Also, the Rulebook on the Detailed Content of the Security Plan for the Protection of Critical Infrastructure was adopted, which was marked with the appropriate level of secrecy.

Strategy for the Prevention and Suppression of Terrorism, Money Laundering and Terrorist Financing for the period 2022-2025, with an accompanying Action Plan for the period 2022-2023, were adopted by the Government of Montenegro at its session on 29 December 2021.

The Government of Montenegro, at its session of 6 February 2020, adopted the Strategy for the Prevention and Suppression of Radicalization and Violent Extremism for the period 2020-2024. The Strategy sets as its main strategic goal the increased resilience of the society, better response of institutions and a stronger international position of Montenegro in the fight against radicalism and violent extremism.

According to the recommendation of the European Commission, a possible merging of the Strategy for Prevention and Suppression of Terrorism, Prevention of Money Laundering and Terrorist Financing and the Strategy for Prevention and Suppression of Radicalization and Violent Extremism is being considered, based on the need to enable better providing of services through a unified and common understanding of risks and threats.

In 2021, the Parliament of Montenegro adopted the Law amending the Law on Internal Affairs, in which one of the most important changes is that the Police Directorate is again administrative authority within the Ministry of the Internal Affairs and decision making is transferred from the Director of the Police onto the Minister of Internal Affairs. Due to the fact that FIU Montenegro is an integral part of the Police Directorate, the changed provisions of this Law also refer to the Law on PMLTF. In order to harmonize the Law on PMLTF, as *Lex Specialis* defining the powers and manner of FIU's work, with the Law on Internal Affairs, Law amending the Law on PMLTF was drafted and adopted. These changes are the technical ones and include mentioned changes of competencies but the provisions of the Law on PMLTF that define independence, autonomy, competences, manner of work of FIU Montenegro remained unchanged.

Rulebook on Internal Organization and Systematization of Workplaces of the Police Directorate has been amended in March 2021, in which, among other issues, the name of the former

Department for Prevention of Money Laundering and Terrorist Financing was changed to the Department for Financial Intelligence Affairs. Changes in the Rulebook also refer to the Sector for combating organized crime and corruption. Namely, the Sector for combating organized crime and corruption and Criminal Police Sector don't exist as separate organizational units any more. Now, at the Police Directorate there is one sector - Criminal Police Sector. The Special Police Department is a part of the Sector.

### **1.3 What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?**

**Ministry of Internal Affairs**, among other activities, performs administrative tasks related to: analytical monitoring of the situation and strategic planning in the area of fighting crime, law and order, road safety and other areas of police work and activities, instructive action for the implementation of strategies and policies in these areas; control over the legality and expediency of police work, procedures, expertise and efficiency in conducting police tasks; internal control of the lawfulness of police work, exercise of police powers and taking measures and actions to detect and combat offenses committed by police officers at work and in connection with work; monitoring the implementation of recommendations made in relation to police work; adoption and implementation of training programs and professional development of police officers; maintenance of ministry facilities, border crossings and other facilities shared by the Ministry and the Police Directorate; normative activities related to the Police; oversight of the implementation of the Law on Prevention of Money Laundering and Financing Terrorism within the established competences; harmonization of domestic regulations within the scope of its competence with the *acquis communautaire*; cooperation with international and regional organizations, as well as other tasks assigned to him.

**Police Directorate (Police)** performs tasks related to: protection of citizens' safety, freedoms and rights established by the Constitution; property protection; preventing and detecting criminal offenses and misdemeanours; identifying and apprehending offenders and bringing them to the competent authorities; maintaining law and order; public gatherings; certain personalities, objects and spaces; supervision and control of traffic safety; monitoring and securing the state border and exercising border control; control of entry, movement, stay and exit of foreigners; providing conditions for the execution of detention; prevention and detection of money laundering and terrorist financing; criminal expertise and investigations, criminal records and other records; international police cooperation; preparation of analyses, studies, and monitoring of certain security issues; as well as other matters assigned to her by the jurisdiction.

Police Directorate fights against crime in all of its forms, which also includes terrorism. Police Directorate has two sectors (organizational units) that are in charge for combating terrorism, in particular: Sector for Fighting Organized Crime and Corruption and Sector for Financial Intelligence Affairs.

Under the Police Directorate fight against terrorism which is now under the competence of the Special Police Department is achieved through cooperation with Special Public Prosecutor's Office. As regards fight against terrorism, Special Police Department takes measures and actions directed towards prevention, detection and investigation of criminal offences of terrorism, as well as the study of the situation and manifestations of crime in this area and the planning and execution of police activities in dealing with the most complex cases in this field.

The perpetrators of this criminal offence are subject to domestic and international legal obligations regarding the fight against terrorism. In this regard, persons conducting activities of propaganda and incitement to terrorism, recruitment of Montenegrin citizens for terrorist attacks, logistical support and financing of terrorist offenses will be prosecuted in accordance with the Criminal Code of Montenegro, respecting basic human rights and freedoms, as well as provisions of international law.

When it comes to the threat of terrorism, Police encounters the following specificities:

- Activities of members and supporters of radical religious groups, organizationally and functionally connected with like-minded people in the region and beyond;
- return of foreign terrorist fighters from conflict areas to Montenegro or countries of the region, further radicalized and trained to carry out a terrorist attack;
- Risk of terrorist infiltration in the conditions of mass influx of migrants and refugees across our territory.

Special emphasis is on enhancing institutional cooperation for the efficient exchange of data and information, as well as on cooperation with international organizations and EU agencies.

Officers of the INTERPOL-Europol-SIRENE Department of International Operational Police Cooperation in the Criminal Police Sector, use Europol's services and products, and have continuous cooperation with Europol and our Europol liaison officer. Cooperation relates to the exchange of information on foreign terrorist fighters and persons who can be contacted by terrorist organizations. During 2020, there were no registered departures/returns of Montenegrin citizens to/from foreign battlefields. According to the available data, 6 Montenegrin citizens are on the battlefield in Syria, of which 3 are women and 2 children, and one fighter is in prison in the conflict zone. A Montenegrin citizen who was imprisoned in another country (Turkey) as a foreign terrorist fighter has since died. According to available data, at least two children were born in Syria from the marriages of Montenegrin citizens. Officers of this Department also carry out, through Europol's CT SIENA communication channel, an ongoing international exchange of information with national Anti-Terrorist Unit, EU Member States, Western Balkan countries and other non-EU countries that are Europol's operational partners. This exchange of information is always accompanied by the necessary cross-checks carried out at national level. During 2020, 242 communications were exchanged through CT SIENA. In addition to this, these officers, on the basis of previous queries of the Sector for Financial Intelligence Affairs, carry out checks on persons on suspicion of committing the criminal offense of Financing Terrorism through the CT Operations Center of EUROPOL. Upon requests of the Montenegrin police, checks were carried out on 37 persons on suspicion of terrorist financing and 2 persons on suspicion of links to terrorism. Upon requests of other states, checks were carried out on 26 persons on suspicion of links to terrorism and terrorist financing and one NGO on suspicion of terrorist financing.

Montenegrin police participated in EUROPOL operational activity Referral Action Day targeting online jihadist propaganda which took place on 6th October 2020. The referral action targeted online content disseminated by members and supporters of terrorist organizations al-Qaeda,

the so-called Islamic State and affiliated groups. The counter terrorism units from the participating countries, together with the EU IRU, looked into jihadist propaganda material (such as video tutorials, social media accounts inciting to violence). The content was spread in the languages of the Western Balkan countries mainly by local supporters of the targeted jihadist organizations. The action led to the assessment of 346 URLs on 27 platforms. Europol's EU Internet Referral Unit collected the contributions sent by Western Balkan countries and stored the content in its database. After cross-checking against Europol databases and performing de-confliction with participant countries, the material was referred to the online service providers.

Also, according to the needs of other organizational units of the Police Directorate, primarily the Sector for Fighting Organized Crime and Corruption, whose jurisdiction is the investigation of criminal offences of terrorism and participation in foreign armed formations, Europol products, services and analytical tools in investigations related to combating terrorism are being utilized. The SIENA Communication Channel has been expanded, i.e. made available and used by officers of the Special Police Division, which directly enables greater use of this channel in the fight against terrorism, especially in investigations, and thus more proactive and effective use of Europol products and services, especially in areas of terrorism investigation.

This Department continuously takes strategic information and reports of Europol concerning terrorism and violent extremism.

In addition to the above, officers of the Police Directorate are actively involved in the work of Europol's analysis project, which relates to foreign terrorist fighters and actively exchange data for the production of Europol's document - Annual reports on state and trends in the field of terrorism ("TE-SAT").

Also, in the Special Police Sector, which includes the Counter Terrorist Unit, a Special Police Unit and Logistics and Support Unit following tasks are carried out: suppression and fight against all forms of terrorism, hostage and other crisis situations; solving of kidnappings, aircraft and other transport means on land and water; deprivation of liberty of members of organized criminal groups and perpetrators of the most serious criminal offences; providing assistance to organizational units of the Police Directorate in terms of what the tasks and responsibilities of the Sector are; providing security to persons and objects of particular importance for the State; coordinating the work of riot units in crisis situations and in case public order and peace are violated in a larger volume; interventions and rescue actions in cases of elementary and other disasters; planning, organizing and conducting training of staff; monitoring and directing the work of members of units; studying and proposing the implementation of modern methods and tactics of handling the most complex tasks; purchasing and maintenance of technical assets, weapons and equipment for units; assistance and cooperation with special police of other States; reporting on the realization of the set objectives; production of standard operational procedures for the work of special units in crisis situations and other activities.

**The Ministry of Defence** proposes and executes the defined defence policy; produces the Defence Plan of Montenegro and harmonizes Defence Plans other holders of defence

preparations; assess the war and other hazards; realizes multilateral and bilateral cooperation in the field of defence; performs organization, equipping, arming, development and use of the Armed Forces and other activities in accordance with the Constitution.

**The Armed Forces of Montenegro** in accordance with the Defence Strategy of Montenegro and the Law on Defence, among others, executes tasks related to: assist the Police in the fight against terrorism, as well as support to civilian institutions during natural and man-made disasters and other crisis situations.

Competences, authorities and procedures of state authorities involved in counterterrorism activities have been defined by a number of strategic documents and Laws pertaining to the field of terrorism and other areas related to it. These documents and Laws include: National Security Strategy, Defence Strategy of Montenegro, Strategic Defence Review, Criminal Code, Criminal Procedure Code, Law on Prevention of Money Laundering and Terrorist Financing, Law on the National Security Agency, Law on Police, Law on Defence, Law on the Armed Forces of Montenegro, Law on the basis of Intelligence Security Sector, etc.

These documents and Laws define: which criminal activities represent a criminal act of terrorism; which institutions participate in countering terrorism and in which manner; how Montenegrin capacities for countering terrorism should be constantly improved; how to prevent a potential terrorist financing; how perpetrators of criminal acts of terrorism should be punished etc.

In addition, strategic documents stipulate that the Police is in charge of countering terrorism, proliferation of weapons of mass destruction, corruption and drugs, while the Armed Forces of Montenegro may be engaged as a support to the Police in countering terrorism. For the implementation of the second mission of the Armed Forces in the field of supporting civilian structures in countering terrorism, the Special Forces Company and Military Police Company have been declared.

**Intelligence and Security Directorate (ISD)** is, among other things, responsible for the implementation of preventive measures to the persons who perpetrate criminal acts of terrorism, directed towards the Ministry of Defence and Armed Forces of Montenegro. Representatives of ISD and General Staff are members of the Operational team responsible for monitoring and implementation of the Strategy for Prevention and Suppression of Terrorism, Money Laundering and Terrorist Financing and the implementation and monitoring of the Action Plan. In addition, they are members of the Operational team for monitoring and implementation of the Strategy for countering violent extremism and monitoring and implementation of the Action Plan. Operational teams report directly to Coordination Bureau. Director of ISD is a member of the Operation Coordination Bureau.

The operational teams were established by the decision of the Bureau for the Operational Coordination of Intelligence and Security Sector Activities.



The operational teams consist of representatives of the Special State Prosecutor's Office, Supreme Court, Ministry of Justice, Ministry of Internal Affairs and the Police Administration, Ministry of Defence and the General Staff, National Security Agency, Directorate for Prevention of Money Laundering and Terrorist Financing, Revenue and Customs Administration and National Security Authority of Montenegro.

**National Operational Team (NOT)** for monitoring and implementation of the Strategy for Prevention and Suppression of Radicalism and Violent Extremism (2020-2024) and annual Action Plans has 22 representatives. These representatives are from state bodies, state administration bodies, the Supreme Court, the Supreme Prosecutor's Office, administration bodies, public bodies and NGO's. In NOT there are seven working groups (RAN group – Radicalization Awareness Network).

**The National Security Agency (ANB)** is a civil security and intelligence service and it is an integral part of the security system of Montenegro.

The ANB carries out the work it is authorized for, based on and within the framework of the Constitution and laws, which implies protection of the constitutionally established legal order, independency, sovereignty, territorial integrity, and security of Montenegro, the constitutionally defined human rights and freedoms, as well as other tasks of interest for the national security.

In its work, the ANB is politically and ideologically neutral. It cooperates with bodies, organizations, and services of other states and international organizations, in accordance with guidances of the Government of Montenegro. The work of the ANB is supervised by the parliamentarian and internal control.

According to its authorities, the ANB collects, keeps records, analyzes, assesses, uses, shares, keeps, and protects data, among other things, which are important for preventing terrorism and other forms of organized violence. Apart from publicly available sources, the ANB also applies, in its work, means and methods for secret collection of data. In accordance with the law, data can be used only for the purposes they are collected for.

Data gathering is conducted by use of means and methods defined by the Law on ANB, and in accordance with the principle of proportionality, in scope and in a way necessary for accomplishing competences and fulfilling other prescribed tasks of the ANB. The way of employment of means and methods for the purpose of data collection, prescribed by the Law on ANB, and the way of conducting operational work, are established by the Rules on Operational Work, passed by the ANB Director, along with approval of the Government of Montenegro.

The ANB cooperates with other state entities, ministries, and administrative bodies, in accordance with regulations and security standards defined by regulations, international agreements, and generally accepted rules of the international law. Also, the abovementioned bodies are obliged to submit to the ANB, upon its request, data and information of importance for security of Montenegro.

