

2 June 2016

ENGLISH only



Montenegro

A DECADE
OF INDEPENDENCE
A MILLENNIUM
OF STATEHOOD
MONTENEGRO
2016



May Montenegro live forever

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

No: 137 -1/2016

The Permanent Mission of Montenegro to the UN, OSCE and other International Organizations in Vienna presents its compliments to all OSCE Delegations and Permanent Missions to the OSCE and to the Conflict Prevention Centre and has the honor to enclose herewith the replay of Montenegro to the OSCE Questionnaire on the OSCE Code of Conduct on Politico-Military Aspects of Security.

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



Vienna, 1 June 2016

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



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Montenegro

Ministry of Foreign Affairs and European Integration

Exchange of Information on the OSCE Code of Conduct on Politico-Military Aspects of Security

(June 2016)

QUESTIONNAIRE ON THE CODE OF CONDUCT ON POLITICO-MILITARY ASPECTS OF SECURITY

SECTION I: Inter-State elements

1. Account of measures 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?

Montenegro is a party of 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 Interior has signed a few bilateral (international) agreements, some of which are related to fight against terrorism:
 - 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. Article 3, Paragraph 1, Point 1, Line 1 of this Agreement provides for., co-operation between the Parties, in the fight against terrorism.
 - Agreement between Montenegro and the Czech Republic on Co-operation 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..
 - Agreement between the Ministry of the Interior of Montenegro and the Ministry of the Interior of the Slovak Republic on Police Co-

operation, 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 co-operation between the Parties is also extended to the fight against terrorism and terrorism financing.

- Montenegro has signed the Police Co-operation 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 Interior 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 whose designated depository is the Secretary General of the United Nations:

1. 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;
2. 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;

3. 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;
4. 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;
5. 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;
6. 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;
7. 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;
8. 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;
9. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents;
10. 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 whose designated depository is the Council of Europe:

1. 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;
2. 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;

3. 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;
4. 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;
5. 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;
6. 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;
7. 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;
8. Council of Europe Convention on the Prevention of Terrorism;
9. Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism.
10. 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 whose designated depository is the International Maritime Organisation:

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 whose 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 1970.¹

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. the Republic of Greece on cooperation in the fight against organized crime, illegal trafficking in drugs and psychotropic substances, terrorism, and other severe criminal;
2. the 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. the 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 Interior 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;

¹ 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.

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.

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)

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

Authorities, competencies and procedures of state subjects that participate in counter-terrorism activities have been regulated with several strategic documents and laws, that relate to the field of terrorism and other fields connected with it. Among the above-mentioned documents and laws are the following: the Constitution, National Security Strategy, 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 Internal Affairs, Law on Defence, Law on the Armed Forces of Montenegro etc.

These documents and laws define activities implying criminal offences of terrorism, the competent institution and the way of their participation in counter-terrorism, steady improvement of the capacities of Montenegro in counter-terrorism, prevention of potential terrorism financing, the means for suppressing offenders, etc..

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

Authorities, competences and procedures of the Government bodies involved in counter-terrorism 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, 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 Internal Affairs, Law on Defence, Law on the Armed Forces of Montenegro, Law on Basic principles of Intelligence and Security Sector, etc.

In 2015 the Government of Montenegro adopted the new Strategy for Prevention and Suppression of Terrorism, Money laundering and Terrorism financing 2015-2018 and a corresponding Action Plan for its implementation. The Constitutional session of the National inter-agency Operational team for monitoring the implementation of the Strategy and the Action Plan was held on September 23, 2015. This Operational team has been formed by the decision of the Bureau responsible for operative coordination of the activities of intelligence and security sector authorities, and based on the conclusions of the Government of Montenegro. Operational team consists of representatives from: Special State Prosecutor's Office, the High Court in Podgorica, the Ministry of Justice, the Ministry of Interior and the Police Administration, the Ministry of Defense, the National Security Agency, the Administration for Prevention of Money Laundering and Financing Terrorism, Agency for Protection of Classified data, the Tax Administration and the Customs Administration. In 2015, the VIII report on implementation of the Strategy was adopted and on March 10th 2016, the Government adopted the IX report on the implementation of the Strategy.

In the above mentioned documents and legislation, it is defined which criminal activities constitute a criminal act of terrorism, and moreover which competent institutions are tasked with countering terrorism. Furthermore, they elaborate on the steady improvement of the Montenegro's capacities for countering terrorism, prevention of potential terrorist financing, punishment of perpetrators of criminal acts of terrorism, etc.

Also, 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 realization of the second mission of the Armed Forces in the field of supporting civilian structures in countering terrorism, the Special Forces Unit and the Military Police Unit have been established.

