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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 OSCE Delegations and Permanent Missions to the OSCE and to the OSCE Conflict Prevention Centre and, in accordance with the FSC Decision 2/09 has the honor to submit herewith the Montenegrin response to the Questionnaire on the Code of Conduct on Politico-Military Aspects of Security for the calendar year 2021.

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 of the Participating States and the Conflict Prevention Centre the 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***

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 Interior, Police Directorate, Ministry of Defence, Armed Forces and 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 with the Action Plan for 2020
- Countering-violent Extremism Strategy,
- National Security Strategy,
- National Defence Strategy

In 2020, the Ministry of the Interior, based on the Law on Determining and Protecting Critical Infrastructure, formed the Department for Coordination and Protection of Critical Infrastructure, headed by the head of the department and two officials for now.

A Proposal Regulation on Sectoral Criteria for Determining Critical Infrastructure has been drafted and sent to the line ministries for an opinion, and its adoption is expected at a Government session soon.

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.

Activities are underway regarding the formation of a working group for the development of the 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. The state authorities delegated their representatives to the members of the working group. A public call for proposing a representative of a non-governmental organization for a member of the working group for drafting the Strategy Proposal was published, based on the Decree on Election of Representatives of Non-Governmental Organizations to Working Bodies of State Administration Bodies and Conducting Public Hearings in Drafting Laws and Strategies (Official Gazette of Montenegro No. 41/18). The adoption of the Strategy is planned for the third quarter of 2021.

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.

The Government of Montenegro, at its session of February 6 2020, adopted the Strategy for the Prevention and Suppression of Radicalization and Violent Extremism for the period 2020-2024 with the Action Plan for 2020 and adopted the Report on the implementation of the Transitional Action Plan for 2019 to continue the implementation of activities from the Strategy for the Suppression of Violent Extremism 2016-2018. Starting from the fact that various forms of violent extremism and radicalization are global phenomena that every society must actively and decisively oppose at the local, national, regional and interstate levels, the new Strategy sets as its main strategic goal the increased resilience of society, better response of institutions and a stronger international position of Montenegro in the fight against radicalism and violent extremism.

In 2021, the Government of Montenegro adopted Bill on Internal Affairs, where one of the most important changes is that the Police Directorate is again administrative authority within the Ministry 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 Bill on Internal Affairs, there was drafted and adopted the Bill on Amendments and Changes to the Law on PMLTF. 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.

In accordance with the new Rulebook on Internal Organization and Systematization of Workplaces of the Police Administration has been amended, in which, among other issues, was changed the name of the former Department for Prevention of Money Laundering and Terrorist Financing to the Department for Financial Intelligence Affairs.

In March 2021 it has been adopted the new Rulebook on Internal organisation of the Police Directorate with some changes in regard to the Sector for combating organized crime and corruption.

Namely, according to the new Rulebook there is no more Sector for combating organized crime and corruption and Criminal Police Sector as separate organizational units. Now, at the Police Directorate we have 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 the Interior, 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 and the exercise of police powers and the taking of measures and actions in order 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 for police titles and professional development of police officers; ongoing and investment 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 and 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; providing public gatherings; providing 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, studies and monitoring of certain security issues; as well as other matters assigned to her by the jurisdiction.

As it is said, Police Directorate fights against crime in all forms, which also includes terrorism, but, as it was mentioned above, the Police Directorate has two sectors (organizational units) that are in charged 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:

- the 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;
- danger 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 international 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 between national Anti-Terrorist Unit, between 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, nashids, 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 are carrying out the following tasks, suppress 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 the violated public order and peace in a larger volume; diving 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; suggest purchase 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.

The Ministry of Defence proposes and executes the defined defence policy, procedures for Defence Plan of Montenegro and harmonizes defence plans for other holders of defence preparations; assesses war and other threats; implements multilateral and bilateral cooperation in the field of defence; performs organization, equipping, arming, development and the use of the Armed Forces and performs 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 the assistance to the Police in the fight against terrorism. AFM also provide a support to civilian institutions during natural and man-made disasters and other crisis situations.