Since it has no police authorities, the ANB reports to the governing authority competent for police affairs (within which operates the Department for Financial Intelligence Affairs, former the Directorate for Preventing Money Laundering and Financing Terrorism, with which the ANB also has a good cooperation) and competent prosecution office, on data which indicate the existence of grounds for suspicion of preparing, organizing, or that a criminal offence has been committed, for which one is prosecuted *ex officio* (which includes terrorism and related crimes). The police and other competent authorities are obliged to use data, provided by the ANB, exclusively for the legally prescribed purposes for which they were provided.

The ANB representatives participate in the national interdepartmental bodies that deal with passing and implementing laws, strategies and plans, with the aim of providing adequate response to security challenges and, among other, the terrorism. The ANB members are members of the National Interdepartmental Operational Team for Preventing and Fighting Violent Extremism, Terrorism, Money Laundering and Financing Terrorism, as well as the Interdepartmental Working Group for Intensifying Activities and Monitoring in the Field of Preventing Money Laundering and Financing Terrorism, and the Permanent Coordinating Body for Preparation of the National Risk Assessment on Money Laundering and Financing Terrorism (the ANB representative is also a member of the Working Group for Developing Analysis on the Abuse of NGOs for the Purpose of Financing Terrorism, established by the aforementioned Coordinating Body).

The ANB cooperates with authorities, organizations and other states services, as well as with international organizations through exchange of data and joint activities, based on the ANB competences, in accordance with the law.

The ANB dynamically cooperates with intelligence and security agencies, authorities, organizations on the international level. The international cooperation is conducted through bilateral relations with partner services. Moreover, the ANB is a member of several intelligence and security associations and platforms which, among other, deal with the phenomenon of terrorism.

Good professional relations with the NATO and EU services, beside educational programs, are also carried out through a dynamic data exchange and joint work.

**Task Force**, chaired by National Security Council, continuously monitors the implementation of the Strategy for Prevention and Suppression of Terrorism, Money Laundering and Terrorist Financing and the realization of the Action Plan for the implementation of the mentioned Strategy.

**The Operational Team** was formed by the decision of the Bureau for the operational coordination of the activities of the intelligence and security sector authorities and based on the conclusions of the Government of Montenegro.

Among other things, the tasks of the Operational Team are to manage, coordinate and monitor activities at the operational level of state administration bodies, state authorities, and other competent institutions for the implementation of the Strategy for the prevention and

suppression of terrorism, money laundering and terrorist financing, in the implementation of obligations from the strategies and action plans.

The Operational team consists of representatives of the Special State Prosecutor's Office, the High Court in Podgorica, the Ministry of Justice, the Ministry of Internal Affairs and the Police Directorate, the Ministry of Defence and the Chief of Staff, the National Security Agency, the National Security Authority, the Tax Administration and the Customs Administration.

**1.4 Provide any additional relevant information on national efforts to prevent and combat terrorism, e.g., those pertaining *inter alia* to: financing terrorism; border controls; travel document security; container and supply chain security; security of radioactive sources; use of the Internet and other information networks for terrorist purposes; legal co-operation including extradition; safe havens and shelter to terrorists and terrorist organizations.**

The Armed Forces of Montenegro in accordance with the Defence Strategy of Montenegro executes tasks related to support to the other institutions in the case of the threats to national security by terrorism, in the case of migrant crises, hybrid and other threats and challenges, in accordance with the Constitution and laws of Montenegro.

## **2. STATIONING OF ARMED FORCES ON FOREIGN TERRITORY**

**2.1 Provide information on stationing of States armed forces on the territory of other participating States in accordance with freely negotiations as well as in accordance with international law.**

The Constitution of Montenegro prohibits the process of establishing secret - subversive organizations and irregular Armed Forces.

The Law on deployment of units of the Armed Forces of Montenegro in international forces and participation of members of civil protection, police and public administration employees in the international missions and other activities abroad stipulates the process of deploying the Armed Forces of Montenegro abroad. The Parliament of Montenegro makes the decisions on deploying units or members of the MNE AF in international forces abroad.

Members of the Armed Forces of Montenegro during 2022 participated in international missions and activities as follows:

- **NATO Mission in Iraq (NMI)**- Following the decision of the Parliament of Montenegro („Official Gazette of Montenegro“, NO. 00-72/19-56/5) – 1 member of Armed Forces of Montenegro was deployed
- **EU Peacekeeping Training Mission in Mali (EUTM)** - Following the decision of the Parliament of Montenegro („Official Gazette of Montenegro“, No. 21/14) - 1 members of the Armed Forces of Montenegro were deployed

- **UN Mission in Western Sahara - United Nations Mission for the Referendum in Western Sahara (MINURSO)** - Following the decision of the Parliament of Montenegro („Official Gazette of Montenegro“, No. 38/16) - 1 member of the Armed Forces of Montenegro was deployed;
- **EU Naval Force Somalia - EU NAVFOR - ATALANTA-** Following the decision of the Parliament of Montenegro („Official Gazette of Montenegro“, No. 45/16) - 13 members of the Armed Forces of Montenegro were deployed;
- **NATO Mission “Kosovo Force (KFOR)”** - Following the decision of the Parliament of Montenegro („Official Gazette of Montenegro“, No. 47/18) – 1 NCO **member**
- **NATO activity Enhanced Forward Presence (EFP) in Latvia** - Following the decision of the Defence and Security Council (No. 061/08, 031/17, 034/17 046/19) - 10 members of the Armed Forces of Montenegro were deployed.

In addition, Montenegro's Police Directorate currently has one representative deployed in the United Nations Monitoring Mission in Cyprus (UNFICYP).

The legal framework for the deployment to the peacekeeping mission is the Law on the participation of the members of the Army of Montenegro, civil protection, police and employees in state administration authorities in peacekeeping missions and other activities abroad.

## **IMPLEMENTATION OF OTHER INTERNATIONAL COMMITMENTS RELATED TO THE CODE OF CONDUCT**

### **3.1 Provide information on how your State ensures that commitments in the field of arms control, disarmament and confidence – and security – building as an element of invisible security are implemented in good faith**

In close cooperation and coordination with other relevant state authorities, the Montenegrin Verification Centre (within the Ministry of Defence) conducted a set of activities to improve compliance with international obligations in the field of arms control on the national level.

Montenegro is a state party and signatory of the following agreements and documents related to arms control:

- Vienna Document;
- Sub-regional Arms Control Agreement, Article IV, Annex 1-B, of the Dayton Peace Accords;
- The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention);
- The Convention on Certain Conventional Weapons) and Protocols I,II, Amended Protocol II,III,IV and V;
- CCM (Convention on Cluster Munitions);
- HCOC (Hague Code of Conduct Against Ballistic Missile Proliferation);
- CTBT (Comprehensive Test Ban Treaty);
- NPT (Nuclear Non-Proliferation Treaty);

- BTWC (Biological and Toxin Weapons Convention);
- Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof;
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction;
- Convention on Physical Protection of Nuclear Material;
- Safeguard Agreement with the IAEA with the Additional Protocol;
- Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management;
- The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition Firearms Protocol;
- United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (Programme of Action, or PoA);
- Arms Trade Treaty (ATT) 2013;
- International Tracing Instrument (ITI) International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons;
- South East Europe Regional Implementation Plan for Combating the Proliferation and Impact of Small Arms and Light Weapons.

Additionally, Working Group, comprised of the representatives of the state administration bodies in charge of: internal affairs/police, defence, finance/customs, foreign affairs, education and economy, has drafted the Strategy for Combating Illegal Possession, Misuse and Trafficking of Small Arms and Light Weapons (SALW), from 2019 to 2025 and the Action Plan for its implementation. The Ministry of Internal Affairs, in the capacity of the coordinator has drafted the Strategy for Combating Illegal Possession, Misuse and Trafficking of Small Arms and Light Weapons (SALW) and from 2019 to 2025, ensures continuous monitoring of the realization of the implemented measures and activities from the Action Plan for the implementation of the Strategy. Specifically, this strategic document encompasses weapons meant for army and police use – official use, as well as weapons meant for civilian use. The strategy contains analysis of the current state, basic and general operational aims, which will lead to measurable improvements in this area and the Action Plan contains clearly defined measures for the improvement of actions, specific activities of competent state administration bodies and partners in this area.

Furthermore, Montenegro is dedicated to fulfilment and active participation in Arms Control activities and CSBM's such as:

- Intensive international cooperation in the field of disarmament and destruction of surpluses of ammunition and ordnance.
- Building capacities for safe storage and warehousing of perspective weapons and equipment systems, ordnance and armaments.

- Common programmes and initiatives with state bodies in project of control and disabling of SALW,
- Additional engagement in NATO VCC and ACDC bodies in creating and harmonizing Arms Control activities in sense of training missions, common inspections and evaluation visits and visits to AB/MF.
- Continuation of bilateral cooperation with partner countries in the field of arms control.

### **3.2 Provide information on how your State pursues arms control, disarmament and confidence- and security-building measures with a view to enhancing security and stability in the OSCE area.**



The commitments of Montenegro in the field of arms control that are implemented in good faith were related to providing annual information on military forces as well as information on units and formations lower than prescribed in Vienna document 2011. In this regard and in good faith, Montenegro provided annual information including battalion level data, which is not prescribed in provisions of VD11. In addition, Montenegro announced and reported information related to the main military activity in 2022, which is out of scope of VD11 but is in accordance with FSC decision 9/12, guided by best practice guide on implementation of CSBM.

In all activities related to disarmament policy and arms control, Montenegro demonstrates openness and good faith, thus contributing to the process of strengthening security and confidence.

In accordance with the Agreement on Sub regional Arms Control - DAYTON, Montenegro fulfilled all activities related to annual meetings of the Standing Working Group, Sub regional Consultative Commission, as well as other activities related conducting Sub regional Arms Control inspections.

In the second half of 2022, Montenegro held chairmanship of the Sub-regional Consultative Commission, in accordance with which meetings of the Permanent Working Group and Sub-regional Consultative Commission were organized. Important decisions were reached during Montenegrin Chairmanship, which will stipulate further success in the implementation of the Agreement based obligations, in order to contribute to building trust, confidence and stability in the region.

In 2022, Montenegro realized annual quotas, the Serbian inspection team conducted an inspection in Montenegro and the Montenegrin inspection team conducted an inspection in Serbia.

2022			
Serbia	Evaluation Visit - conducted		DPA
		Montenegro	
Montenegro	Evaluation Visit - conducted		DPA
		Serbia	




During 2022, Montenegro continued to actively participate in activities related to Arms Control, in accordance with the situation related to the COVID-19 pandemic, and implemented the following activities:

In the line with the Vienna Document 2011 (VD11), on 15 XII 2022 the Annual Exchange of Military Information - AEMI for 2023 was exchanged with all OSCE member States.

**According to the Vienna Document, Montenegro received and conducted following:**

- one active evaluation visit on the territory of Switzerland, in October 2022, with guest inspectors from K. Belgium;
- one active inspection of the Specific Area in the Republic of Serbia, in November 2022, with guest inspectors from the Republic of Croatia and the Czech Republic.
- activity concerning visit to the air base and military facilities on the territory of Montenegro, in March 2022.

Also, in the mentioned period, the Ministry of Defence of Montenegro and the Verification Center continued their activities as part of NATO - ACDC and at the same time VCC in order to coordinate and implement activities with NATO partner countries regarding arms control affairs. The final meeting was held in November in Brussels, where the activities for 2023 were coordinated.

2022			
Montenegro	Evaluation Visit - conducted		VD
		Switzerland	
Montenegro	Specified Area Inspection - conducted		VD
		Serbia	
Montenegro	Visit to Air Base - conducted		VD
		Serbia	

In order to prevent the illegal trade, possession and accumulation of SALW, in accordance with the Strategy for Combating Illegal Possession, Misuse and Trafficking of Small Arms and Light Weapons adopted on the basis of the Road Map, the Ministry of Defence of Montenegro in cooperation with the Ministry of Internal Affairs and other state authorities is working on strengthening capacities related to the control of small arms and light weapons and ammunition, according to international and national documents.

The purpose of the Strategy, as well as the Roadmap, is to serve as guiding documents in order to achieve a sustainable national and regional solution to the illicit possession, misuse and trafficking of small arms and light weapons. This document was adopted in accordance with the United Nations Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Aspects.

The overall objective of the Strategy is to build a comprehensive and effective system for the control of small arms and light weapons and ammunition, through the establishment of a legislative framework on arms control, the reduction of illegal flows, the proliferation and misuse of firearms, ammunition and explosives.

Through the operational objectives of the Action Plan, the Ministry of Defence of Montenegro prescribed procedures for monitoring the status of ammunition (chemical stability of gunpowder and rocket fuels), through regular basic maintenance, inspection and controls.



Ordnance whose propellants become unstable and ordnance for which expert teams determine that they are not for further use, or safe storage, are proposed for destruction and are destroyed according to priorities.

During 2022, the Ministry of Defence Montenegro, worked intensively on implementing of existing and preparation of new projects related to weapons and ordnance and their storage. The project "Mitigation of security risks related to SALW and SCA in Montenegro", which is implemented through OSCE assistance, started in November 2020. The goal of this project is to strengthen the existing established capacities in the Ministry of defence of Montenegro and thus reduce the risk of unplanned explosion in places where ammunition is kept or stored, as well as reducing the likelihood of illegal trade and uncontrolled spread SALW and SCA. During 2022, the OSCE at our proposal, approved the extension of the mentioned project until the end of 2026.

Also, the extension of the project to the area of improving the infrastructure of the weapons warehouse and ammunition was approved, so we expect that through this project, by the end of 2026, the reconstruction of the hydrant network and the internal part of the Brezovik warehouse near Nikšić, where ammunition is stored, will be resolved.

The Ministry of Defence of Montenegro continued its efforts to propose and prepare new project related to weapons and ordnance and their safe storage, which will refer to the reconstruction of the outer part of the Brezovik warehouse (where weapons are stored), as well as the reconstruction part of the Židovići warehouse near Pljevlja. Also, in order to create its own capacities for the maintenance of ammunition and weapons, the Ministry of Defence of Montenegro has proposed to establish a workshop for the maintenance of weapons and ammunition in one of the facilities in the Brezovik warehouse. For all of these new projects, through our Mission in Vienna and in cooperation with Austrian Ministry of Defence, a procedure for the allocation of funds from the European Union fund called the European Peace Facility (EPF) in the amount of four million euros has been initiated to the European Union.