Department for Military Intelligence and Security Affairs (DMISA) is, among other things, responsible for the implementation of preventive measures to the persons who perpetrate criminal acts of terrorism, directed towards the Ministry and the Armed Forces. Representatives of DMISA and General Staff are members of the Task Force responsible for monitoring and implementation

of the Action Plan for the implementation of the Strategy for Prevention and Suppression of Terrorism, Money Laundering and Terrorist Financing. Task Force reports directly to Operation Coordination Bureau. Head of DMISA is a member of the Operation Coordination Bureau.

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, which refers for a period of four years, that monitors the realization of the Action Plan for the implementation of the mentioned Strategy.

The National Security Agency, as a part of an integrated security system, according to the Constitution and Law, among others, performs tasks of collecting and analyzing data important for national security, including information on potential terrorist threats, while Special Prosecutor is in charge of processing criminal acts of terrorism.

The national security system of Montenegro is a complex system in which, in addition to the National Security Agency, Ministry of the Interior (the Police), DMISA, Armed Forces, other government bodies also participate, some with major and some with smaller roles: Administration for Preventing of Money Laundering and Financing of Terrorism, Ministry of Justice, Directorate for the Protection of Classified Information (National Security Authority), Customs Administration, two specialized Departments of the Higher Court (among other tasks, responsible for cases regarding terrorism), Tax Administration, etc.

Specialised divisions of the High Court in Podgorica and Bijelo Polje have a jurisdiction for trials of cases of organised crime, corruption, terrorism and war crimes.

The Law on the Special State Prosecution Office adopted by the Parliament of Montenegro on 26 February 2015 provides for the establishment of the Special State Prosecution Office, responsible for the criminal acts of corruption, organized crime, money laundering, terrorism and war crimes. The Law also provides for the establishment of a special police department for work with the Special State Prosecutor's Office.

Within its institutional framework, Montenegro has no paramilitary forces.

1.4. Provide any additional relevant information on national efforts to prevent and combat terrorism?

To protect citizens from the terrorist threats, Montenegro has recognized the need for a wide range of partnership cooperation at the national, regional and international level with the focus on the following areas of action:

- Development of the National Strategy (already developed), in line with the real situation and the international documents, primarily with the EU Counter-Terrorism Strategy, the Strategy for the prevention of radicalization and recruitment of terrorists and the Global anti-terrorist strategy of the UN, establishing appropriate institutional framework of security services, law enforcement bodies, experts in this area, in order to plan more easily measures for the successful prevention of violent extremism and terrorism;
- Training of officials who are working with individuals and groups at risk, not only for employees who work in law enforcement bodies, but also for social, educational and health care workers, so that they can understand better the process of radicalization and the response to it;
- Acceptance of knowledge, experience and best practices in order to design preventive measures and develop programs to support members of extremist groups to abandon those groups and de-radicalization, which is best achieved by cooperation between multiple entities from various sectors, especially the families and members of the community close to the violent extremists;
- Cooperation with the civil society and the private sector to solve problems encountered on the Internet. Efforts must not be limited to the prohibition of the material, but should include messages with the opposite content, in order to reverse the extremists' arguments;
- Close cooperation with the religious communities which on numerous occasions have condemned acts of terrorism committed in the name of religion;
- Support the critical thinking among young people in respect of the extremist messages. Education, by which young people can be supported in critical thinking about extremist views and messages, and to reveal flaws of such propaganda;
- Intensification of research on trends of radicalization - how and why people become more radical or less radical, and on the role which in this respect ideology, recruitment techniques using the Internet or role models have;

- Raising awareness of the first lines that work with vulnerable individuals or groups at risk of violent radicalization through relevant sectors;
- Support to the establishment of a suitable framework for cooperation and response to effectively react to violent radicalization and recruitment at the national level;
- Support in establishing mechanisms for effective detection of Online content regarding public provocation, incitement, glorification and recruitment;
- Support in the formation of de-radicalization program;
- Knowledge-sharing and exchange of best practices adapted to the UN, Council of Europe and EU level.

The issue related to the foreign fighters/terrorists has been defined by the amendments to the Criminal Code ("Official Gazette of Montenegro", No. 14/2015 from 26.3.2015, came into force on 3.4.2015.) Article 449b. The new Criminal Code prescribes a prison sentence of two to 10 years for those who, contrary to the law, other regulations and international law canvass, prepare, recruit and train individuals for participation in foreign battlefields and organize their departure. All those who directly or through a third party offer, give, provide and seek money and equipment for departure of Montenegrin citizens to foreign battlefields shall be punished by imprisonment.