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. Also, 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 are consisted of representatives of the Special State Prosecutor's Office, Supreme Court, Ministry of Justice, Ministry of Interior 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)¹ for monitoring and implementation of the Strategy for Prevention and Suppression of Radicalism and Violent Extremism (2020-2024) and annual Action Plan for 2020 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).

Intelligence and Security Directorate (ISD) as an integral part of Ministry of Defence, among other things is responsible for the implementation of preventative measures against the persons who perpetrate criminal acts of terrorism, directed towards the Ministry of Defence and the Armed Forces. Representatives of ISD and General Staff are members of the Task Force responsible for monitoring and implementing 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 the Bureau for Cooperation and Harmonization of the Intelligence and Security Sector. Head of ISD is a member of the Bureau.

The National Security Agency (ANB) is a civilian security and intelligence service and is an integral part of the security system of Montenegro. In accordance with its authorities, the ANB collects, records, analyses, assesses, uses, exchanges, keeps, and protects data, among other things, which are of importance for preventing terrorism and other forms of organized violence.

Pursuant to the legal authorities, the ANB cooperates with domestic and foreign legal and natural persons, entities, and institutions, and beside the available public sources, it also applies means and methods for a secret collection of data within its work.

Starting from the characteristics of contemporary security challenges, as it is terrorism, the ANB continually establishes an intensive cooperation on both national and international level.

¹ 1 NOT is the inter-agency working group composed of 22 competent state institutions, including two from NGOs. NOT is led by the State Secretary of the Ministry of the Interior, who is national coordinator for issues of prevention and suppression of violent extremism in Montenegro.

In accordance with that, taking into account that the ANB has no police authorities, data are forwarded to the Police Directorate or to a competent Prosecutor's Office, for further actions, in conformity with their competences.

Starting from the significance of money flows for financing terrorism, the ANB has also established a dynamic cooperation with the Police Directorate Department for Prevention of Money Laundering and Financing of Terrorism (now Department for financial-intelligence affairs).

Also, the ANB representatives participate in the national interdepartmental entities which deal with making and implementing strategies and plans, aimed at providing an adequate answer to security challenges *inter alia* terrorism, as well.

Beside a good interagency cooperation on the national level, the ANB maintains a dynamic cooperation with intelligence and security agencies, entities, and organizations on the international level. International cooperation is achieved through bilateral relations with partner services, and the ANB is a member of several intelligence and security associations and for which, among other things, deal with the phenomenon of terrorism.

Good professional relations with the services from NATO and EU member states, apart from educational programs, are also realized through a dynamic exchange of data and a 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, which refers for a period of four years that monitors 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 the Interior 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 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 2020 participated in international missions and activities as follows:](#)

- [NATO Mission in Afghanistan - „RESOLUTE SUPPORT“ - Following the decision of the Parliament of Montenegro \(„Official Gazette of Montenegro“, No. 21/14\) - 59 members of the Armed Forces of Montenegro were deployed during 2020;](#)
- [„EU Peacekeeping Training Mission“ in Mali - Following the decision of the Parliament of Montenegro \(„Official Gazette of Montenegro“, No. 60/14\) - 2 members of the Armed Forces of Montenegro were deployed during 2020;](#)
- [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 Peace Enforcement Operation - „EU NAVFOR - ATALANTA“ - Following the decision of the Parliament of Montenegro \(„Official Gazette of Montenegro“, No. 45/16\) - 14 members of the Armed Forces of Montenegro were deployed;](#)
- [NATO Mission “Kosovo Force \(KFOR\)” - Following the decision of the Parliament of Montenegro \(„Official Gazette of Montenegro“, No. 47/18\) - 2 members of MNE MoD and AF were deployed;](#)
- [NATO activity „Enhanced Forward Presence \(eFP\)“ in Latvia - Following the decision of the Defence and Security Council \(No. 80/18-01-187/9 dated 12.07.2018\) - 20 members \(three rotations\) of the Armed Forces of Montenegro were deployed.](#)

[In addition, Montenegro's Police Directorate currently has one employee 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 use of the troops of the Montenegrin army in international forces and participation of members of civil protection, police and employees in public administration bodies in peacekeeping missions and other activities abroad. The selection of police officers deployed to the peacekeeping mission is carried out in accordance with the Regulation on terms and conditions of selection of a police officer deployed abroad.](#)

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 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. [Due to situation caused by the COVID – 19 pandemics most of the planned activities were limited or cancelled. Meetings and conferences were organized online, in VTC format.](#)

Montenegro is a state party and 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);
- 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);
- 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;
- 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 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. Specifically, this strategic document covers weapons designed for the military and police use – service weapons, as well as weapons for civilian use. The Strategy contains an analysis of the current situation, basic and general operational goals that will lead to measurable improvements in this area.