During 2022, the total amount of ammunition in the warehouse of the Armed Forces of Montenegro was reduced by 512.97 tons, as well as 8,884 pieces of weapons and other combat equipment. Of that, a total of 6.48 tons of surplus ammunition was destroyed. The destruction was carried out in the organization of the Ministry of Defence of Montenegro.

As of 31.12.2022. in the warehouse of the Armed Forces of Montenegro there are 1,050.62 tons of surplus ordnance (ammunition and explosive). From 2006. until today, the surplus of ordnance has been reduced by 10,875.84 tons, and weapons and other combat equipment by 66,261 pieces.

Through the implementation of a large number of activities within the Road Map, which is compatible with the Strategy for Combating Illegal Possession, Misuse and Trafficking of Small Arms and Light Weapons, we have made certain progress in achieving of Operational Objective 1 - to establish and fully harmonize arms control legislation with the EU regional framework and other relevant international obligations and to standardize it across the region. There is

still no complete legal framework for the suppression of all forms of illegal small arms and light weapons, nor full alignment of arms control regulations with the EU legal framework, but significant progress has been made in relation to the sub-goals. Work to achieve this goal is of critical importance for the success of the Roadmap itself and represents the foundation for all activities in the control of small arms and light weapons. Particular challenges include the influence of contextual factors (policies and circumstances) on the delay of amendments to the existing, i.e. writing and adoption of new legislation; as well as the duration of necessary processes in legislative work.

Overall, moderate progress has been made in the area of this goal, given the multiple changes in EU legislation and directives since the start of the implementation of the Roadmap in 2018. Progress has been made in relation to the sub-goals 1) establish a complete legal framework to combat all forms of illegal possession, trade and abuse of firearms, ammunition and explosives; and 2) ensure the establishment of a complete legal and regulatory framework for manufacturers of firearms, ammunition and explosives. Fully aligned with the Arms Trade Treaty (ATT); as far as the UN Firearms Protocol is concerned, it has only partially harmonized at this stage of implementation. Particular shortcomings have been observed with regard to the supervision of explosives precursors, as the legal regulation of that area is very limited. With regard to sub-goal 3) to fully harmonize the legislation on arms control with the legal framework of the European Union and international agreements / standards, it was determined that in the area of civilian use of firearms, ammunition and explosives, it is harmonized with Directive (EU) 2021/555 on procurement control and possession of weapons and with Regulation 258/2012 on the implementation of Article 10 of the UN Protocol on Firearms. Greater progress was achieved in the field of military use of firearms, ammunition and explosives, where full alignment with the Council's Common Position 2008/944/CFSP, which establishes common rules on the control of the export of military technology and equipment, was carried out.

A range of actors are currently providing support in the area of Objective 1, including UNODC (on the UN Firearms Protocol), SEESAC (on the EU acquis) and OSCE (on disabling). There are regular contacts between these actors, especially between UNODC and UNDP, with SEESAC playing an important role in coordinating activities, involving different actors and holding coordination meetings. The semi-annual legislative alignment meetings, which are dedicated to the legal framework for firearms, ammunition and explosives, provide an opportunity to review the status of achievement of those aspects of Goal 1.

Directive 2008/51 / EC of 21<sup>st</sup> May 2008, Directive 91/477 / EEC of 18<sup>th</sup> June 1991 and 91/477 / EEC of 17<sup>th</sup> May 2017 have been entered into this law.

The Law on Control of Exports of Dual-Use Goods (Official Gazette of Montenegro, No. 145/21) has been adopted, which prescribes conditions for the export, transit of dual-use goods, provision of brokerage services and technical assistance related to dual-use goods. Ministry of Internal Affairs is working on drafting regulations that will regulate the production of weapons and ammunition, after which the marking and labeling of weapons and ammunition will be regulated. The analysis of compliance of Criminal Code and Criminal Procedure Code and other Montenegrin laws with European Union regulations, the UN Convention on Transnational

Organized Crime and the Protocol against Illicit Manufacturing of and Trafficking in Firearms, their parts, Components and Ammunition and other international obligations, was carried out with the support of UNODC. Special attention was paid to the analysis of the provisions of the Criminal Code and the Code of Criminal Procedure relating to the detection of criminal offenses of illegal production, trafficking and other illegal activities related to weapons, as well as the conduct of criminal proceedings. The analysis contains recommendations related to amendments to the Criminal Code (definition of illegal production and trafficking of weapons, as well as illicit production and trafficking of weapons, their main parts and ammunition), the Criminal Procedure Code and the Law on Confiscation of Criminal Proceeds, in terms of extending confiscation measures to criminal offenses under Articles 403 and 433 of the Criminal Code. An analysis of the activities for the production and control of weapons production was performed, and a Working Team was formed to draft the regulation. The Law on Explosive Substances (“Official Gazette of Montenegro”, No. 49/08, 31/14 and 31/17) regulates the conditions for the production, trade, procurement, storage and use of explosive substances.

Operational Objective 2 - arms control policies and practices based on facts and criminal intelligence, an analysis of the practice of collecting data and updating official records was carried out to collect data annually for analysis.

Taken as a whole, good progress is being made in the area of objective 2 across all jurisdiction, especially when it comes to establishing strategies and plans and administrative mechanisms needed to coordinate and supervise activities. There is a strong correlation between the strategies and plans at the level of jurisdictions and the objectives of the Roadmap, and in most cases the time frames are also quite well aligned. The strategies and plans reflect analysis at the regional level and are based on the results of regional surveys, including, for example, the Balkan Barometer commissioned by the Regional Cooperation Council (RCC) and the Gender Analysis commissioned by SEESAC. Further important developments include the establishment and operationalization of Firearms Focal Points as key actors for the police intelligence approach – demonstrating that an important impact has been achieved in the area of Objective 2. Relative weaknesses and priorities for the future relate to the establishment and integration of a feedback loop so that different sources of data are translated into criminal-intelligence data, and that they are exchanged across borders, regionally and more widely, so that the undertaken obligations regarding the control of small-scale violence are more systematically operationalized and light weapons and capacities for it.

Participation and engagement in the EMPACT Days of Joint Action and the increased role of Western Balkan jurisdictions in EMPACT operational plans also demonstrate increased operational cooperation.

Most of the sub-goals of the Roadmap under goal 2 focus on effectiveness, and this is where the greatest progress has been seen. Data are regularly exchanged through the iARMS and SIENA systems. A functional firearms focal point has been established to coordinate work with partners throughout the region. There are still problems with data collection, which is not fully standardized and institutionalized for all authorities.

Regional coordination meetings (organized by SEESAC) and local coordination meetings (organized by SALW commissions and supported by SEESAC) are considered important mechanisms for ensuring coordination and coherence between SALW commissions/coordinating committees and other actors involved, and at the operational level, this applies to focal points for firearms (which are not intended as coordination mechanisms, but achieve the effect of coordination and harmonization of actions in the area of small arms and light weapons through the provision of analyses). On the local level, the involvement of key embassies, as well as representatives of international organizations, is a positive mechanism for assessing progress and communicating priorities.

The task for allocation and coordination activities in this area has been strengthened, and an analysis has been carried out to determine the contact person for firearms, in accordance with the Act on Systematization. Contact point is the Unit for combatting crime and criminal intelligence gathering, which uses the evidence of registered weapons, missing and found, as well as the weapons handed over for forensic evaluation. A working team has been formed to establish gun control procedures, and systematic collection of criminal justice data has been improved. It is ensured that all weapons, ammunition and explosives found or seized are tracked in the country. The police regularly enter data on lost and stolen weapons into the Interpol system. Official registers - which form the basis for data exchange - are constantly being improved, and experiences and practices are exchanged internationally. A machine for marking weapons has been procured, which is yet to be activated - because no regulations have been adopted to this effect. The Commission for Small Arms and Light Weapons, implemented international obligations and prepared reports in accordance with the OSCE Weapons Form and the UNPoA Action Plan, coordinated activities in this area and raised public awareness of firearms incidents through firearms incidents announcements, as well as implemented measures to improve conditions for safer management of arms stocks.

The civil servants are constantly attending training courses.

Implementation of the operational objective 3 – to significantly reduce the illegal flows of firearms, ammunition and explosives:

Progress has been made in the area of objective 3; however, full implementation of the legal, policy and procedural framework to combat the illicit trade in firearms, ammunition and explosives has not yet been achieved. With regard to sub-goal 1 (ensure full implementation and monitoring of the legal, policy and procedural framework to combat the illicit trade in firearms, ammunition and explosives), there were obstacles to completing the adoption of the necessary legislation. Procedures for detection, analysis, identification and investigation in the chain of the criminal justice system are improving, although they are still fragile and not yet fully sustainable. Regarding sub-goal 2 (prevent illicit trade (smuggling, illicit trade and transit) in firearms, ammunition and explosives through improved processes, equipment and training of targeted law enforcement units), there are good examples of improved processes, provision of equipment and training of targeted authorities (in particular border police), although for various reasons it is not possible to completely prevent illegal trade. In achieving sub-goal 3 (significantly strengthen control, monitoring and prevention of illegal diversion of legal trade through improvement of capacities, procedures and transparency), support was provided in

building and maintaining capacities, procedures and transparency. However, controlling, monitoring and preventing the illegal diversion of legitimate trade remains a challenge and further improvements are needed, especially when it comes to end-user verification and, in particular, post-shipment verification. Sub-goal 4 mandates the strengthening of existing bilateral, regional and international mechanisms and the encouragement of new types of good practice to combat the illicit trade in firearms. In achieving sub-goal 4, good progress has been achieved at the bilateral, regional and international levels, which is useful for combating the illicit trade in small arms and light weapons., the work on cooperation with the body in charge of integrated border management has been established in the form of training the working team to establish detection, analysis, identification and investigation of firearms, ammunition and explosives. The mechanisms of control and supervision of conventional weapons are improved, and they are not for precursors.

The implementation of the **Plan for Enhanced State Border Surveillance** continued, which envisages the deployment of patrols at all critical points, i.e. directions in the first degree of endangerment when it comes to illegal migration, i.e. the number of officers, vehicles, technical means and equipment engaged.

UNDP MNE - New projects have been approved within the Roadmap (Roadmap Trust Fund for the control of SALW for the Western Balkans - Improving the capacity of the Police Directorate in the field of so-called Custody Chain - an internal chain of investigation, crime scene investigation and Forensic Laboratory in the field of operations and investigations in the detection and trade of explosive substances. The value of the project is US \$ 664,812.

The development of SOPs, as one for the primary needs in the improvement of the implementation for the legal framework regulating the work of the Border Police. During the three-day Workshop, the representatives of the Border Police have closely cooperated with the team of experts from SEESAC on the methods of risk analysis and tracking of weapons, as well as on the procedures of border checking and supervision which are relevant for illegal traffic of firearms.

Several regional platforms allow exchange of best practices in the Western Balkan region, on different levels through the meetings of SALW Commissions as well as RASR, EMPACT, SEEFEN, SEEFEG, RACVIAC, RIEP, EU and P&P meetings. One common border crossing has been established and there have been several common actions and operations lead by EMPACT and Interpol, as well as implementation of TAIEX and CEPOL trainings, including CEPOL programs for official exchanges. Trainings on the national level have been organized as well. The platform for monitoring cases of violence with use of firearms has been published on the SEESAC web page, addressing the area of South-Eastern Europe. The data is gathered regularly on the basis of reports from the media, addressing the type of incidents, weapons that have been used, gender of the victims and of the aggressor, as well as the location where the incident has occurred.

The cooperation between SALW Commission and the authority competent for integrated border management has been improved, while the Border Police has also been improving its capabilities. The legal framework is being adapted, as well as the infrastructure, information

system, training, human resources and overall border management; the establishment of adequate asylum system and security and protection of personal data. The plan for stronger supervision of state border has been continued, while the procedures and capabilities for detection, identification and investigation of weapons, ammunition and explosives tracking has been fostered.

The Ministry for Economic Development and Tourism has registered 57 companies – for brokering, import and export of controlled goods (weapons and military equipment). Six licences for brokering services were issued in 2022, 79 licences for the import of controlled goods have been issued. Also, 56 for exports of firearms and military equipment for the following destinations: Serbia, Poland, Czech Republic, Malaysia, Uganda, Ukraine, USA, Bulgaria, Bangladesh, and Hungary. The exporting companies are “Montenegro Defence Industry”, “Poliex” and “Tara – Aerospace and Defence”.

Operational Target 4 – is to significantly reduce supply, demand and misuse of firearms through increasing level of awareness of the dangers of weapons, education, promotion of arms control and better notification.

Citizens' trust in security institutions continued to be improved, as well as activities to increase the level of citizens' awareness and better information. Namely, SEESAC launched a campaign to raise awareness "Celebrate with your heart, not with guns!", regarding the dangers of celebratory shooting and the use of pyrotechnics, which lasted from December 22 to January 15, 2022, which was joined by the Police Administration.

In order to increase awareness of the widespread misuse of firearms in domestic violence and gender-based violence, the operational team against domestic violence and violence against women holds regular meetings. The database on domestic violence enables the exchange of data between the Ministries of Labour and Social Welfare with the Ministry of Internal Affairs. This software solution enables the automated exchange of data, and contains data on: reported violence, potential victims, perpetrators and children, on measures taken, estimated level of risk, misdemeanour and criminal charges. Support for this project was provided by UNDP and the EU.

For the continuation of the activities of the campaign: "Respect life, return the weapons!", the OSCE provided support. Namely, the members of the commission for SALW participated in the planning and design of it, in three workshops. The continuation of the campaign is planned after the adoption of amendments to the Law on Weapons. As of March 19, 2015, the following were handed over to the state: 1,987 weapons, 1,091 weapon parts, 286 mines and 34,926 pieces of ammunition. Handing in weapons is not time-limited. The cited regulation plans legalization - the registration of weapons without proof of origin, without legal consequences, as well as the supervision of the procedure for disabling weapons, the techniques of which will be improved by the adoption of regulations for the implementation of that law.