The Parliament of Montenegro of the 25th Plenum, earlier, at the first session of the first regular (spring) sitting in 2015, on 18 March 2015, adopted the Law on Amendments to the Criminal Code of Montenegro, in accordance with the need for incriminating the appearance of participation of foreign fighters in conflicts abroad. The Act is in conformity with United Nations Resolution 2178 (2014) of foreign fighters / mercenaries, which the Security Council adopted at the 7,272th session on 24 September 2014, and in conformity with the International Convention for the Suppression of the Financing of Terrorism.

2. Stationing of armed forces on foreign territory

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

The Constitution of Montenegro, Laws, international treaties and acts of state authorities are providing the stationing of armed forces of Montenegro in foreign territories. The involvement of the Army of Montenegro in foreign territories is possible through the engagement of the international forces, participation in international military exercises and training abroad. The Constitution of Montenegro stipulates that the Montenegrin army is under democratic and civilian control. The Constitution of Montenegro stipulates that the members of the Army of Montenegro may be part of an international force. The Constitution prohibits the process of establishing secret subversive organizations and irregular armies organized by members of the military. The Parliament of Montenegro shall decide and issue a decision on the use of the Armed Forces of Montenegro in the international forces and the Constitution of Montenegro stipulates that the Parliament of Montenegro supervises the Army of Montenegro (Articles 11,55,129,82 and paragraphs 2,3,8,10 of Constitution).

Criteria and decision – making process for staffing, preparation, training and equipping of units of the Army for use in international forces is prescribed by the Government. The international forces or peacekeeping missions and other activities abroad are referred to prepared, trained and equipped units of the Army. Preparation, training and equipping of units of the Army is going to be performed by governmental administration carrying out the decisions of their referral (**monitor and coordinate their involvement in the international forces or peacekeeping missions and other activities abroad**). The Defense Minister, **at least once a year**, submit to the Defense Council a report of the activities on the use of units of the Army joined to the international forces² (**Article 9,10,11- Law on Deployment of the AF**).

According to the Constitution of Montenegro, the Montenegrin Parliament adopted the following decisions:

- Decision on the participation of the Army of Montenegro in the European Union peacekeeping operation **“EU NAVFOR - ATALANTA”**.
- Decision on the participation of the Army of Montenegro in the international forces operation **“RESOLUTE SUPPORT” in Afghanistan**.

² Law on deployment of the Armed Forces of Montenegro units to the international forces and participations of members of civil defence, police and public administration employees in the international missions and other activities abroad (Official Gazette of Montenegro, No. 61/08, from from 13th of OCT.2008)

- Decision on the participation of the Army of Montenegro in the Europe Union peacekeeping operation **“EUROPEAN UNION TRAINING MISSION - EUTM” in Mali.**
- Decision on the participation of the Army of Montenegro in the European Union forces operation **“EUFOR RCA” in Central African State.**
- Decision on the participation of the Army of Montenegro in the United Nation mission in Liberia **“UNMIL”.**

In 2015, we did not participate in the United Nations Mission in Liberia, and so far The Montenegro did not send members of armed forces of Montenegro in the mission in the Central African State even the Montenegrin Parliament adopted that decision.

The Armed Forces of Montenegro members' participation in the Peace Support Operations (PSO) during 2015:

- **51** troops within the **“RESOLUTTE SUPPORT”** in Afghanistan, **NATO** led operation (Decision of the Parliament of Montenegro from 2014);
- **2 (One)** Logistic Officer within the European Union Training Mission Mali (**EUTM**), under EU mandate (Decision of the Parliament of Montenegro from 2014);
- **3(Three)** Naval Officers within the European Union Naval Forces Operation (**EU NAVFOR - ATALANTA**), under EU mandate, in the Indian Ocean (Arden Bay and Somali territorial waters) embarked (have been on board) on the ships of the Italian Navy, while **2 (two)** have been appointed to the **ATALANTA NAVFOR HQ in Northwood**, United Kingdom of Great Britain and Northern Ireland.

3. 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 indivisible security are implemented in good faith.

After gaining its independence, Montenegro has established the Agency for arms control in 2007. This agency is subordinated to the Ministry of Defence of Montenegro and it has a central role in implementation of all obligations in the field of arms control.

Montenegro as an independent State, it is a signatory of the following agreements and documents related to arms control:

- Vienna Document;
- Dayton peace agreement (Article IV);
- Ottawa Conventions;
- CCW (The Convention on Certain Conventional Weapons) and Protocols I,II,III and IV (amended II);
- 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); CWC (Chemical Weapon 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 following the Additional Protocol and Small Quantities;
- Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management;

Montenegro has since 2007 established bilateral cooperation in Arms Control Field and CSBM with partner countries: Germany, Hungary, Greece and Denmark (since 2010) in good faith. During this period numerous activities have been accomplished, such as additional quotas for the inspection and evaluation regime (so far 18 inspections and evaluation visits are conducted), visits to the Air Bases and Military Installations (4 activities), Education of military personnel in the field of Arms Control and CSBM, Meetings of representatives of Verification Agencies on annual basis, on experts and directors level. All previously mentioned activities are not counted in the prescribed obligations and they were all accomplished in good faith.