The Ministry of Interior, 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 a/m 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.

Additionally, 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 armament's.
- 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 good faith, Montenegro provided annual information including battalion level [data included](#), which is not prescribed in provisions of VD11. In addition, Montenegro announced and reported information related to the main military activity in 2020, 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 2020 Montenegro conducted following VD-11 activities:

2020			
Montenegro	Evaluation Visit - conducted		VD 11
		Georgia (G/I – Great Britain)	

Croatia Montenegro	Specified Area Inspection - conducted		VD 11
		Bosnia and Herzegovina (MNE representative was G/I in CRO Team)	

According to the Article IV (DAYTON Peace Accord - DPA) Montenegro received and conducted following:

Due to the COVID - 19 pandemic, activities related to the agreed inspection regime in 2020 have not been executed.

In order to prevent the illegal trade, possession and accumulation of SALW, in accordance with the Strategy adopted on the basis of the Road Map, the Ministry of Defence of Montenegro in cooperation with the Ministry of Interior and other state authorities is working on strengthening the 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.

Ammunition which gunpowder or rocket fuel becomes unstable and ammunition which is determined as unsafe for further use or safe for storage, are proposed to be destructed and destroyed by priority.

During 2020, the Ministry of Defence worked intensively on preparing a new project related to munitions and their safe storage. In November 2020, in cooperation with the OSCE, the project "Mitigation of security risks related to SALW and SCA in Montenegro" was adopted. The aim of this project is to strengthen the already established capacities in the Ministry of Defence of Montenegro, and thus reduce the risk of unplanned explosion in places where ammunition is stored, as well as to reduce the likelihood of illegal trade and uncontrolled spread of SALW and SCA.

In February 2020, the Ministry of Defence received two QPAK mobile laboratories and one QPAK + mobile laboratory from the Federal Ministry of Defence of the Republic of Austria to use them for testing the chemical stability of gunpowder and rocket fuel. Representatives of the Ministry of Defence and the Armed Forces of Montenegro also attended the training for working in the QPAC mobile laboratory.

The first analysis of the chemical stability testing of gunpowder for the existing sample series was performed in November and December 2020. (Remark: the document on the handover of mobile laboratories has not been officially signed, due to the situation with COVID-19).

In order to create its own capacities for testing the stability of gunpowder, the Ministry of Defence initiated, in 2020, the procedure of drafting the Main Project for the reconstruction of two facilities intended for a laboratory for monitoring the chemical stability of gunpowder and for storing gunpowder samples. Reconstruction of those facilities was not performed due to a problem in finding contractors who are licensed to perform the reconstruction of facilities whose purpose is to test the chemical stability of gunpowder. The Ministry of Defence of Montenegro expects to find an adequate solution in order to successfully establish its own capacity for testing the chemical stability of gunpowder, which is the basis for establishing a systematic monitoring of the state of ammunition.

Practical training for safe storage and management of ammunition was scheduled for April 2020, as a continuation of the basic theoretical course for safe storage and management of ammunition. Representatives of the Federal Ministry of Defence of the Republic of Austria and the Armed Forces of Bosnia and Herzegovina were supposed to conduct this training. Due to the COVID-19 situation, this training was rescheduled for April 2021, if the health conditions allow it.

In the period from 1st January 2020 to 31st December 2020, the quantities of ammunition were reduced by 166.04 tons, out of which 60.32 tons were taken over by customers, while 105.72 tons were destroyed. The surplus munitions was destroyed through the NATO Trust Fund and the ITF. Through the NATO Trust Fund, 27.36 tons of ammunition were destroyed in the mentioned period, and in that way the project was fully implemented (which means that a total of 459.48 tons of ammunition was destroyed within the NATO Trust Fund).