A regional RAR group was formed - the goal of the working group is to contribute to the diversification of the ways used for awareness raising and to strengthen institutional capacities for implementing effective awareness raising activities — in all segments, including design,

management, monitoring and evaluation — in each of the six participating jurisdictions, as well as to facilitate the standardization of awareness-raising practices across the region. The RAR working group aims to achieve this through networking, exchange of information and best practices and lessons learned, as well as through coordination and cooperation in awareness-raising activities.

The RAR working group was established as part of one of the activities of the project Support for the improvement of the fight against illegal possession, abuse and trade in small arms and light weapons (SALW) in the Western Balkans, implemented by UNDP SEESAC. The project was made possible with the financial support of the European Union represented by the European Commission, Directorate General for Neighbourhood and Enlargement Negotiations, through the Instrument for Pre-Accession Assistance (IPA II).

By all accounts, international support for achieving Goal 4 was relatively coherent. In 2022, there were several projects that contributed to the achievement of goal 4 and involved a number of different actors, including the EU, OSCE missions, SEESAC, UNDP offices.

The amendments to the Law on weapons will be registered with weapons registration, without evidence of origin. We will continue to improve the trust of citizens in security institutions, as are the activities to increase the level of awareness of citizens and better information.

Analysis of cases of abuse of firearms in cases of violence against women, in the family and other forms of gender-based violence (territorial), which contains a proposal of measures and activities is available at the link [https://www.seesac.org/f/docs/Gender-and-SALW/Gender-And-Small-Arms\\_Montenegro\\_MNE\\_WEB.pdf](https://www.seesac.org/f/docs/Gender-and-SALW/Gender-And-Small-Arms_Montenegro_MNE_WEB.pdf).

Activities to increase the level of awareness have been continued. Namely, the Police Directorate joined a campaign launched by SEESAC to raise awareness - "Celebrate with the heart, not weapons!" concerning the danger of celebratory gunfire and the use of pyrotechnics, which lasted from 22 December 2021 until 15 January 2022, which was joined by the Police Directorate.

In order to raise awareness of the widespread misuse of firearms in domestic violence and gender-based violence, the Operational Team for Combating Domestic Violence and Violence against Women held regular meetings. The database on domestic violence enables the exchange of data between the Ministry of Labor and Social Welfare and the Ministry of Internal Affairs. This software enables automated data exchange, and contains data on: reported violence, potential victims, perpetrators and children, measures taken, estimated level of risk, misdemeanor and criminal charges. Support for this project was provided by UNDP and the EU.

Operational Target 5 – activities in reducing the number of firearms in illegal possession. Overall, good progress has been made and numerous activities have been implemented in relation to objective 5. However, a lot of additional work is needed in the second half of the implementation of the Roadmap to achieve additional impact on the ground.

Police temporarily seized 412 firearms from citizens, of which 267 were legally owned and 145 were illegally owned. 169 incidents related to firearms were recorded in Montenegro.

Operational target 6-reduce the number of surplus and destroy the seized small and light weapons and ammunition.

Ministry of Defence / Army - the amount of excess funds in the VCG was reduced as follows:

1. Ordnance was reduced by 512.97 tons.

- 178.14 tons were taken by customers, and 74 tons were larger than 100 mm.

- 6.48 tons were destroyed by the MoD of Montenegro, namely 6.14 tons less than 100 mm and 0.34 tons larger than 100 mm.

- Donated to partner countries - 328.25 tons and the total amount is less than 100 mm.

2. 8,884 pieces of weapons were sold and taken over by commission agents and buyers, and the total amount is less than 100 mm.

MoI/Police Directorate - Group for anti-subversion protection during 2022 carried out hundreds of anti-subversion inspections.

In the period from 04-15.04.2022, the instructor team of the US Department of Justice and the Federal Bureau of Investigation (FBI Counter-IED Unit) conducted training for the destruction and disabling of improvised explosive devices (IED). Seven officers attended the training. In the same period, an Explosive Mine Explosives (MES) Exercise was conducted at the engineering training ground in the "Milovan Šaranović" barracks in Danilovgrad (April 12, 2022). Seven members of the police were present.

- assistance in the form of equipment for the Anti-Sabotage Protection Group requested and received by the US Government and through the US Embassy in Podgorica:

- Four protective suits EOD 10 Med-Eng
- Four self-propelled vehicles - EOD robots
- Two portable X-ray devices for X-ray imaging of the IEN
- Two water cannons for breaking and destroying IEN
- Two multipurpose tool sets - personal deactivation kit
- Two "hook and line" kits for moving IEN
- Two Go-pro cameras

The total value of the received donation is about 1.5 million dollars.

The Ministry of Interior, in accordance with the Law on Protection and Rescue, implements protection against unexploded ordnance (UXO). In 2022, 12 tons of unexploded ordnance were



found, which were destroyed through the ITF project, with funds provided by the US Government.

Goal 7 mandates that the risk of proliferation and diversion of firearms, ammunition and explosives into illicit flows be significantly reduced

There were no weapons or ammunition reported stolen or lost from government institutions or private entities.

The Ministry of Defence and the Army of Montenegro received from the Federal Ministry of Defence of Austria for permanent use two sets for quick testing of the stability of gunpowder in ammunition QPAK (Quick Propellant Assessment Kit) and one set QPAK+. The equipment obtained in this way from SMO Austria is in accordance with NATO standards and the NATO codification system. The mentioned equipment ensures the basic level of monitoring the stability of gunpowder in ammunition, which significantly contributes to the safety of the population in the areas where the Army's ammunition is stored, the safety of the members of the Army of Montenegro and the infrastructure, as well as environmental protection.

Representatives of the Ministry of Defence of Montenegro participated in the Regional Workshop on Ammunition Supervision, jointly organized by SEESAC and RACVIAC from June 27 to 29 in Podgorica. In support of building effective national capacities for ammunition surveillance, the workshop provided an overview of international standards, good practices, examples and lessons learned relevant to South East Europe. A visit to the HI POLIEX AD company in Berane was also organized in order to present practices and technical procedures for the preparation and performance of ammunition disassembly activities.

For the needs of the Ministry of Defence and the Army of Montenegro, there is a need for the reconstruction of the storage of weapons and ammunition, including video surveillance, hydrant network, perimetry, electrical installations and other necessary works in the military warehouses in Brezovik and Pljevlja.

The Ministry of Internal Affairs, in accordance with the Law on Protection and Rescue, implements protection against unexploded ordnance (UXO). In 2021, 22 tons of unexploded ordnance were found, which were destroyed through the ITF project, and with funds provided by the US Government.

In the reporting period, the Ministry of Defence and the Armed Forces reduced the quantities of surplus ammunition by 80.19 tons, of which 50.72 tons were taken over by buyers under previously concluded contracts. Through the program "ITF Enhancing Human Security" (headquarters in the Republic of Slovenia), 29.47 tons were destroyed. Out of the total taken quantity, 50.72 tons - 21.69 are means of larger caliber than 100 mm, and out of the total destroyed 29.47 tons - 17.43 are means of larger caliber than 100 mm.

On 3 June 2021, SEESAC provided support to police officers for the development of standard operating procedures, training and procurement of equipment, in connection with which a meeting was held, which conducts an assessment of the capacity of the criminal police. Police representatives attended a workshop on the development of standard operating procedures,

16 to 18 November 2021, organized by SEESAC, on methods of risk analysis and arms monitoring, border checks and border control. Also, a meeting of representatives of the criminal police was organized by SEESAC, on 14 and 15 December, 2021, at which they made a presentation on the assessment of the needs of the criminal police.

Technical protection measures in the "Rogami" facility have been improved. In 2020, the main project for the adaptation of this building was made, after which, in 2021, the guard booth and two buildings (4 and 5) were renovated, with the support of the Republic of Germany.

For the needs of the MoD and the AF, in 2021, through the project with the OSCE "Mitigation of security risks related to SALW and SCA in Montenegro", the procedure of procurement of equipment for three rooms in the barracks "Marko Miljanov Popovic" in Podgorica was launched for conducting training to monitor the life cycle of munitions. With the support of the Republic of Austria, training continued on: safe storage of ammunition and testing the chemical stability of gunpowder. Reconstruction of the military facility "Brezovik" is planned according to the project, including reconstruction and equipment of the workshop for performing technical inspections of munitions, as well as laboratories. The Armed Forces needs to reconstruct the "Nova Lokacija" facility in Pljevlja.

## **SECTION II: INTRA-STATE ELEMENTS**

### **1. NATIONAL PLANNING AND DECISION-MAKING PROCESS**

#### **1.1 What is the national planning and decision/making process in determining/approving military posture and defence expenditures in your State?**

##### **According to the Law on Defence of Montenegro, the Government of Montenegro:**

- Suggests a Montenegro National Security Strategy and Montenegro Defence Strategy;
- Adopts the Defence Plan of Montenegro;
- Adopts the Strategic Defence Review of Montenegro and the Long-Term Defence Development Plan;
- Adopts regulation with Law force during a state of war or emergency, if the Assembly is unable to meet;
- Determines the organizational-formation structure and size of the Armed Forces;
- Determines the organization of work of state administration authorities in case of war or emergency;
- Decides to take measures for the creation, use, restoration, storage and deployment of material assets for defence purposes in case of war or emergency;
- Takes preparedness measures and orders their implementation to bearers of defence preparations, except for Armed Forces preparedness measures;
- Performs other duties in accordance with the law;

##### **According to the Law on Defence of Montenegro, the Ministry of Defence of Montenegro:**

- Proposes Defence Plan of Montenegro, Strategic Defence Review of Montenegro and Long-term Defence Development Plan;
- Proposes organizational-formation structure and numerous size of the Armed Forces;
- Conducts defence planning activities in the Ministry and the Armed Forces in accordance with internal rules;
- Performs activities related to planning and execution of the budget for defence purposes in accordance with internal procedures;
- Ensures execution of decisions and other acts of the President of Montenegro and the Government related to the affairs of the defence system, in accordance with the law;
- Executes established defence policy;
- Organizes and executes international defence cooperation;
- Organizes electronic communications, cyber defence and information protection for the needs of the Ministry and the Armed Forces, in accordance with the Ministry's internal procedures and regulations governing information security;
- Organizes and conducts military intelligence, counterintelligence and security operations in accordance with this Law;
- Organizes health care for persons serving in the Armed Forces and civil servants and employees in the Ministry, in accordance with the law regulating health care;
- Performs other duties in accordance with the law;

**Minister of Defence, according to the Law on Armed Forces of Montenegro:**

- Ensures implementation of Armed Forces command decisions;
- Takes decisions on the use of the Armed Forces in other activities in the country;
- Decides on service admission, termination of service, and other rights and obligations of persons serving in the Armed Forces related to the service in the Armed Forces;
- Promotes, appoints, dismisses and removes from duty NCOs assigned to formation posts in the Ministry, state authorities, business entity organization or legal entity, international organization or NCOs for military-diplomatic representatives, at the proposal of the Chief of General Staff;
- Decides on cadets' rights and obligations;
- Proposes to the Council the appointment and dismissal of the Chief of General Staff;
- Proposes to the Council the promotion, appointment and dismissal of officers;
- Produces NCOs and Reserve NCOs to the opening ranks;
- Proposes to the Council the appointment and dismissal of one officer for the diplomatic mission representatives;
- proposes to the President of Montenegro the awarding of decorations to persons serving in the Armed Forces;
- Designates the acting officials for the formation posts of an officer or a non-officer appointed at a formation position in the Ministry, a state authority, a business entity or a legal entity;
- Performs other duties in accordance with the law;

**General Staff of the Armed Forces of Montenegro** (as organizational unit of the Ministry of Defence) performs tasks related to:

- Building, maintaining, controlling and evaluating the combat readiness of the Armed Forces;
- Planning and conducting operations;
- Planning, organizing and conducting training and exercises;
- Planning and directing the preparation, training and equipping of units and members of the Armed Forces to participate in international forces abroad;
- Planning, organizing, coordinating and implementing intelligence and military-police affairs in the Armed Forces;
- Participation in the process of planning and directing preparations for the use of persons serving in the Armed Forces and Armed Forces units in international forces abroad and their deployment to structures within international organizations and alliances that Montenegro has acceded to or is in the process of accession under international treaties;
- Participation in projects aimed at contributing to the development of the defence capabilities of international organizations and alliances to which Montenegro has acceded or is in the process of accession under international treaties;
- Participation in the preparation of strategic documents in the field of defence, in accordance with the law;
- development of the Plan for the use of the Armed Forces;
- Development of military doctrines;
- Drafting of organizational-formation structure and size of the Armed Forces;
- Introducing enhanced security measures for facilities and property used by the Ministry and the Armed Forces;
- Participation in the development of plans relating to human and material resources;
- Participation in the management of human and material resources in the Armed Forces;
- Participation in the planning, programming and financing of Armed Forces needs;



## **1.2 How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?**

Montenegro contributes to the international stability and by showing solidarity, promoting friendly and neighbourly relations and by actively participating in the fight against terrorism and activities related to non-proliferation of weapons of mass destruction. Montenegro is participating in international missions and operations led by NATO, UN the EU and OSCE. Ministry of Defence and the Armed Forces of Montenegro are actively participating in all regional security initiatives and are supporting continued bilateral cooperation among countries in the region and beyond.

During 2022, Ministry of Defence of Montenegro has cooperated with 36 countries. In addition, Ministry of Defence has signed 12 Plans of bilateral cooperation as well as 3 Agreements.

The Ministry of Defence of Montenegro actively participates in regional initiatives such as the US-Adriatic Charter (A5), the South-East European Defence Ministers Initiative (SEDM), the Centre for Security Cooperation (RACVIAC), the Balkan Medical Task Force (BMTF), the Defence Initiative Cooperation (DECI), the Adriatic-Ionian Initiative (ADRION), the Balkan Countries CHODs Forum (B9), and the Central European Defence Cooperation Initiative (CEDC+).

## **2. EXISTING STRUCTURES AND PROCESSES**

### **2.1 What are the constitutionally established procedures for ensuring democratic political control of military, paramilitary and internal security forces, intelligence services and the police?**

The Constitution of Montenegro stipulates that the Armed Forces of Montenegro is under democratic and civilian control. Based on that, the Parliament of Montenegro supervises the Armed Forces of Montenegro.

The Constitution prohibits the process of establishing secret – subversive organizations and irregular armed forces.