In all activities related to arms control, Montenegro showed maximum cooperation, openness and goodwill for contributing to the process of strengthening security and confidence and achieving disarmament.

SALW related issues are governed by: the Law on Weapons (Official Gazette of Montenegro 10/15 of March 10, 2015), Law on Control of Export of Dual Use Goods, Law on Foreign Trade in Weapons, Military Equipment and Dual Use Goods, Law on Flammable Liquids and Gases, Criminal Code and Criminal Procedure Code.

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.

By means of implementation of the SALW and ammunition Strategy and 2013-2018 Action Plan.

The Strategy is based on SALW-related principles and objectives contained in the EU Strategy to Combat Illicit Accumulation and Trafficking of SALW and their Ammunition, the Council Joint Action on the European Union's contribution to combat spread of small arms and light weapons, 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, the principles corresponding to the ones contained in the national documents, Strategy for Prevention and Suppression of Terrorism, Money Laundering and Terrorist financing, and the Strategy on development and functioning of the Police of Montenegro, as well as other relevant international and national documents.

Montenegro is regularly preparing and submitting the reports on undertaken commitments by means of the Template for reporting on implementation of the OSCE Document on SALW (FSC.GAL/38/11).

The process of arms control and disarmament and CSBM has a very important role in defence policy of Montenegro. Montenegro has established the Agency for Arms Control in 2007 and this institution has been implementing all activities in relation to the arms control.

Montenegro continues with the reduction of ammunition and ordnance surpluses through Program: **MONDEM**. In 2015 the following ammunition has been disposed:

Bullet, 30mm AA (anti - aircraft) Gun Naval AK-230.....5000 pieces.

According to Vienna document 2011 Montenegro has an obligation to receive 3 inspections of Specified area and 1 Evaluation visit per year. In 2015 Montenegro received SA Inspection from Republic of Greece and Republic of Slovenia. One Evaluation visit was conducted from Republic of Albania.

Also Montenegro established bilateral agreements, related to arms control and Vienna Document 2011, with Hungary and Germany. According to these agreements Montenegro conducts every second year one inspection or evaluation visit on the territory of each country and receives one inspection or evaluation visit from these countries on its territory. Montenegro has a bilateral meeting every year with these countries.

In line with the Dayton peace agreement, Montenegro received 1 inspection by the Republic of Bosnia and Herzegovina and conducted 2 inspections on the territories of Bosnia and Herzegovina, R. Serbia.

Montenegro is not a member of Open Skies Treaty, however, during 2009, Montenegro accepted 2 training Open Skies inspections on its territory, with more than 35 participants from 9 countries.

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?

Jurisdiction of state bodies and institutions in national planning and decisions on the use of the Armed Forces of Montenegro are regulated by the Constitution of Montenegro, Law on Defence, Law on the Armed Forces of Montenegro and Law on deployment of the AF of Montenegro units to the

international forces and participation of members of civil defence, police and public administration employees in international missions and other activities abroad.

The highest-level document that gives jurisdiction to the state authorities for planning and decision-making on the use of the AF of Montenegro is the Constitution of Montenegro.

According to the Constitution, within the process of national planning and decision-making on the use of the AF of Montenegro, as well as defence costs, the Montenegrin Parliament, Security and Defence Council, President of Montenegro and the Government of Montenegro are included.

The Parliament of Montenegro: 1) declares a state of emergency and state of war, 2) Adopts the budget and the final budget account, 3) Adopts the National Security Strategy and the Defence Strategy, 4) Decides on the use of units of the AF of Montenegro in the international forces, 5) Supervises the AF and security services.

Security and Defence Council: 1) Makes decisions on commanding the AF of Montenegro; 2) Approves the Plan on use of the AF of Montenegro 3) Analyses and assess the security situation in Montenegro and makes decisions for taking appropriate measures, 4) Assigns, dismiss and improves officers in the AF of Montenegro, 5) Proposes to the Parliament the declaration of war or emergency 6) Suggests the use of AF of Montenegro in international forces, 7) Assigns and dismisses military diplomatic representatives.

President of Montenegro: 1) Commands the AF on the basis of decisions of the Council of Security and Defence 2) Orders the mobilization of the AF in accordance with the decisions of the Council for Security and Defence, 3) Improving the initial acts of officers and reserve officers of the AF. President of Montenegro is the President of the Security and Defence Council.