Within the ITF fund, 78.36 tons of ammunition were destroyed in the mentioned period, and the remaining 29.48 tons will be destroyed in the first quarter of 2021.

Ministry of Interior, as coordinator of the drafting of the Strategy for Fighting Illegal Possession, Abuse and Trade of Small Arms and Light Weapons and Ammunition, from 2019 to 2025, continuously monitors the implementation of the realized measures and activities from the Action Plan for its implementation. Specifically, this strategic document involves weapons intended for use by the military and police – service weapons, as well as weapons for civilian use. The Strategy contains an analysis of the current situation, basic and general operational goals, which will lead to measurable improvements in this area, and the Action Plan clearly

defined measures for improvement of actions, concrete activities of the competent public administration bodies and partners in this field.

The report presents an analysis of the goals, objectives and activities achieved in 2019. Specifically, the overall objective of this strategic document 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, reduction of illegal flows, spread and misuse of firearms, ammunition and explosives.

Through the implementation of a large number of activities, we have contributed to the successful achievement 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. [Harmonization of the Law on Weapons \(specifically categorization\)](#) - a working team has been formed. The task of the working team is to prepare the Draft Law on Amendments to the Law on Weapons, which will harmonize with the legal framework of the European Union and other international obligations and standards and deadline for such Draft is the fourth quarter of this year. The following is a link to the held public hearing: <https://mup.gov.me/vijesti/233065/Izvjestaj-o-javnoj-raspravi-o-Nacrtu-zakona-o-oruzju-Crne-Gore.html>

[Directive 2008/51 / EC of 21st May 2008, Directive 91/477 / EEC of 18th June 1991 and 91/477 / EEC of 17th May 2017](#) have been entered into this law.

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.

[The task allocation and coordination activities in this area have been strengthened, and an analysis has been carried out to determine the contact person for firearms, in accordance with the Act on Systematization. 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.](#)

[During the reporting period, SEESAC organized a five-day Open Source Intelligence \(OSINT\) workshop for police services in South-eastern Europe, which would further develop the capacity of Focal Points for Firearms. Two officers of the Police Administration were present. It refers to the data available not only on publicly visible pages and information available through search engines, otherwise known as "surface network", but also to all information that is below the "dark space". Police uses OSINT resources to protect citizens from abuse, sexual violence, identity theft and other crimes. At the workshop, participants learned about the tools to be used, data searches, profiles, TOR network, as well as investigative techniques.](#)

[The workshop was organized in the context of the implementation of EU Council Decision \(CFSP\) 2018/1788 adopted on 19th November 2018 in support of SEESAC's arms and arms control activities in South-eastern Europe, with the aim of introducing another source of information. They can be used for intelligence to support investigations, especially online investigations related to the fight against the illegal arms trade.](#)

On 19th November 2020, UNDP SEESAC organized a regional meeting of focal points for firearms (FFP), bringing together experts from Belgrade, Chisinau, Podgorica, Pristina, Sarajevo and Skopje, and Tirana. Participants exchanged their experiences, challenges and best practices regarding the establishment and operationalization of national FFPs and agreed on the way forward, including cooperation with various international organizations. Information was obtained on the draft of Standard Operating Procedures for FFPS prepared by SEESAC. Further, the official of the Directorate General for Migration and Home Affairs of the European Commission informed the participants of the possibilities of exchanging information at different levels. The meeting of regional focal points for firearms was organized in the context of the implementation of EU Council Decision (CFSP) 2018/1788 of 19th November 2018, in support of SEESAC for the implementation of the Regional Roadmap for SALW Control in the Western Balkans.

It has been determined that the contact point for weapons will be the Division for Criminal Intelligence in terms of data processing and analysis, due to the existing human resources and access to data from databases and current cases. Data analysis programs are connected to the records of registered weapons, the on-call police service - confiscated weapons, the search service - weapons that are wanted (missing and stolen). A temporary database of weapons has been created and submitted to the Forensic Centre for expertise.

We participated in actions carried out with EMPACT, there is an appointed coordinator - Division for International Operational Police Cooperation INTERPOL-EUROPOL-SIRENE.

Within the implementation of the operational objective 3-to significantly reduce the illegal flows of firearms, ammunition and explosives, the work of cooperation with the body in charge of integrated border management has been established, and it educated 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.