The Constitution of Montenegro stipulates that:

- Armed forces and security services are under democratic and civilian control (article 11 and 129);
- The Parliament of Montenegro makes the decision on deployment of members of the Armed Forces in missions abroad and conducts oversight on armed forces and security services (article 82, paragraph 1, point 8 and 10);
- The President of Montenegro commands the Armed Forces based on decisions of the Council for Defence and Security (article 95, paragraph 1, point 2);
- The Council for Defence and Security makes decisions on commanding the Armed Forces, appoints and dismisses officers and proposes deployment of members of the Armed Forces (article 130).

The Parliament's Defence and Security Committee, in accordance with a separate law, conducts parliamentary oversight over state organs and institutions in the field of security and defence.

The Parliament is also in charge of adopting laws, which includes laws governing defence, which must be voted by a majority of all deputies. The Parliament has several means of controlling and supervising work of the Government which contains the work of state bodies, such as: voting of distrust in the Government, Interpellation to address certain matters about the Government's work, parliamentary inquiry.

The control of Intelligence and Security Directorate of Ministry of Defence of Montenegro is done by:

- The Constitution of Montenegro which regulates competencies of the Parliament to perform oversight over the Armed Forces and Security Services;
- The Law on parliamentary oversight on security and defence sector, which regulates the manner and ways of oversight as well as the duties of the oversight of subjects of supervision in the cases of control and consultative hearing and parliamentary investigation;
- The Law on Military Intelligence and Security Affairs by internal control enables control in regard to data protection, efficiency of program realization and working plans, application and exceeding of authorities, financing and efficient performing of duties and tasks.

## **2.2 How is the fulfilment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?**

According to the *Law on Parliamentary Oversight of Defence and Security Sector*, the Parliament of Montenegro ensures democratic political control of military, internal security forces, intelligence services and the police. This Law regulates the parliamentary control over the work of bodies and institutions in the field of security and defence, the manner of parliamentary oversight duties of the institutions that are subject to parliamentary oversight.

Parliament of Montenegro adopts and makes:

- laws and strategies in the field of defence;
- declares a state of emergency and state of war
- decision on deployment of members of Montenegro Armed Forces in international forces abroad;
- decision on submitting the request for NATO assistance in the Defence of Montenegro;
- reviews report on state of Armed Forces and on deployment of members of Montenegrin armed forces in international forces abroad;
- elects the Government of Montenegro, therefore the Minister of defence,
- supervises the Armed Forces and security services.

The President of Montenegro commands the Armed Forces based on the decisions of the Council for Defence and Security; promulgates laws and based on the decision of the Parliament of Montenegro and sends a request to NATO to help in the Defence of Montenegro.

When it comes to the Police, the Law on Internal Affairs is the systemic law in this area. This Law prescribes three types of control of the police, which are: parliamentary, civilian and internal control.

Parliamentary control is regulated by the Law on Parliamentary Oversight of Defence and Security Sector.

Conducting oversight over the ISD work is within the competencies of the Parliament, through Security and Defence Committee, as well as the Ministry of Defence, by the Head Inspector for military intelligence affairs.

Civilian control is conducted by the Council for civilian control of police work. The Council is a body that evaluates the exercise of police powers to protect human rights and freedoms, which citizens, as well as the police officers can turn to. The Council is composed of five members, each named by the Advocate Chamber of Montenegro, the Medical Chamber of Montenegro, the Association of Lawyers of Montenegro, the University of Montenegro and non-governmental organizations dealing with human rights. The President of the Council is elected by a majority vote of the total number of members. The mandate of the members of the Council is five years. The President of the Parliament of Montenegro is in charged for initiating the process of appointment of the members of the Council by sending a call to the mentioned entities authorized for the appointment. The Parliament of Montenegro notes the completion of the process of appointing Council members. The police must provide the necessary information and notifications at the request of the Council. Professional work for the work of the Council is performed by a special service of the Parliament. The Council makes evaluations and recommendations that are submitted to the minister of internal affairs, and the minister is obliged to inform the Council about the measures and activities that have been taken. The internal control of the Police is conducted by a special organizational unit of the Ministry of Internal Affairs.

Although the National Security Agency is an independent state authority, its work is subject of both external and internal control which was established by the Law on the National Security Agency and other systemic laws (protection of human rights, classified data, labour rights, and the like).

Namely, the Law on the National Security Agency defines Parliamentary control (conducted by the Parliament of Montenegro through a competent working body - the Security and Defence Committee, and its authorizations are defined by a separate law - Law on the Parliamentary Oversight in the Field of Defence and Security), Judiciary control, as well as the control conducted by the Inspector General who is appointed and dismissed by the Government of Montenegro. Also, in accordance with the Law on the System of Internal Financial Controls in the Public Sector, the Internal Audit was established.

Considering that with implementation of means and methods of secret collection of data some constitutionally guaranteed human rights and freedoms are being temporarily limited, a significant segment of control over ANB work represents the control conducted by the judicial authority through clearly defined and binding procedures, approvals for



implementation/continuation of implementation of the mentioned methods issued by the Supreme Court President or the judge who is replacing him/her, or by the Supreme Court Council of Judges, for each individual case.

Some specific segments of the Agency's work are also controlled by the following subjects: State Audit Institution - control of legal and financial affairs; Directorate for the Protection of Classified Information - control over the use, exchange, keeping, and implementation of measures for protection of classified information; Agency for Protection of Personal Data and Free Access to Information - control of processing personal data and control of administrative acts used for resolving requests for free access to information; Administrative Inspection - inspection oversight in regard to the implementation of the law and other regulations which regulate the state administration; Internal Control of Financial Management (FSM); Internal Control over Implementation of Measures for Protection of Classified Data - and the like.

The work of ANB is also controlled by other subjects, legal and natural persons, NGOs, media and citizens who are addressing their requests to the Agency through the institute of free access to information.

These procedures are fulfilled by implementation of the Constitution, Law on Defence, Law on the Armed Forces of Montenegro, Law on parliamentary oversight in the field of security and defence and Law on deployment of the units of Armed Forces of Montenegro to the international forces and participation of members of civil defence, police and public administration employees in the international missions and other activities abroad.

Parliament of Montenegro adopts: laws and strategies in the field of defence, decision on deployment of members of the Armed Forces in international forces abroad, decision on submitting the request for NATO assistance in the defence of Montenegro; elects the Government of Montenegro, and therefore the Minister of Defence.

Law on Parliamentary oversight in the field of security and defence states that democratic and civilian control of the Armed Forces is being conducted through Parliamentary body for security and defence. This body has authority to: discuss reports in this field, conduct inspections, organize hearings, discuss legal acts and defence budget. Parliament makes decisions on deployment of members of Armed Forces to the missions abroad, adopts laws, strategies, and budget.

Defence and Security Council:

- Makes decision on command of the Armed Forces of Montenegro,
- Appoints, promotes and dismisses officers,
- Approves the Plan of usage of the AFM;
- Adopts decisions on the use of the units of the Armed Forces in carrying out tasks related to the support in case of natural and man-made disasters and other disasters, and tasks related to the contribution to internal security in peacetime within the Armed Forces assigned mission to support other institutions;
- Suggests the Parliament to make a request to the North Atlantic Treaty Organization for activation of Article 5 of the North Atlantic Treaty;
- Determines preparedness measures for the Armed Forces;

- Assigns and dismisses officers as military diplomatic representatives;
- Proposes to the Parliament of Montenegro the usage of the units or members of the Armed Forces in the international forces;
- Determines the participation of the AFM units on the level of platoon or higher level to exercises or training aboard;

The Government of Montenegro determines the internal and foreign policy in the field of defence, proposes the adoption of strategic and legal acts, adopts by-laws and the Defence Plan, and considers reports on the work of the Ministry of Defence.

The Minister of Defence is a civilian. Minister implements the policy of the Government of Montenegro in the field of defence, ensures execution of decisions on commanding over the Armed Forces; makes decision on usage of the Armed Forces in other activities in Montenegro; decide on entering the service, termination of service and other rights and obligations of persons serving in the Armed Forces; promotes, appoints and dismisses the non-commissioned officers of the Armed Forces based on the proposal of the Chief of General Staff; assigns ranks to cadets and decides on other rights and obligations of cadets; proposes to the Defence and Security Council the appointment and dismissal of the Chief of General Staff; proposes to the Defence and Security Council promotion, appointment and dismissal of the officers of the Armed Forces; promotes to the initial ranks NCOs and reserve NCOs; proposes to the Defence and Security Council the appointment and dismissal of military diplomatic representatives; proposes to the President of Montenegro to award decorations to the members of the Armed Forces; appoints acting officers for positions of officers and non-commissioned officers and performs other duties in accordance with the law.

### **2.3 What are the roles and missions of military, paramilitary and security forces, and how does your State control that such forces act solely within the constitutional framework?**

Montenegro doesn't have Private Military and Security Companies (PMSC) under and Paramilitary Forces (PMF).

The Armed Forces of Montenegro is a professional defence force that defends the independence, sovereignty and national territory of Montenegro, in accordance with the principles of international law on the use of force and carries out assigned missions and tasks.

The Armed Forces of Montenegro missions are defence of Montenegro, support to civilian institutions in state during natural and artificial caused catastrophes, and in other crises including crises caused by terroristic activity, contribution in peace-building and peace-keeping in the region and world.

Defence Strategy of Montenegro defines missions of AFM and those are: defence of Montenegro and NATO member states, contribution to international peace and security, support to international institutions.

By Executing of the Constitution and aforementioned laws, Montenegro ensures that our defence and security forces are acting in constitutional framework. Entire process of commanding and supervising with the Armed Forces of Montenegro is under the parliamentary oversight.

Implementation of the Constitution and defence-related legal acts ensures that the Armed Forces of Montenegro acts within the constitutional framework.

### **3. PROCEDURES RELATED TO DIFFERENT FORCES PERSONNEL**

#### **3.1 What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and international security forces does your state have?**

The Armed Forces of Montenegro is professionalized and it is being filled with personnel based on the public advertisement, in accordance with the needs of the service.

Law on Defence prescribes that the military obligation represents an honour, right and duty of Montenegrin citizens to participate in preparations for defence and they can be called upon during peacetime and in the state of war and state of emergency in accordance with the law.

The procedures for recruitment and call-up of personnel for the needs of the Armed Forces include: analysis and needs assessment, planning, attracting, selecting and recruitment of an adequate number and staff profile. These needs are determined by the organizational and formation structure and size of the Armed Forces and its development, as well as formal and functional requirements of the formation/jobs.

The selection and recruitment of staff to fill in formations/jobs are made in accordance with principles of equal access, merit, transparency and integrity. The candidate selection mechanisms are continuously improved.

The recruitment of officer staff is carried out through the following:

- Military recruitment, after completion of the military academy;
- Military recruitment from among the citizens with completed higher education;
- Scholarships at faculties in Montenegro and abroad;
- By promotion from the category of contract soldiers, non-commissioned officers and civilian personnel with completed higher education;
- By recruitment of civil servants to serve in the Armed Forces.

The recruitment of non-commissioned personnel is dominantly performed from among the category of contract soldiers, and exceptionally by recruitment of persons from the public, through public advertising.

The recruitment of soldiers is carried out through selection of persons for recruitment to the Armed Forces under the contract, through public advertising and from the ranks of persons who underwent voluntary military service.

Voluntary military service is one of the training models for the service in the Armed Forces in order to create a base for manning with the permanent and reserve armed forces. In accordance

with the needs for manning the units of the Armed Forces, a certain number of conscripts, upon completion of voluntary military service, will be admitted to professional military service. The admission of soldiers to voluntary military service will be effected on the basis of a public advertisement published by the Ministry. There are two trainings for up to 100 persons annually.

The number the lacking personnel may pose a challenge in the future, which is why it is necessary to analyse and monitor the dynamics of demographic, economic and social trends. We will continue to attract and recruit the needed staff through effective and modern mechanisms of promotion of the advantages of the military profession, particularly among younger population. In addition, it is necessary to bring the Armed Forces closer to younger female population by active promotion of the military profession.

In 2006 the President of Montenegro passed the Decision on the suspension of work related to the performance of conscription and regular military service. The Law on the AF MNE does not prescribe the concept and process of recruitment (for compulsory military service). However, the AF MNE conducts a selection process when recruiting persons for service in the Army, but not a recruitment process.

One of the possibilities recognized and defined by the Law on the AF MNE is voluntary military service. Voluntary military service is an opportunity for every adult from 18 to 25 years of age to try out military service, on a voluntary basis for up to 6 months. The conditions and procedure for the selection of persons are prescribed for the selection of persons for Voluntary military service.

Article 195 of the Law stipulates that voluntary military service lasts up to six months, where a soldier who meets certain conditions, may be accepted for military service, if:

- 1) does not have the citizenship of another state;
- 2) is not younger than 18 years of age, nor older than 25;
- 3) meets the requirements regarding the health and psychological fitness of conscripts;
- 4) has not been sentenced to unconditional imprisonment;
- 5) no criminal proceedings have been instituted against him/her for a criminal offense for which he is being prosecuted ex officio;
- 6) there are no security obstacles to enlistment in the Armed forces.

The Ministry publishes an announcement for the selection of persons for military service, in accordance with the plan for organizing and conducting military service. The goals of this type of engagement of persons through voluntary military service are the promotion and approach of the military vocation to interested individuals, as well as the possibility of later employment of persons who have completed military training in the regular composition of the Army. Persons who complete the training on voluntary military service are registered and, if necessary, will be engaged in the reserve composition of the Army.

## **RESERVE COMPOSITION OF THE ARMED FORCES**

Units of the Armed Forces, depending on the purpose and the needs, will be manned with: contract and strategic (assigned and non-assigned) reserve.

The contract reserve will count up to 100 persons and will be used for manning specialist formation positions in the units of the Armed Forces. He/she will be engaged, in accordance with the contract and expressed needs, with the permanent composition of the Armed Forces during training, exercises, participation in international forces, provision of assistance and protection to population from the consequences of natural and other disasters, as well as to perform other tasks in defence matters that require the engagement of additional forces. The contract reserve will comprise persons with adequate specialist knowledge and skills that are deficient, and not profitable to employ or be educated in larger numbers for the performance of regular tasks. Manning with specialized staff will be done on the basis of public advertising that will be announced by the Ministry of Defence.