Government of Montenegro: 1) Proposes the budget and final budget account, 2) Proposes the National Security Strategy and Defence Strategy; 3) decides on the participation of civil defence staff in peacekeeping missions and other activities abroad, 4) adopts Defence plan of Montenegro, 5) Adopts the Strategic Defence Review of Montenegro, 6) Adopts the Long-term

Development plan, 7) Determines the organizational structure of the AF and the size of the AF.

According to the Defence Law of Montenegro the **Ministry of Defence**: 1) proposes Defence Plan of Montenegro, 2) proposes organizational structure of the AF and the size of the AF 3) executes the decisions and other documents forwarded by the President of Montenegro and the Government concerning the issues of the Defence system, 4) executes the established Defence policy, 5) organizes and executes international cooperation in area of defence, 6) organizes the protection of electronic communications and information systems for defence and 7) organizes the security affairs in the area of defence.

Defence minister, according to the Law on AF of Montenegro: 1) ensures the implementation of decisions of commanding the AF, 2) recommends to the Security and Defence Council the assignments and dismissal of CHOD of AF of MNE, 3) proposes to the Council of Security and Defence the promotion, assignment and dismissal of officers of the AF, 4) recommends to the Council for Security and Defence the assignment and dismissal of military diplomatic representatives.

General Staff of the AF of MNE (as an organizational unit of the Ministry of Defence) performs tasks related to:

- 1) check the combat readiness of the Armed Forces;
- 2) system of command in the Army and the NCO chain of support;
- 3) implementation of management plans and professional development of personnel in the Army;
- 4) preparation of proposals directed towards the development, equipment and modernization of the Army;
- 5) operational planning and conduct of operations;
- 6) maintenance of weapons, military equipment and other movable and immovable property in the Army;
- 7) participation in planning, programming and budgeting in the Army;
- 8) planning, organizing and conducting military training and exercises;
- 9) participation in planning and implementation of cooperation with the Army, the armed forces of other countries and international organizations;
- 10) participation in the planning, organization and implementation of material and financial operations in the Army;

- 11) logistical support in the Army;
- 12) participation in the organization of healthcare in the Army;
- 13) participation in the planning, preparation, training and equipment of units and members of the Army to participate in the international force and other activities abroad;
- 14) professional affairs for the Council for Defence and Security and the Minister, pertaining to the army;
- 15) drafting: military doctrine, the Plan of use of the Army, Army manning plan, training plan and training in service in the Army, plan to improve military personnel, Army Formations;
- 16) other tasks, in accordance with the law

Chief of the General Staff is organizing and commanding of the General Staff. All commands and units of the AF are subordinated to him. On the state of the AF, CHOD is reporting to the Minister of Defence.

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?

The Law on Use of Units in International Forces regulates the use of units of AF of Montenegro, participation of members of civil protection, police and employees in state bodies in peacekeeping missions and other activities abroad (2008). In accordance with this Law, units can be used in the following activities: 1) to achieve and preserve peace, 2) to take part in peacekeeping and peace support missions, 3) provision of humanitarian assistance, 4) fostering development of democracy, legal security and protection of human rights within international organizations and alliances, and 5) accomplishment of obligations stemming from signed international agreements. The Armed Forces units are filled on a voluntary basis.

Engagement of the AF of Montenegro in international operations is based on the Decision of the Parliament of Montenegro.

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?

Constitution of Montenegro states that: Armed Forces and security services are under democratic and civilian control (article 11 and 129); Parliament of Montenegro makes decision on deployment of members of AF in missions abroad and conduct oversight on AF and security services (article 82, paragraph 1, point 8 and 10); President of Montenegro commands AF based on decisions of Council for defence and security (article 95, paragraph 1, point 2); Council for defence and security makes decisions on commanding of AF, appoints and dismissed officers and proposes deployment of members of AF (article 130).

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

These procedures are fulfilled by executions of Law on Defence, Law on AF of Montenegro, Law on Parliamentary Oversight in the Field of Security and Defence and Law on Deployment of the AF of Montenegro units to the international forces and participations of members of civil defence, police and public administration employees in the international missions and other activities abroad. The Law on parliamentary oversight in the field of security and defence state that democratic and civilian control of AF is being executed through the parliamentary body for security and defence. This body has authority to: discuss reports in this field, conduct inspections, organize hearing, and discuss legal acts and defence budget. Parliament makes decisions on deployment of members of AF in missions abroad, adopts laws and strategies and the budget. The president of Montenegro commands with the AF of Montenegro in accordance with the decisions made by security and defence Council. The Minister of Defence is a civilian and he or she is appointed by the Parliament. The Government of Montenegro proposes the laws, the strategies and the budget to the Parliament, the appointment of the Minister of defence and discusses the annual reports of the Ministry of defence.