During the reporting period, the Border Police Sector worked intensively on improving its own capacities in all segments of border security. The implementation of the Schengen Action Plan has continuously implemented activities related to the harmonization of the legal framework, infrastructure and information and communication systems, training, personnel, comprehensive integrated border management, establishment of an adequate asylum system, as well as security and protection of personal data.

Based on the agreement between Montenegro and the European Union on actions implemented by the European Border and Coast Guard Agency in Montenegro, which is of great importance for Montenegro and aims to strengthen cooperation with the European Union, primarily in the field of border management, control of illegal migration and the fight against cross-border crime.

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.

The procurement of the following equipment has been agreed with the OSCE Mission to Montenegro: hand-held explosive detector for the Forensic Center and 10 hand-held sets for regional units and Forensic Center:

1. Telescopic manipulator TM600H
2. Explonix explosives detector (manufacturer RS Dynamics)
3. Detector for detection of radioactive isotopes HDS 101 GN (two pieces)

4. Videoscope DVR 5 (two pieces)
5. Set of endoscopes and mirrors SEMK (two pieces)

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, and the realization is planned for June 2022.

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. 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.

For 2021, the OSCE Mission will support the drafting of an analysis and strategy for a campaign to raise awareness of the dangers of abuse and illicit proliferation of firearms, ammunition and explosive substances. The "Respect Life, Return Weapons" campaign, which has been running for several years, needs to be revived, its results so far need to be analysed, and a new strategy devised for a comprehensive media and public campaign. It is proposed to form a Working Group as the next step. The Working Group would consist of representatives of relevant state institutions, non-governmental organizations and possibly the media, in order to ensure a broad and partnership approach in designing the media campaign. In this activity as well, the OSCE Mission will provide support through the engagement of experts and the organization of workshops / meetings of the Working Group.

For the realization of the operational target 5-to significantly reduce the number of firearms in illegal possession, the campaigns will affect the public to give out their weapons in illegal possession. So far it the following numbers were achieved (from March 19, 2015.): weapons 1, 855, weapon components 990, 345 mine and ammunition, 33,500 (in 2019.: weapons 75, weapons components 40, mine 7 and ammunition 5550). Giving out the weapons is not limited with time.

Operational target 6-to reduce the number of surplus and destroy the seized small and light weapons and ammunition, depends on the execution of provisions of the regulation, and will improve through changes and amendments to the law.

According to Article 107 of the Protection and Rescue Law (Official Gazette of Montenegro, No. 13/07, 32/11), the Directorate for Emergency Situations of the Ministry of the Interior implements protection against unexploded ordnance (UXO). The UXO Department collected about 22 t of UXO for the reporting period.

Norwegian People's Aid started the project in 2018 - clearing the terrain of leftover cluster munitions - during 2019, a total of 1.7 million m2 were searched. During the reporting period, a total of 10 cluster bombs were found and destroyed - destroyed by the UXO Department of

the Ministry of Interior (in 2019 – a total of 82 cluster bombs). In this way, the project with the Norwegian People's Aid was completed and Montenegro was cleared of cluster munitions.

In addition to the above, 40 tons of UXO, collected during the previous period, were destroyed through the ITF.

No surplus stockpiles of firearms were destroyed. Pursuant to Article 107 of the Protection and Rescue Law (Official Gazette of Montenegro, No. 13/07, 32/11), the Directorate for Emergency Situations of the Ministry of Interior implements protection against unexploded ordnance (UXO). The UXO Department collected about 22 t of UXO during the reporting period.

The realization of the Operational target 7-to significantly reduce the risk of spreading and redirecting of firearms, ammunition and explosives in the anti-legal streams was contributed with the increased level of security and security of storage facilities.

In 2020, the main project for the adaptation of the facilities in the Rogami warehouse was completed, a geodetic survey that needed to be done in order for the Rogami warehouse to be registered in the Cadastre and in the tender of the selected company for the execution and supervision of works. In December 2020, the registration process was finalized.

Funds for the adaptation of two buildings (building 4 and 5) and guard house have been approved by the Republic of Germany with a deadline for implementation until April 2021. Finalization of this part of the project recommends us for possible approval of funds for adaptation of the remaining 4 buildings.