The strategic assigned reserve will count up to 2,691 persons, who will be used to man the Armed Forces' reserve units. The reserve will be engaged in preparation and performing of defence and in providing assistance and protection to population from the consequences of natural and other disasters. Strategic assigned reserve will consist of persons who have served as members of the Armed Forces of Montenegro and civilian police units or who have served voluntary military service.

A strategic non-assigned reserve will be used for manning the units of the Armed Forces in case of need for strengthening defence capabilities. A strategic non-assigned reserve will be comprised of conscripts who possess military knowledge and skills, but are not deployed in the units of the Armed Forces. Their data will enter into military records and, in the case of a state of war or state of emergency, they will be mobilized and called to serve in the Armed Forces, in accordance with the law.

As part of carrying out tasks within its jurisdiction, the Ministry will regularly monitor the state of the recruitment potential for defence, and upon the approval, the Ministry will make insight into the register of citizens and will keep record on conscripts.

Speaking of the **Ministry of Internal Affairs** and the **Police Directorate**, on the basis on the Law on internal affairs, the Ministry and the Police Directorate cooperate with the competent authorities of other countries and international organizations and institutions, in accordance with confirmed and concluded international agreements. The Police Directorate at the operational level cooperates with police services of other countries and international police organizations, in accordance with concluded international agreements and the principle of reciprocity. Within this cooperation, the Police Directorate may, in accordance with the law, exchange information and information, undertake jointly established measures against terrorism, organized crime, illegal migration and other forms of international crime and damage to the security of the state border, as well as to carry out certain police activities in other countries, in cooperation with the police of those countries. At the request of

international organizations or on the basis of international treaties of which Montenegro is a member or signatory, the Police may participate in the execution of police or other peacetime tasks. On the use of the Police to carry out these tasks decides the Government of Montenegro, at the proposal of the Minister of Internal Affairs, a police officer may be assigned to work abroad as a police liaison officer and police attaché (hereinafter: police representatives), and they can be appointed by the Government of Montenegro, on the proposal of the minister of interior.

Police Directorate representatives have diplomatic status, in accordance with an international treaty. The diplomatic status of police representatives is further regulated by an agreement between the Ministry of foreign affairs and the Ministry of Internal Affairs.

Pursuant to the **Law on Internal Affairs** the police officer enters the working relationship based on public advertisement.

Exceptionally, a police officer may enter a working relationship without a public advertisement, on a job for which the regulations on internal organization and the systematization of the Police Directorate are defined to be filled out without advertising, because they are marked by the level of secrecy.

Persons who have completed the Public Institution higher vocational school the Police Academy, also enter the working relationship indefinitely without advertising, to the jobs defined by the regulations on internal organization and systematization of the Police Directorate.

### **3.2 What kind of exemptions or alternatives to military services does your state have?**

The Armed Forces of Montenegro is a professional service with Professional Military Personal (PMP) and there is no principle of compulsory military service in Montenegro. Furthermore, there is no other alternative for conscripts.

Voluntary military service is one of the training models for the service in the Armed Forces in order to create a base for manning with the permanent and reserve armed forces. In accordance with the needs for manning the units of the Armed Forces, a certain number of conscripts, upon completion of voluntary military service, will be admitted to professional military service. The admission of soldiers to voluntary military service will be effected on the basis of a public advertisement published by the Ministry. There are two trainings for up to 100 persons annually.

Law on the Armed Forces states that Montenegro citizens have a military obligation during state of war or emergency.

Citizens of Montenegro, based on their religious and other convictions, have the right to decline military duty, which includes using of weapons.

PMP serving in the Armed Forces of Montenegro are required to:

- Act in the interest of Montenegro;
- Meet the requirement;
- Adhere to ethical principles;
- Notify a superior officer and Minister with possible or actual conflict of interest and be sure to avoid any potential or actual conflict of interest.

The Constitution of Montenegro, as the highest legal act in the state, in Article 11, prescribes the division of authorities, which is regulated by the principle of division of authorities into: legislative, executive and judicial. The army and security services are under democratic and civilian control, while Article 129 of the Constitution stipulates that the Army force defends the independence, sovereignty and state territory of Montenegro, in accordance with the principles of international law on the use of force.

The Army is a defense force, that defends the independence, sovereignty and state territory of Montenegro and performs other assigned missions and tasks, in accordance with the Constitution of Montenegro, law and international law, and apart from this Constitutional and legal category, there are no exceptions or alternatives to the Army force in Montenegro.

### **3.3 What are the legal and administrative procedures to protect the rights of all force's personnel as well as conscripts?**

The Law on the Armed forces of Montenegro regulates the rights and procedures for the protection of the rights of members of the Armed Forces of Montenegro. Against the acts of the Minister, an appeal could be filled to the Complaints Commission in accordance with the law governing the rights and obligations of civil servants and state employees. A dispute before a competent court could be initiated against the decision of the Appeals Commission. In addition, a person serving in the Armed Forces of Montenegro, in order to protect his/her rights, can contact the inspector for defence.

Personnel in the Armed Forces of Montenegro have the right to form *Trade Unions* in accordance with the Law on the Armed Forces. The Trade union activities cannot be related to: composition, organization and formation of the Armed Forces training, combat readiness of the Armed Forces recruitment of the Armed Forces readiness and mobilization, use of Armed Forces of Montenegro units in international forces, command and management of the Armed Forces of Montenegro and the Defence system, as well as the decisions of the Defence and security Council, except in the parts relating to the position and rights of employees in the field of labour and labour relations.

In accordance with the Law on the Armed Forces any person which is serving in order to protect own rights, has the possibility to address to the Inspector of Defence on all matters of work and functioning of headquarters and units. Defence Minister makes decision concerning rights and obligations of members of Armed Forces in accordance with the law. Against these decisions members of Armed Forces can appeal to the state ombudsman or regular courts.

A dispute before a competent court could be initiated against the decision of the Appeals Commission or an appeal to the Ombudsman. In addition, a person serving in the Armed Forces of Montenegro in order to protect his/her rights can contact the Defence Inspector.

The Ministry of Defence adopted the Strategy for managing human resources in the Ministry of Defence and the Armed Forces of Montenegro, with the aim to provide comprehensive and stable guidelines and to determine general development goals for improving human resources management within defined areas. Strategy is being implemented by Annual Action Plans and UNDP has been assisting us in conducting all activities. All documents in the Ministry of Defence and in the Armed Forces of Montenegro are being written in gender sensitive language.

The Ministry of Defence and the Armed Forces of Montenegro are constantly working to promote military service and attracting women to the Armed Forces through the preparing and distributing promotional materials (brochures, leaflets, posters), by organizing visits to military units, by organizing TV campaigns aimed at promoting military profession and education opportunities at international military academies etc.). This is the way to attract and encourage young female to apply for admission in the Armed Forces.

Depending on the type of legal assistance that a member of the Army forces needs, there are administrative procedures to protect the rights of all members of the Army force as well as conscripts. Those measures are implemented through the Department for Inspection Supervision, which, among other things, deal with: exercising the rights of persons serving in the Army from or on the basis of service, including evaluation, disciplinary and material responsibility; checking allegations from employees' reports of illegal behavior and monitoring the measures taken in the case of mobbing (prohibition of harassment at work) and other matters within its competence.

In the Montenegrin defense system, there is no institute of military ombudsman or military commissioner who would deal with the protection of the rights of members of the Army and conscripts, but legal protection is sought in the competent courts to exercise their rights.

If there is a need to protect certain rights (human, religious, political, protection against discrimination, etc.), all citizens of Montenegro can turn to the Ombudsman, who is obliged to act, all in order to protect and promote human rights and freedoms.

Based on the Law on internal affairs police officers have the right to organize trade union, professional and other organization and activity in the manner prescribed by law. In that spirit, we have the Union of Police Directorate of Montenegro. The Union of Police Directorate of Montenegro is an independent, voluntary and non-partisan organization of police officers employed by the Police Directorate that deals with socio-economic issues and improving the economics of the members of the Union. It also deals with the supply of food products on favourable terms, the provision of holidays for family members, with repayments in several monthly instalments, the provision of free stay in spas, both at sea and on the mountain, to protect occupational disability. The Union of the Police Directorate points out, as a novelty, in relation to the work of other unions, the provision of activities to solve housing problems for employees of the Police Directorate, on favourable terms. In addition to these priority activities, the Police Directorate is engaged in providing legal assistance and representation



before the Council of the Disciplinary Commission of the Police Directorate. The Union of Police Directorate is a Legal Entity with its own Statute, and the official registration of the Union was in 2006 when this union started to operate independently. The Union represents membership, negotiates on behalf of membership, protects members by providing legal aid and judicial protection, provides necessary financial assistance, and organizes and conducts strikes and other union actions (talks, negotiations, writing press releases, appearing in the media, giving warnings, etc.), which are not prohibited by the Constitution and laws of Montenegro. In order to protect and exercise the rights of its members, the Union may cooperate with other trade unions, both domestically and abroad, and also cooperate with other similar organizations and associations in the country and abroad, and all other organizations.

#### **4. IMPLEMENTATION OF OTHER POLITICAL NORMS, PRINCIPLES, DECISIONS AND INTERNATIONAL HUMANITARIAN LAW**

##### **4.1 How does your state ensure that International Humanitarian Law and Law of War are made widely available, e.g. through military training programs and regulations?**

Montenegro Armed Forces are an integral part of a democratic state and society. By fulfilling their defence and national – security functions, the armed forces play a key role in enabling a security environment that allows us to enjoy the inalienable rights and freedoms.

The Constitution of Montenegro stipulates that confirmed and published international treaties and generally accepted rules of international law are an integral part of the internal legal order, have a primacy over domestic legislation and are directly applied when the relations are regulated differently from the domestic legislation.

In accordance with the Constitution of Montenegro, Armed Forces of Montenegro defend independence, sovereignty and state territory in accordance with principals of international law on usage of force.

In accordance with this constitutional norm, programs of educations and training of members of Armed Forces include basics of International Humanitarian Law and Law on Armed Conflicts. Law on Montenegro Armed Forces stipulates that service in Montenegro Armed Forces is being conducted in accordance with domestic laws and international law. If a member of the Armed Forces is convicted for the crimes against humanity he/she will be dishonourably discharge from military service.

Duty of all members of armed forces is to know basics of International Humanitarian Law and Law on armed conflicts, which is being inspected in process of evaluations of defence readiness. The training program of the Armed Forces of Montenegro, for the members to be deployed in international forces abroad has specific topics relating to international humanitarian law and the international law of armed conflict.

#### **4.2 What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their action?**

The Law on Armed Forces of Montenegro stipulates that member of the Armed Forces has the right and an obligation to perform his/her duties in accordance with the Constitution and other legal acts, as well as with orders of his/her superiors, except in the case in which compliance with those orders represents a criminal act. In case a member of the AFM receives such an order he/she is obliged to immediately inform superior of his/her superior and the Minister of Defence thereof.

The members of the AFM are being informed about the above mentioned and other low regulations related to individual accountability through different trainings and education programs. Low regulations related to this matter are being published in the „Official Gazette“ and on the web page of the Ministry of Defence.

#### **4.3 How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?**

Montenegro ensures that that the Armed Forces is not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity, by executing the Constitution and above-mentioned laws, as well as through constant trainings related to this topic.

Also, a significant number of members of the Armed forces of Montenegro participated in international missions abroad, where they had an opportunity to practice their duties in this area and to share experiences with the members of other Armed Forces. All the lessons learned from the international missions become part of the training programs for the Armed Forces of Montenegro.

As it was mentioned before in the document, the purpose of the Police is to do the exact opposite of what is asked in this question, so the Police Directorate is one of the main state bodies to ensure the safety of the citizens. In the Law on Internal Affairs is prescribed that the police work is carried out with the aim of ensuring equal protection of security, rights and freedoms, applying the law and ensuring the rule of law, and the conduct of Police activities is based on the principles of legality, professionalism, cooperation, proportionality in the exercise of powers, efficiency, impartiality, non-discrimination and timeliness. The Law also says that police officers act in accordance with the Constitution, confirmed international treaties, law and other regulations. Police officers abide by the standards of police conducting, and in particular

those arising from obligations laid down in international instruments, relating to the duty to serve people, respect for lawfulness and combating illegality, the exercise of human rights, non-discrimination in the performance of police tasks, limited and restrained use of coercive means, the prohibition of torture and the use of inhuman and degrading treatment, assistance to victims, the obligation to protect classified and personal information, the obligation to refuse unlawful orders and counter any form of corruption. It is important to note that police officers are required to comply with the Code of Police Ethics, which is a set of principles on the ethical conduct of police officers based on international standards.

Any person has the right to file a complaint against the work of a police officer when he / she considers that a police officer in the course of police activities violated his / her right or caused damage to him / her, within six months from the day the damage occurred, or that his / her right was violated or freedom, and the Police is obliged to provide the complainant with a written response within 30 days from the day the complaint is received. Also, a person who believes that his / her freedom or rights have been violated or harmed in the course of police work is entitled to judicial protection and redress.

#### **4.4 What has been done to provide for the individual service member`s exercise of his or her civil rights and how does your State ensure that the country`s armed forces are politically neutral?**

The members of the AFM are being introduced with their constitutional rights during continuous education and training.

The Constitution of Montenegro stipulates that a professional member of the Armed Forces of Montenegro, the Police and other security services cannot be a member of a political organization, and that political gathering is banned in state institutions.

The Law on the Montenegro Armed Forces stipulates that persons applying for admission to the service in the Armed Forces is guaranteed the application of the principle of transparency, fairness and equal rights, without discrimination on any ground (gender, race, nationality, language, religion, political or other opinion, ethnic or social origin, gender identity, sexual orientation, property status or other personal status or property). A person in the service with Armed Forces performs the service in a politically neutral and impartial manner, in accordance with the public interest, refrains from publicly expressing his or her political beliefs and cannot be a member of a political organization.

In addition, this Law stipulates that a military person is prohibited from wearing military uniforms or parts of military uniforms when attending protests or political meetings and other activities that are not related to the performance of the service in the Arm forces.

Violation of the regulations on the prohibition of political activity, constitute a disciplinary offense.