Pursuant to the provisions of the Law on Parliamentary Oversight of Security and Defense Sector, which the Parliament of Montenegro of the 24th Plenum adopted at the seventh session of the second regular sitting in 2010, the

Security and Defence Committee performs parliamentary control over the work of: the Ministry of Defense and Army of Montenegro, National Security Agency, the Ministry of Interior and Police Directorate, as well as other bodies and institutions dealing with the security and defense issues. In conducting the parliamentary oversight, the Committee, among other things, monitors the activities of those agencies and institutions, in order to review the implementation of the determined policy in these areas; considers annual and special reports, proposals of laws, other regulations and general rules in the security and defense sector, draft and proposal of the National Security Strategy and proposal of the Defence Strategy; reports on deployment of the Army of MNE in international forces, and the participation of the civil defense, police and employees in state administration in peacekeeping missions and other activities abroad; proposals of candidates for the appointment to managerial duties in the security and defense sector, subjected to the opinion of the Parliament pursuant to a special Law, and the proposal of the Budget Law and information on expenditure of budgetary funds allocated for this sector.

In accordance with the provisions of the Law on Parliamentary Oversight of the Security and Defense Sector, the Committee in the reporting period, considered the Proposal for the Law on 2014 Final Budget Statement, along with the Report on Audit of Final Budget Statement in part relating to the following consumer units: Ministry of Defence, Ministry of Interior, as well as the Final Report of the State Audit Commission on Audit of the 2014 Annual Financial Statement of the Ministry of Interior. The Proposal for the 2016 Budget Law of Montenegro was also considered, in part relating to the aforementioned consumer units and, in accordance with the provisions of the Rules of Procedure of the Parliament of Montenegro, the Opinion was submitted to the competent working body.

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?

The role of the AF Montenegro is to defend independence, sovereignty and the state territory in the accordance with the principles of international law on the use of force. Mission of the AF of Montenegro are: to defend Montenegro, to provide support to state institutions during the natural or man-made disasters and in other crises situation, including crisis caused by terrorist activities as

well as to contributing to peace-building and peacekeeping in the region and world-wide.

According to the Constitution, The President of Montenegro as a President of the Security and Defense Council, commands with the Armed Forces and orders the mobilization of the Armed Forces in accordance with the decision of the Council for Security and Defense.

According to the Law on Defense, The Defense Minister is a civilian and he/her ensures the full implementation of decisions of commanding with the Armed Forces. Under the parliamentary oversight is entire process of commanding and supervising with the Armed Forces as well as proclamation of a state of emergency and state of war.

Coherent and full implementation of the constitutional and legal framework of Montenegro, as well as international obligations ensures that the Montenegrin defence and security forces act in accordance with the relevant national and international regulations. Executing of Constitution and above-mentioned laws, Montenegro ensures that our defence and security forces are acting in constitutional framework.

The activity of private security companies in Montenegro (PMSC) is under the Ministry of the Interior, and it is defined by the **Law on the protection of property and persons (Official Gazette of Montenegro, No. 1/2014, 09th of January, 2014)**.

The Ministry of Defense and Armed Forces of Montenegro doesn't have private security companies and paramilitary forces.

Montenegro doesn't have private military companies and paramilitary forces.

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 internal security forces does your State have?

Army of Montenegro makes up the permanent and reserve forces. Standing in the Army composed of military personnel and civilian personnel serving in

the Army. Reserve composition consists of active and inactive reserve. Military personnel are professional military personnel, cadets, soldiers in training and reserve personnel while in the Army. Persons serving in the Armed Forces are professional military personnel and civilians in the Army. Professional military personnel are contract soldiers, non-commissioned officers and non-commissioned officers under contract, officers and officers under contract.

Civilian personnel in the Army are persons who perform service in the Army in the workplace provided for formation of the Army. Status of civilians is not legally and systematically resolved in time of war or emergency.

Army of Montenegro is fully professional, and in accordance with that the officers, non-commissioned officers and civilians employed on a permanent basis, while the soldiers under contract employee at a certain time. Amendments to the Law on the Army of Montenegro is determined that the person who first receives the service in the Army concluded a contract for a period of one year and the next contracts are concluded for a period of three years, if the needs of the Army requires.

Active reserve is part of the reserve of the Army and is engaged on voluntary basis according to a contract of service in the Army. The Government Decision defined the number and size structure of the active reserve (400 people) according to the Decision of the Minister of Defense. The members of the active reserve have a right to compensation which is determined by the decision of the Ministry of Defense. The purpose of the active reserves is to fill the vacant places of formation, training, exercises, participation in the international force and the execution of specific tasks which require the commitment of additional forces. Inactive reserve is not dimensioned because it is estimated that there are currently no requirements for them. Under current regulations, Montenegrin President ordered the mobilization of the Army, in accordance with decisions of the Council for Defense and Security.