Having in mind the decision of the Council of the European Union as well as the SEESAC Report on the assessment of the infrastructure of Montenegro from March 2nd 2017, and based on the real needs and necessity of the Police Directorate, a concrete measure was proposed to implement appropriate standards:

Adaptation of one room each - equipping the room for storing evidence in the buildings of the Regional Units Bar, Nikšić and Bijelo Polje. This segment, in accordance with the performed assessment, refers to the procurement of an appropriate amount of metal shelves / cabinets for storing evidence / weapons within the provided donor funds.

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?

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

Jurisdiction of state [authorities](#) 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;***
- ***Law on deployment of the Armed Forces 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.***

In order to develop an efficient and sustainable national security system of Montenegro, in terms of harmonizing the normative framework for the development of defence capabilities, the Parliament of Montenegro in 2020 adopted:

- [Law on Military Intelligence and Security Affairs](#)
- [Law on Amendments to the Law on Data Protection and](#)
- [Decision on deployment of the AF MNE units to the NATO Responses Forces \(NRF\).](#)

In 2020, the Government of Montenegro adopted:

- [Regulation on the conditions and manner of using immovable and movable special purposes property for defence purposes;](#)
- [Regulation on criteria for selection, preparation, training and equipping of members of the operational protection and rescue unit and police, and employees in state administration bodies for participation in peacekeeping missions and other activities abroad;](#)
- [Regulation on Amendments to the Regulation on salaries of members of the Armed Forces of Montenegro;](#)
- [Decision on determining the amount of financial compensation for members of the Armed Forces of Montenegro during participation in the NATO mission in the Republic of Iraq \(NMI\);](#)
- [Decision on the amount of financial compensation for damage to the organism and in case of death of a member of the Armed Forces of Montenegro, operational protection and rescue unit and police, and an employee of a state administration body during participation in international forces, peacekeeping missions and other activities abroad.](#)

According to the Constitution, [the Montenegrin Parliament, the Defence and Security Council, the President of Montenegro and the Government of Montenegro](#) are involved in

the national planning and decision-making process on the use of the Armed Forces of Montenegro.

The Parliament of Montenegro:

- Declares a state of emergency and state of war;
- Adopts the budget and the final budget account;
- Adopts the National Security Strategy and the Defence Strategy;
- Decides on the use of units of the Armed Forces of Montenegro in the international forces;
- Supervises the Armed Forces and security services.

The Security and Defence Council:

- Approves the Plan on use of the Armed Forces;
- 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;

Performs other tasks stipulated by the Constitution or by the law.

The President of Montenegro:

- Commands the Armed Forces on the basis of decisions of the Council of Security and Defence;
- Orders taking measures of preparedness of the Armed Forces in accordance with decisions of the Security and Defence Council;
- Orders the mobilization of the Armed Forces in accordance with the decisions of the Security and Defence Council;
- Promotes to the initial ranks officers and reserve officers of the Armed Forces.

The President of Montenegro is the President of the Security and Defence Council.

Council for National Security

- Considers issues within the area of security and defence as well as other issues stemming from the scope of work of the authorities from intelligence and security sector as well as of the Bureau for operational coordination;
- Is responsible for implementation of decisions and conclusions of the Government within the area of security and defence;
- Adopts guidelines and conclusions regarding work of the authorities from the intelligence and security sector and of the Bureau for operational coordination;
- Is responsible for intragovernmental cooperation of authorities from the intelligence and security sector in achieving goals of security policy at the international level;

- Is responsible for implementing decisions of the Security and Defence Council regarding the work of the Council for National Security;
- Considers and determines measures for improving intragovernmental cooperation of authorities from the intelligence and security sector, as well as cooperation with authorities, organizations and intelligence and security services of other states as well as with international organizations;
- Considers intelligence and security assessment of risk and threats to national security;
- Proposes measures regarding results obtained from control conducted over the work of authorities from security and intelligence sector;
- Proposes measures for protecting and improving national security as well as for preserving core national interests;
- Prepares and proposes the Government a national list of legal entities and persons which are considered as terrorists, terror organizations or are providing finances to terrorists or terror organizations;
- Gives opinion to the Government on the budget proposals of authorities from the intelligence and security sector;
- Is responsible for implementation of regulations and standards within the area of national security;
- Considers also other issues that are important for national security.