Also, when it comes to the Police Directorate, the Law on Internal Affairs prescribes that Police officer must not be a member of a political party, act politically, or run in state and local elections. The Code of Police Ethics prescribes that the police officer is obliged to comply with

the prohibitions and restrictions on political organization and action, in accordance with the law.

#### **4.5 How does your State ensure that its Defence policy and doctrine are consistent with international law?**

As mentioned in point 4.1 the Constitution of Montenegro prescribes that the confirmed and published international treaties and generally accepted rules of international law are an integral part of the internal legal order, have a primacy over domestic legislation and are directly applied when the relations are regulated differently from the internal legislation.

National Security Strategy and Defence Strategy adopted by the Parliament are developed in accordance with international law related to the security and defence. These strategies are considering all international documents that Montenegro signed and endorsed, as well as documents of all organizations that Montenegro is a member of. In this way, Montenegro has ensured that its defence policy and doctrine is defined and upgraded in accordance with international law and the best practice in this area.

### **SECTION III: PUBLIC ACCESS AND CONTACT INFORMATION**

#### **1. PUBLIC ACCESS**

##### **1.1 How is the public informed about the provisions of the Code of Conduct**

In accordance with provisions of the Rules of Procedure of the Parliament of Montenegro ("Official Gazette of the Republic of Montenegro", No. 51/06, 66/06, "Official Gazette of Montenegro", No. 88/09, 80/10, 39/11, 25/12, 49/13, 32/14, 42/15, 52/17, 17/18, 47/19) the work of the Parliament and its committees is being public with the exception of when considering materials containing classified data. All information on parliamentary debates, including proposal acts, topics discussed and decisions made, are published on the official website page of the Parliament. Moreover, television and other electronic media are entitled to direct broadcasting of the sittings of the Parliament and meeting of its committees that are covered by reporters accredited by the competent authority as well, who have at their disposal materials considered at the sittings and committee meetings of the Parliament. Likewise, official statements for the media may be issued or press conferences held for the purpose of comprehensive and accurate informing of the public on the work of the Parliament and its committees. Press conference in the Parliament may be held by an MP group or an individual MP. On 25 March 2021, the Parliament of Montenegro launched Parliamentary Channel which broadcasts plenary sessions and sessions of the Parliament's Committees. The aim is increasing the transparency and openness of the work of the Parliament and its bodies towards the citizens.

In the scope of all mentioned activities, information on participation of MPs in Code of Conduct events are regularly published on the Parliament's website and covered by all interested media.

## **1.2 What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?**

There is no additional information related to the Code of Conduct.

## **1.3 How does your State ensure public access to information related to your State's Armed Forces?**

Public access to information on parliamentary debates and hearings is defined by the above-mentioned provisions of the Rules of Procedures of the Parliament of Montenegro, covering all topics with regard to the activities of Montenegrin Armed Forces as well.

According to the Law on Parliamentary Oversight in the Area of Security and Defence ("Official Gazette of Montenegro", No. 80/10), the Security and Defence Committee:

- considers draft and proposal national security strategy and draft and proposal defence strategy and provide relevant opinions;
- considers law proposals, other regulations and general acts from the area of security and defence, including proposals on deployment of Montenegrin troops abroad;
- considers annual and special reports of the Ministry of Defence and the Army of Montenegro;
- considers reports on deployment of the members of the Army of Montenegro in international forces and participation of the members of civil protection, police and employees of state administration organs in peace missions and other international activities;
- considers information on engagement of the Army of Montenegro in providing assistance to other organs and institutions for the purpose of eliminating effects of natural disasters, technical-technological and environmental accidents and epidemics, as well as crises caused by terrorist activities;
- considers defence budget proposal, final account on defence spending as well as State Audit Institution's reports on financial allocations in this respective sector;
- considers candidates nominated for managerial positions in the area of defence, that are prescribed by special laws to be subject to the opinion of the Parliament;
- conducts consultative hearing of military-diplomatic representatives of Montenegro before the beginning of their term of office;
- organises and conducts consultative and control hearing and initiate parliamentary inquiry;
- visits the Ministry of Defence and the Armed Forces premises in order to get insights into the relevant documentation and discuss specific topics concerning the Committee's scope of work.

Meetings of the Committee shall be, by rule, closed to the public, but they can be open if decided by the majority of present members of the Committee, in accordance with the law. In the ten-year implementation of the Law, all meetings have been open to the public, with exception of when classified data were subject of the discussion. Moreover, representatives of the Government, representatives of scientific and professional institutions, other legal entities and

non-governmental organizations, as well as individual professional and scientific workers can take part in the work of the committee, if invited, with no right to make decisions. The Law also prescribes that the Committee shall inform the public on its work. The Chair of the Committee or a member authorised by the Committee present the positions and conclusions of the Committee to the Parliament and the public, while a member of the Committee may present a dissenting opinion to the public, observing thereby the restrictions in accordance with law.

Each activity which is done in the Ministry of Defence and Armed Forces of Montenegro is published on MoD's official website [www.gov.me/mod](http://www.gov.me/mod), on a daily basis. Everything is transparent on the aforementioned website in specified sections.

The Ministry of Defence communicates with public on daily basis through press releases and social media - Facebook (**@ministarstvoodbranecg**), Twitter (**@defence\_mne**) and Instagram (**@ministarstvoodbranecrnegore**), considering it as a very important part in the interaction between the institution and public, especially the young population. Also, all published video materials are available on MoD's YouTube channel (**Ministarstvo odbrane Crne Gore**).

Montenegrin public is continuously informed about the Armed Forces through interviews of Minister and other senior officials of MoD and AF MNE, bilateral and multilateral cooperation, reports regarding modernization, participation in international missions and operations, education of cadets in foreign military academies, as well as military recruitment programs, which are very popular among youngsters.

There are also numerous trainings and exercises of the Armed Forces of Montenegro and NATO allied countries which are attractive for making reportages. In the focus of the public in 2022 was the joint training of members of MNE and UK armed forces "Decisive Response", which took place at several locations in Montenegro with the participation of about 300 members of the MNE AF and 150 of the British Armed Forces. By showing the practice of a series of different operations across the country, which combined actions on land, in the sea and in the air, the Montenegrin public was informed daily through announcements and posts on social networks about the importance of the exercise and capabilities of the MNE AF.

Also, this year, in the occasion of celebration the Day of the Armed Forces of Montenegro - October 7, MoD organize events "Army in Your Town" in Bar, Kolašin, Pljevlja, Bijelo Polje, Danilovgrad and Podgorica where citizens been able to socialize with the Army and get known with the most modern equipment and weapons of the MNE AF. Also, it was the opportunity to be informed about the possibilities of employment in the AF and studying at foreign military academies. The central celebration of the Armed Forces of Montenegro Day was organized at the central square in Podgorica. On that occasion, a new promotional video of the Armed Forces of Montenegro was premiered.

In 2022, the public was also informed about the significant contribution of the Armed Forces of Montenegro in extinguishing fires throughout Montenegro in the summer months.

The MoD pays special attention to the promotion of public ads and announcements regarding the employment in the service of the Armed Forces of Montenegro. The Ministry of Defence and

the Armed Forces of Montenegro continuously promote gender equality and women in the Armed Forces, so their successes are often presented in public and media.

## **2. CONTACT INFORMATION**

### **2.1 Provide information on the national point of contact for the implementation of the Code of Conduct.**

- Ministry of Foreign Affairs, Directorate General for Multilateral Affairs, Directorate for the OSCE and the Council of Europe; Milos Nikolic, Director, e-mail: [milos.nikolic@mfa.gov.me](mailto:milos.nikolic@mfa.gov.me), address: Stanka Dragojevića 2, 81 000 Podgorica;
- Contact at the national mission of Montenegro to the OSCE: [osce@mfa.gov.me](mailto:osce@mfa.gov.me)

**Agreements and arrangements related to preventing and combating terrorism****Montenegro is a party to the following conventions:**

- European Convention on Counter Terrorism;
- European Council Convention on Prevention Terrorism;
- European Council Convention on Laundering, Searching, Confiscating Objects Gaining by Criminal Activities and on Funding Terrorism.
- In 2013, a Memorandum between the Ministry of Internal Affairs of Montenegro and the Ministry of Internal Affairs of Ukraine on the cooperation in the area of combating crime was signed in Kiev on 13 June 2013 and entered into force on the day of signature. The Memorandum is concluded for an indefinite period. It also provides for cooperation in the fight against terrorism.
- In 2012, the Ministry of the Internal Affairs has signed a few bilateral (international) agreements, some of which are related to fight against terrorism:
  - o Agreement between the Government of Montenegro and the Government of Macedonia on Police Co-operation, signed in Skopje on 16 March 2012, and ratified by the Parliament of Montenegro on 4 March 2013.
  - o Agreement between Montenegro and the Czech Republic on Cooperation in the Fight against Crime, signed in Podgorica on 22 June 2012, and ratified by the Parliament of Montenegro on 4 March 2013. In accordance with the Article 2 Paragraph 1 Line b, the co-operation between the Parties is also extended to fight against terrorism and terrorism financing.
  - o Agreement between the Ministry of the Internal Affairs of Montenegro and the Ministry of the Internal Affairs of the Slovak Republic on Police Cooperation, signed in Podgorica on 5 June 2012, entered into force after 30 days from the signing date. In accordance with the Article 2 Paragraph 1 Line 2, the cooperation between the Parties is also extended to the fight against terrorism and terrorism financing.
- Montenegro has signed the Police Cooperation Convention for Southeast Europe (Official gazette of Montenegro – International Agreements, Number 01/08), in Vienna, on 5 May 2008. Along with Montenegro, the Convention has also been signed by: Albania, Bosnia and Herzegovina, Moldova, Republic of Macedonia, Romania and Serbia. After ratification by all seven signatory States, the Convention entered into



force on 10 October 2007. In addition, Bulgaria acceded to it on 25 September 2008. Austria (on 24 May 2011), Hungary (on 6 July 2012) and Slovenia (on 14 December 2012) have also deposited their accession acts to the Convention. The Convention is also aimed at strengthening cooperation with respect to prevention, detection and police investigation of criminal offences.

- Montenegro's police officers have also successfully participated in peacekeeping missions in Afghanistan. Furthermore, the Ministry of the Internal Affairs and the Ministry of Defence of Montenegro have signed on 19 November 2012 the Agreement on cooperation on preparation and engagement of advisory police teams within peacekeeping mission „International Security Assistance Force“ in Afghanistan.
- In addition, as of 2009, Montenegro's police officers have also participated in UN Peacekeeping Missions in Cyprus (UNFICYP).  
As for the international-legal instruments in the field of preventing and combating terrorism and cooperation in the fight against crime, Montenegro has deposited its instrument of succession to the following conventions:

**Conventions which designated depository is the Secretary General of the United Nations:**

1. In line with the resolution of the UN on foreign fighters (2178) the amendments to the Penal Code of Montenegro has been adopted;
2. United Nations Convention against Transnational Organized Crime (and the Protocols thereto (Official Gazette of the Federal Republic of Yugoslavia 6/2001) by means of succession, entered into force on June 03, 2006;
3. UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna Convention), (Official Gazette of the Socialist Federal Republic of Yugoslavia - International Treaties 14/90) by means of succession, entered into force on June 03, 2006;
4. Convention on Offences and Certain Other Acts Committed on Board Aircraft (Official Gazette of the Socialist Federal Republic of Yugoslavia - International Treaties 47/70) by means of succession, entered into force on June 03, 2006;
5. International Convention for the Suppression of the Financing of Terrorism (Official Gazette of the Federal Republic of Yugoslavia 07/02) by means of succession, entered into force on June 03, 2006;
6. Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations

Convention against Transnational Organized Crime (Official Gazette of Serbia and Montenegro - International Treaties 11/05) by means of succession, entered into force on June 03, 2006;

7. International Convention for the Suppression of Terrorist Bombings (Official Gazette of the Federal Republic of Yugoslavia 12/02) by means of succession, entered into force on June 03, 2006;

8. United Nations Convention against Corruption (Official Gazette of Serbia and Montenegro-International Treaties 11/05) by means of succession, entered into force on June 03, 2006;

9. International Convention Against the Taking of Hostages (Official Gazette of the Socialist Federal Republic of Yugoslavia - International Treaties 09/84) by means of succession, entered into force on June 03, 2006;

10. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents;

11. International Convention for the Suppression of Acts of Nuclear Terrorism (Official Gazette of Serbia and Montenegro-International Treaties 2/06), by means of succession, entered into force on June 03, 2006 (succession to the signature);

**Conventions which designated depository is the Council of Europe:**

1. The ratification of the Additional Protocol with the Convention of the Council of Europe on the terrorism prevention has been signed, and will be ratified in due course.

2. The Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (Official Gazette of the Federal Republic of Yugoslavia 01/92), by means of succession, entered into force on June 03, 2006;

3. European Convention on Extradition and its Additional Protocol (Official Gazette of the Federal Republic of Yugoslavia 10/01) by means of succession, entered into force on June 03, 2006;

4. European Convention on the Transfer of Sentenced Persons and its Additional Protocol (Official Gazette of the Federal Republic of Yugoslavia 04/01) by means of succession, entered into force on June 03, 2006;

5. European Convention on the Suppression of Terrorism (Official Gazette of the Federal Republic of Yugoslavia 10/01) by means of succession, entered into force on June 03, 2006;

6. European Convention on the Transfer of Proceedings in Criminal Matters (Official Gazette of the Federal Republic of Yugoslavia 10/01) by means of succession, entered into force on June 03, 2006;

7. European Convention on Mutual Assistance in Criminal Matters and its Additional Protocol (Official Gazette of the Federal Republic of Yugoslavia 10/01- and Official Gazette of Serbia and Montenegro International Treaties 2/06) by means of succession, entered into force on June 03, 2006;

8. European Convention on the International Validity of Criminal Judgments with Amendments (Official Gazette of the Socialist Federal Republic of Yugoslavia - International Treaties 13/02 and 02/06) by means of succession, entered into force on June 03, 2006;

9. Council of Europe Convention on the Prevention of Terrorism;

10. Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism.

11. Criminal Law Convention on Corruption (Official Gazette of the Socialist Federal Republic of Yugoslavia - International Treaties 02/02 and Official Gazette of the Republic of Montenegro 18/05) by means of succession, entered into force on June 03, 2006.