In accordance with the Plan, which regulates the reception of the service in the Army of Montenegro or when service needs required - the Army General Staff proposes starting procedure for the reception of the service in the Army and the reserve forces.

The Defense Minister approves the proposal for the reception of the service in the Army and the reserve forces of the Army which decision is going to run a

public notice. Candidates who meet the requirements of public notice should be addressed to check the ability for performing the service in the Army in accordance with the methodology for conducting the selection process of candidates for service in the Army and reserve forces of the Army.

The person, who first receives the service in the Army as a soldier under the contract, cannot be older than 25 years. After checking, the Commission compiles a ranking list of candidates for the reception of the service in the Army or Army reserve, and the Minister within 30 days from receipt of the ranking list shall take a decision on the selection of candidates. The Minister concluded the list of all persons selected for admission in the Army or reserve forces of the Army.³ Selection process of all persons who wants to join the Army is represented on equal terms, regardless of gender, nationality, religion, and social and economic status.

3.2 What kind of exemptions or alternatives to military service does your state have?

Montenegro army is professional and members of Armed Forces join army on voluntary base . Since the army do professional military personnel, and that there is no principle of compulsory military service, there is no other alternative for conscripts.

The Law on armed forces states that Montenegro citizens have military obligation during state of war or emergency. Any citizen of Montenegro, based on his/her religious and other conviction, has the right to decline military duty, including use of weapons in state of war or emergency.

3.3 What are the legal and administrative procedures to protect the rights of all forces personnel as well as conscripts?

In accordance with the Law on the Armed Forces the person which is serving in the Army, **in order to protect their rights**, has the right to address to the Inspector of Defense on all matters of work and functioning of commands and

³ In accordance with Article 5 of Rules and Regulations on how the person is admitted to the service of the Army of Montenegro (Official Gazette of Montenegro, No. 65/15, from 20th of NOV.2015), Law on Armed Forces (Official Gazette of Montenegro, No. 88/09, from 31st of DEC.2009, 75/10 from 21st of DEC.2010, 40/11 from 08th of AUG.2011, 32/14 from 30th of July.2014 -

units. Also, in accordance with the Law of persons serving in the Armed Forces have the right to joined to trade unions⁴.

The Minister of defence makes decisions concerning the rights and obligations of members of AF in accordance with the Law. Against these decisions, members of AF can appeal to the state Ombudsman or to regular Courts.

Also, The Ministry of Defense and Armed Forces of Montenegro have execute coordinator for gender equality. On this basis, the Gender Equality Law and its implementation in the Ministry of Defense and Armed Forces of Montenegro is the main mechanism whose introduction guarantee gender equality. Regulations on internal organization and systematization of the Ministry of Defense of Montenegro ,defined positions of integrity manager. The job description and duties of integrity manager, among other duties performed, is to report the assumed discrimination based on sex.

The Ministry of Defense have employed 43.69% of women, while in the Army of Montenegro have employed 8.8% of women. Of this percentage, 37 women are contract soldiers, 17 women were employed as non-commissioned officers, 8 women are employed as officers and 99 women are employed as civilians. At the level of the defense system we employ 12.30% of women.

The Defense Minister is a woman, while the Ministry of Defense has, in the category of high-management staff, **a woman-secretary of the ministry**. Also in a category expert - management staff in the Ministry of Defense have four women. Through the adoption of regulations, documents and individual legal act gender-sensitive language is in use at the Ministry of Defense and in the Army of Montenegro. Ministry of Defense, in cooperation with the Statistical Office of Montenegro, regularly sends statistical data on the representation of women in the Armed Forces of Montenegro, so now we have all information necessary for the purposes of publication of the sixth edition of the publication "Women and Men in Montenegro".

Regional approach is important for the importance of integrating gender issues into the process of defense reform. That means the introduction of a gender perspective is experience and perspective in an international, collective and national defense. This is recognized in the Ministry of Defense and the Army of Montenegro through participation in the implementation of the

⁴ Article 53a of the Law on Armed Forces

Regional Project on **"Strengthening regional cooperation in the integration of a gender perspective in the security sector reform in the Western Balkans"**, which is implemented by UNDP / SEESAC. Army of Montenegro in 2015, through the said project got a team of four regional trainers for gender equality in the military operations, which are the carriers of activities to raise awareness on gender equality.

All levels of the decision-making design and implement policy as well as integrating process of gender issues of the defense sector will be aimed with the decision Action Plan for the implementation of **UNSC Resolution 1325 - Women, peace and security (2016-2017)**. In this respect, in accordance with defined responsibilities and organization, as well as obligations related to Euro-Atlantic integration of Montenegro, the Ministry of Defense will continue to work on implementing gender equality policies.

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?

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

In accordance with this constitutional principle, programs of education and training of members of armed forces include basics of International Humanitarian Law and Law in armed conflicts.