The Council consists of: Prime Minister, Deputy Prime Minister in charge of the political system, internal and foreign policy, Minister of Justice, Minister of the Interior, Minister of Defence, Minister of Finance, Minister of Foreign Affairs, Minister of European integration, Director of the National Security Agency, the President and Vice president of the Committee for Security and Defence of the Parliament.

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;

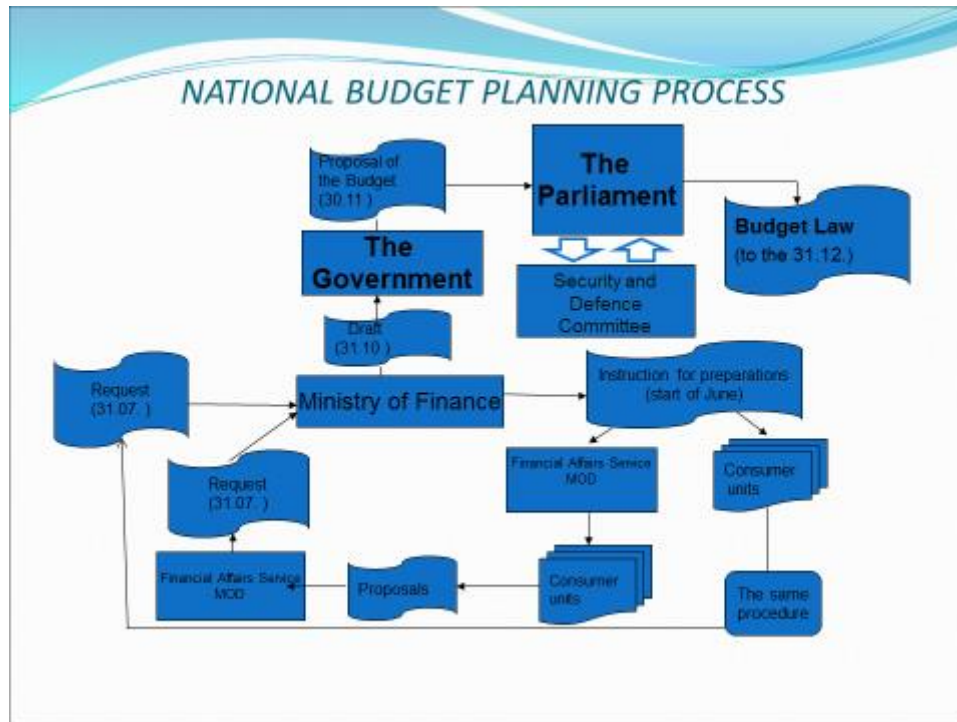
- Planning and directing the preparation, training and equipping of units and members of the Armed Forces to participate in international forces abroad;
- Planning, organizing, coordinating and implementing intelligence and military-police affairs in the Armed Forces;
- Participation in the process of 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;
- Participation in the planning, organization and realization of material and financial operations in the Armed Forces;
- Participation in the planning and implementation of the military's cooperation with the Armed Forces of other countries and international organizations;
- Planning, organization and provision of logistical support of the Armed Forces;
- Health care and military sanitation;
- Suggesting a plan for equipping and modernizing the Armed Forces;
- Maintaining weapons, military equipment and other movable and immovable items used by the Armed Forces;
- Planning and management of information and communication systems in the Armed Forces;
- Participation in the planning and implementation of classified information security measures in the Armed Forces;
- 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 the Chief of the General Staff. On the state of the AF, Chief of the General Staff is reporting to the Minister of Defence.

The national defence budgeting process begins with consuming units submitting their budget planning proposals. Proposals are made in accordance with the needs of the consuming units and with the strategic documents Long-term Development Plan and the Montenegro Defence Investment Plan, which foresee investments in defence. Unified proposals are delivered to Ministry of Finance and Social Welfare for approval.

The Ministry of Defence is obliged to submit the request for allocation of funds by 01 September to the Ministry of Finance and Social Welfare, which also supervises the appropriations.