**Conventions which designated depository is the International Maritime Organization:**

1. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA 1988);
2. Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (SUA PROT 1988);

**Conventions which designated depositories are individual states:**

1. Convention for the Suppression of Unlawful Seizure of Aircraft, signed at the Hague on 16 December 1970;
2. Protocol on the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 24 February 1988 (Official Gazette of the Socialist Federal Republic of Yugoslavia - International Treaties 14/89) by means of succession, entered into force on June 03, 2006;

3. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1970;<sup>1</sup>

Montenegro ratified the Additional Protocol to the Criminal Law Convention on Corruption (Official Gazette of Montenegro 11/07) and the Convention on Cluster Munitions (Official Gazette of Montenegro - International Treaties 4/09).

Montenegro has assumed obligations arising from agreements signed between the SRY and the subsequent State Union of Serbia and Montenegro and:

1. Republic of Greece on cooperation in the fight against organized crime, illegal trafficking in drugs and psychotropic substances, terrorism, and other severe criminal;
2. Republic of Bulgaria on cooperation in the suppression of illegal trafficking in narcotic drugs and psychotropic substances, international terrorism and other forms of international criminal activities;
3. Republic of Croatia on cooperation in the suppression of illegal trafficking in narcotic drugs and psychotropic substances, international terrorism and other forms of international criminal activities;
4. The Montenegrin Ministry of the Internal Affairs and the Republic of Italy and the Republic of Albania Memorandum of Understanding that, inter alia, envisages cooperation in the fight against international terrorism.
5. Acceptance and implementation of the Berlin Declaration as of 10 July 2002 (Confronting terrorism: global challenge in the 21st century);
6. Implementation of the necessary activities related to red notices, blue notices and other official actions of the INTERPOL with regard to persons for whom there is a reasonable doubt that they have incited, participated or committed terrorist activities;
7. The Republic of Austria on police cooperation;
8. Agreement on Cooperation in Prevention and Fight against Trans-border Crime (Official Gazette of Serbia and Montenegro- International Treaties 05/03) by means of succession, entered into force on June 03, 2006.

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<sup>1</sup> *The depositaries of these three international instruments are the United Kingdom, the Russian Federation and the United States of America. Montenegro deposited its instrument of succession with the Government of the United Kingdom, after which the Foreign Office informed the Montenegrin Ministry of Foreign Affairs that other members and depositaries would be informed about the given legal transaction.*

Administration for the Prevention of Money Laundering and Terrorism Financing, as Montenegro's Financial Intelligence Unit, signed agreements on cooperation in exchange of financial intelligence data with Financial Intelligence Units (FIU) of the following states:

- Agreement on Cooperation with FIU of Serbia (signed on 16 April 2004);
- Agreement on Cooperation with FIU of Albania (signed on 3 June 2004);
- Agreement on Cooperation with FIU of Bosnia and Hercegovina (signed on 19 April 2005);
- Agreement on Cooperation with FIU of Macedonia (signed on 29 October 2004);
- Agreement on cooperation with FIU of UNMIK Kosovo (signed on 7 December 2004);
- Agreement on Cooperation with FIU of Slovenia (signed on 28 December 2004);
- Agreement on Cooperation with FIU of Croatia (signed on 24 March 2005);
- Agreement on Cooperation with FIU of Bulgaria (signed on 11 April 2006);
- Agreement on Cooperation with FIU of Portugal (signed on 11 June 2007);
- Agreement on Cooperation with FIU of Russian Federation (signed on 7 September 2007);
- Agreement on Cooperation with FIU of Poland (signed on 15 November 2007);
- Agreement on Cooperation with FIU of Romania (signed on 10 October 2008);
- Agreement on Cooperation with FIU of the USA – Fin CEN (signed on 21 October 2008);
- Agreement on Cooperation with FIU of EULEX Mission in Kosovo (signed on 19 February 2009);
- Agreement on Cooperation with State Committee for Financial Monitoring of Ukraine (signed on 27 May 2009);
- Agreement on Cooperation with the Unit for Prevention of Money Laundering and Suspicious Cases of the United Arab Emirates (signed on 6 July 2009);
- Agreement on Cooperation with FIU of Bermuda (signed on 21 October 2009)
- Agreement on Cooperation with FIU of Moldova (signed on 12 December 2010)
- Agreement on Cooperation with FIU of San Marino (signed on 12 December 2010)
- Agreement on Cooperation with FIU of Israel (signed on 12 December 2010)
- Renewed Agreement on Cooperation with FIU of Russian Federation (signed on 15 December 2010)
- Agreement on Cooperation with FIU of Aruba (signed on 14 March 2011)
- Agreement on Cooperation with FIU of Estonia (signed on 14 March 2011).

**Voluntary information on the implementation of the  
United Nations Security Council Resolution 1325  
“WOMEN PEACE AND SECURITY”**

## **I Prevention**

***1. Measures to increase armed forces personnel understanding of the special needs and contributions of women in conflict.***

Trainings regarding different topics on gender are included in annual trainings programmes in **the Armed Forces of Montenegro**. We can identify three types of trainings on gender: for all AF units, for pre-deployment and for different kind of courses.

First two types of trainings cover topics, as follows: NATO Strategic Directive 40-1, National Action Plan on implementation of UNSCR 1325, integration of gender in military operations and sexual based violence and discrimination. Topics on women in conflict areas and peace support operation, specific needs of local women and protections from the violence of women and girls are included within pre-deployment trainings.

It is important to mention that lectures on general gender topics are included in basic trainings for officers, NCOs and contract soldiers as well for soldiers on voluntary military trainings.

The fact that 472 members of AF attended gender trainings in 2021 proves that education on gender is high on training agenda.

Annual training programmes in the MoD are based on requests of in-charge persons and once they are adopted, units are responsible for creation of guidelines that contain detailed information for implementation of each training segment, including gender.

Program for introduction of new employees in defence system, also includes the topic related to gender equality and main principles of Resolution UNSCR 1325.

**The Police Directorate** continuously implements measures in the field of gender equality, defined by the Law on Gender equality, national and internal strategic documents for the subject area. In addition to the stated director of the Police Directorate, has adopted the Plan of activities to create conditions for increasing the number of female police officers in the 2019 - 2020, which can be found on the UP website.

The Director has determined "persons of trust", in all centres and in the Department of Security, as an anti-discrimination mechanism from the UN resolution 1325, women, peace and security and the national strategic document for the implementation of this resolution. For these persons a workshop was organized with the aim of their professional empowerment and understanding of their role in the implementation of the principles of gender equality in the police.

In continuity for police officers, training on gender equality in the police, a special program for police officers, was drafted by DCAFa; Training for trainers on "Gender equality in Police" . In this way, every centre of security is trained by a police inspector, who will maintain training at the centre of security in which he works.

## **II Participation**

### ***1. Measures to increase the number of women in general and in decision- making positions in the armed forces and the ministry of defence.***

Currently, there are 15,10% percent of women in AF MNE or 10,09% of women in professional military personnel structure. Those percent increased significantly compering to previous period.

Gender equality represent strategic policy of MoD in human resources management area. In Strategic Defence Review is stated that MoD will continue to guarantee equal opportunities for women and men for entering into the service and for their career development via transparent selection processes and by providing availability of all post to women, including leading positions. Long Term Development Plan also focus on gender equality in process of recruitment, professional development and assignments of women on command duties, their deployment in missions and operations. One of the aims in Strategy on Human Resources Management in MoD and AF MNE is gender equality and it is implemented through annual action plans. Women population represents specific target group for implementation of different promotional activities.

In order to attract more female candidates for AF service, education at military academies, or scholarships a positive advertisement campaigns are used with focus on presenting equal opportunities. It is important to mention criteria for admission in AF service which refers on giving advantages to women in case that female and male candidates gain same score during selection processes. Also, there are different physical criteria for male and female candidates. Ministry adopted Guidelines for attracting and retaining women in AF MNE, that are delivered to those in-charged for recruitment, trainings, operations and career development.

Currently there are 26 women on command positions in AF MNE, and that number increased compering to previous period, for more than 50%.

In the reporting period, 3 (or 4,62%) out of 65 women participated in international military, humanitarian and other missions and operations. This also increased total number of women who participated in missions and operations, from 16 to 19.

## ***2. Measures to increase the number of women in peacekeeping forces.***

The Police Directorate currently has no female police officers involved in peacekeeping missions as we now have a police officer in the United Nations Monitoring Mission in Cyprus (UNFICYP).

To this matter we pay great attention and, in this regard, in our long-term presence in the Monitoring Mission in Cyprus we had four police officers, where we were constantly represented by one female police officer representing a percentage of 25% of women, and all in accordance with respect to the principles of gender equality and in accordance with the recommendations of the United Nations and the international community and organizations.

The reason for the current reduction in missions, and consequently the participation of female police officers on these jobs, is the organizational nature of the Police Directorate's efforts to strengthen its presence in other missions of the United Nations and to take part in the peacekeeping missions and NATO, the EU and the OSCE in the intent to give a greater contribution to world peace.

### **III Protection**

There are no reported cases of complains for gender discrimination, sexual harassment, exploitation and abuse. In order to raise awareness of this topic among MoD and AF MNE members, in cooperation with UNDP SEESAC, Regional Handbook on Preventing and Responding to Gender-Based Discrimination, Sexual Harassment and Abuse, was developed, which is published on MoD official web page.

The aim of this Handbook is to contribute to better visibility of gender discrimination, sexual harassment, and abuse and enhance the effectiveness of the fight against discrimination. One of the aims is also to raise gender awareness and improve gender competencies of all employees in the defence systems, which is a basic prerequisite for efficiently responding to and combating gender-based discrimination, as well as for creating a safe and friendly work environment where human dignity and integrity are respected as the highest common values. Currently, we are in final phase of drafting Guide for Preventing Gender-Based discrimination, Sexual Harassment and Abuse in the Armed Forces of Montenegro, which will be intended for its members.

### **IV Other information**

The second Action Plan for implementation of the United Nations Security Council Resolution 1325 – Women, peace and security in Montenegro 2019-2022 with the Program for implementation for the period from 2019 to 2020, was adopted by the Government in September 2019. It defines the measures and activities for integration of gender equality in defence system reform process, as well as at all levels of decision-making processes and policy creation and implementation. Priorities remains the same as for the first NAP: increasing number of women in decision making process, protection of women and girls in conflict areas and integration of gender perspective and trainings in the missions and operations.



In April 2021, biannual report on the implementation of activities from the Implementation Programme for the period 2019-2020 was adopted. Percentage of realization was 90%, and represents a significant success, especially if we take into account the fact that almost the entire 2020 year was under influence of pandemic situation. For implementation of activities from mentioned Programme total of 53,568.00 euros were spent.

It is important to emphasize that, by implementing the activities from the Implementation Program, for period 2019-2020, Ministry of Defence established Working Team for Networking of Women in the Security Sector, which consists of representatives of the Ministry of Defence, the Armed Forces, the National Security Agency, the Ministry of the Internal Affairs and the Police Directorate.

New Implementation Program for period 2021-2022, the Government adopted in September 2021. The total amount of funds planned for allocation in the period until the end of 2022 is 24,600.00 euros. Currently we are in a final phase of drafting Annual Report on Implementation Program for 2021.

The Ministry of Defence in cooperation with UNDP SEESAC has developed a bilingual Brochure, which promotes NAP and its application at the national and international level, which is published on MoD official web page.

In the Ministry of Defence, there are a set of established mechanisms that are responsible for implementation of Policy of gender equality. When it comes to the highest level, there is coordinator for integration of gender equality in the Ministry of Defence as well as certified Gender Advisor to the Chief of General Staff in the Armed Forces. Also, there are 10 certified gender trainers in charge for conducting trainings for Armed Forces needs especially for deployment. Besides the coordinator, in the Ministry of Defence there are also two civil servants who are include in realization of gender equality activities. In addition, we had one Gender Advisor who currently covers NCS position to SACEUR.

When it comes to best practice in gender area of Ministry of Defence of Montenegro, it is important to mention following:

- Support of top management in MoD and AF MNE;
- Gender perspective became part of all human resources management policies and processes;
- Structure of mechanisms for implementation of gender policies is established;
- Education on gender became integral part of trainings programmes in AF which affected on increasing awareness on gender and changing institutional culture;
- First post of MNE in NATO Command Structure is post of Gender Advisor to SACEUR;
- Increasing number of women in professional military personnel structure;

Strong regional and international cooperation for sharing best practices, participation in joint projects, studies/research, joint educations, and for the strengthening of internal mechanisms, etc.

The National Security Agency (ANB), within the overall process of human resources development, continually carries out activities aimed at a comprehensive promotion of the gender equality principles, including the implementation of the UNSC Resolution 1324 – Women, Peace, and Security.

Accordingly, the ANB has affirmed the principle of gender equality and raised the level of representation of women in the overall staff, but also in the managerial staff.

Namely, in the period of establishment of the Agency as an independent state authority (in 2006), a participation of women in the total number of officers was 33.5%, while the percentage increased from 35% to 37% in 2021 compared to 2020. In the segment regarding the representation of women in the managerial structure, the percentage increased from the initial 3.2% in 2006 to 31% in 2020, while a certain decrease to 27.5% was noticed in 2021.

Keeping on with the fulfilment of obligations from the Action Plans of the Government of Montenegro regarding the implementation the UNSC Resolution 1325 - "Women, Peace, and Security", beside the establishment of the Working Group and the appointment of Coordinators for those issues, as well as the appointment of a "trusted person", National Security Agency (ANB) adopted both the Action Plan for the implementation of activities in this aspect for 2022 and the Report on conducted activities during 2021. Process of education and raising awareness of officers in this field during 2021 was very limited due to introduced measures within fight against the Coronavirus pandemic and the process was most frequently organized through the participation in online meetings. We would like to emphasize as particularly important the participation of representatives of the National Security Agency (ANB) in the seminar for participating countries and partner countries for cooperation with OSCE, organized in May 2021 aimed at recognizing the importance of Code of Conduct on politico-military aspects of security, sharing experience on important principles and obligations arising from the Code of Conduct.

Also, in the beginning of 2021, in line with the implementation the UN SC Resolution 1325 - "Women, Peace, and Security", a Working Team was established at the level of security institutions for the networking of women in security sector, within which there are two female representatives of the National Security Agency (ANB).