It is the duty of all members of AF to know the basics of International Humanitarian Law and Law in armed conflicts, which is being inspected in process of evaluations of defence readiness and especially in process of preparation for deployment in missions abroad.

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 actions?

The Law on AF states that members of AF have the right and obligation to perform their duties in accordance with the Constitution and other legal acts, and to fulfil their superiors' orders, except in the cases if the enforcement of these orders would constitute a criminal offense when they are obliged to inform about it.

Members of the AF learn about these provisions during their training. Also, all legal acts in this area are published in the „National gazette“ as also on the web site of Ministry of Defense.

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?

Persons who are working in the Army or applying for admission guarantees the application of the principles of transparency, fairness and equal rights without discrimination on any grounds (sex, race, language, religion, political or other opinion, ethnic or social origin, property, or other status). Respect for the principles referred to in paragraph 1 of this article⁵ provides the Minister. The State ensures that the AF 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 their national, religious, cultural, linguistic or ethnic identity, in executing the provisions of the Constitution and above mentioned laws which contain all procedures for use of AF and punishment for those that violate them.

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?

A person is serving in the Army in compliance with the **Code of Ethics** (*hereinafter referred to as the Code*).⁶ The Code is a set of principles (ethical conduct of persons) on which PMM of AF (Professional Military Member of

⁵ In accordance with Article 52 of the Law on Armed Forces (Official Gazette of Montenegro, No. 88/09, from 31st of DEC.2009, 75/10 from 21st of DEC.2010, 40/11 from 08th of AUG.2011, 32/14 from 30th of July.2014

⁶ Pursuant to Article 55, Paragraph 3 of the Law on the Army of Montenegro ("Official Gazette of Montenegro", No. 88/09), Ministry of Defence, issued the CODE OF MILITARY ETHICS ("Official Gazette of Montenegro", number 60/10)

AF) is serving in the Army, which is based on the norms of international and domestic law. Members of the AF learn about their constitutional rights through their military education. The constitution and the law on AF forbid memberships in political organizations.

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

Based on the **National Security Strategy of Montenegro**⁷ interests and goals of Montenegro are: a full orderliness in the area of national security in accordance with the constitutional provisions and norms of international law and the international obligations which Montenegro accepted.

Strategic Defense Concept of Montenegro regulates the preservation of its national interests, the principle of the development of democracy, the rule of law, market economy and its orientation towards European and Euro-Atlantic integration. Special attention is focused on the development of good neighborly relations and strengthening regional and international cooperation in order to establish trust and affirmation of peace in South-East Europe and the world.⁸

Montenegro shares the attitude of democratic countries that the most effective way of achieving a favorable security environment for common action in order to prevent conflict and build stability.

Montenegro is therefore determined to provide an active contribution to the process of developing an international system of cooperative security and collective defense, which are based on multilateral cooperation, international laws and trust.

Defence strategy and Strategy of national security are in accordance with international law and they are drafted with participants of foreign experts. Legal acts in this area are based on these strategies and by this way Montenegro ensured that our defence policy is consistent with international law.

SECTION III: Public access and contact information

⁷ Article 2, point 7 of the National Security Strategy of Montenegro

⁸ point 3 of the National Security Strategy of Montenegro

1. Public access

1.1 How is the public informed about the provisions of the Code of Conduct?

Provisions of Code of the Conduct were highlighted in statements of representatives of the Ministry of Defence. Service for public relations and protocol disperses information on the Code of Conduct, as well as about activities of the Ministry and Armed Forces of Montenegro by providing press releases and statements, organizing press conferences and publishing the magazine "Partner" which is focused on Euro-Atlantic integration issues in the armed forces area. All of those publications, which the Ministry of Defence provides in order to inform the public are available on the website: www.odbrana.gov.me. This official web site is updated on a daily basis.

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?

Replies to the Questionnaire on the Code of Conduct are published on the official website of the Ministry of Foreign Affairs and European Integration.

1.3 How does your State ensure public access to information related to your State's armed forces?

Law on Free Access to Information regulates the right to access information of public importance. Public and non-governmental organizations (NGO), after the fulfilment of the prescribed procedure, are informed on all information held by the Ministry of Defence, which are not marked with confidentiality levels. Information on provisions of the Code of Conduct and its implementation is available for all stakeholders in the public sector.

Public access to information related to Montenegro's armed forces is available on official websites of the Ministry of Defence www.odbrana.gov.me and www.vojska.me.

2. Contact information

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

The national point of contact for the implementation of the Code of Conduct is Ivan Tomić, III secretary at the Directorate for the OSCE and the Council of Europe, Ministry of Foreign Affairs and European Integration of Montenegro (ivan.tomic@mfa.gov.me).