After approval, budget proposals become part of Budget draft, which is delivered to the Government of Montenegro for insight. The Government of Montenegro delivers Budget Proposal to the Parliament of Montenegro for adoption for the following year.



Consumer units have to use financial funds up to approved limits. Funds are approved and they can be used until 31st December of fiscal year. Unpaid obligations are being paid from the funds allocated for following fiscal year.

For emergency and unpredicted expenditures, there are temporary and permanent budget reserves. The Ministry of Finance and Social Welfare decides on their use, with consent of the Government.

In case of savings or deficit funds for financing certain activities, it is possible to divert 10% of the total planned funds of the consuming unit, with the consent of the Government.

During 2020, new strategic documents were not adopted in the field of security and defence. The focus was given to the implementation of the Action plans.

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?

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

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 and EU. 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.

By engaging the Armed Forces in international missions and operations in 2020, Montenegro has been recognized as a reliable partner. Members of the Armed Forces have been engaged in six international missions, operations and activities. In 2020, 14 members of AF MNE were deployed to the EU operation "ATALANTA"; one officer has been deployed to the UN mission "MINURSO" in Western Sahara; one officer and one civilian have been deployed to NATO mission KFOR in Kosovo. Montenegro has been participating to EU Training mission in the Republic of Mali but due to the COVID-19 pandemic Montenegrin officer, from last rotation, has been withdrawn in April 2020. In addition, during 2020 the Armed Forces of Montenegro also continued to contribute to the NATO's "Enhanced Forward Presence" (eFP) in the Republic of Latvia with 20 members being deployed within three contingents. In September 2020, the Armed Forces of Montenegro completed their engagement in NATO Resolute Support mission in Afghanistan. The last contingent was deployed from March to September 2020 with 31 personnel.

The Parliament of Montenegro, on 17th December 2019, adopted the Proposal on Decision on deploying two members of AFM to NATO Mission in Iraq (NMI) and preparations for deploying first representative to the mission is ongoing.

Besides contribution to the international missions and operations, Montenegro continued to support several NATO Trust Funds in order to contribute to the efforts of strengthening stability beyond NATO borders. Since 2015, Montenegro is providing financial support to the Afghanistan National Army Trust Fund, with 400,000\$ per year and is committed to do so until 2024.

Montenegro, as a full-fledged NATO member, has completed harmonization of national defence planning with the NATO Defence Planning Process (NDPP). New strategic documents provided clear guidelines for the development of overall defence capabilities and created key prerequisites for the implementation of NATO capability targets. Ministry of Defence developed and adopted detailed and realistic plans for equipping and modernizing the Armed Forces.

During 2020, Montenegro has cooperated with 36 countries, within the area of defence. In addition, MNE MoD has signed 14 agreements on bilateral cooperation as well as 4 agreements, contracts, memorandums and protocols on cooperation, technical arrangements and declarations pertaining to the area of procurement and equipment, logistical support as well in the field of exchange of classified information and building integrity.

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.

Speaking of powers of the Parliament, it is important to mention that 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.

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* we ensure 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.

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 Interior.

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 - the 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.

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 parliamentarian oversight.

Montenegro doesn't have Private Armed Forces or Paramilitary Forces.

The role of the Armed Forces of Montenegro is to defend independence, sovereignty and state territory of Montenegro.

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

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 be 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.

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 the Interior** 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 the Interior, 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 the Interior.

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.

3.3 What are the legal and administrative procedures to protect the rights of all forces 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, 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.

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 taking into account 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.

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 carried out in the Ministry of Defence and the Armed Forces of Montenegro is published on MoD's official website www.mod.gov.me, and Armed Forces website www.vojska.me, on a daily basis. Everything published on the aforementioned websites is being transparent.

The Ministry of Defence communicates with public on daily basis through press releases and social media - Facebook (@ministarstvoobranecg), Twitter (@defence_mne) and Instagram (@ministarstvoobranecrnegore), considering it as a very important part in the interaction between the institution and public, especially the young population.

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

Bearing in mind that 2020 was largely marked by the COVID-19 pandemic, public was continuously informed about AF MNE assistance in the fight against pandemic. Also, Ministry of Defence has made promotional video regarding assistance which AF MNE provided to Montenegrin citizens during hard times caused by COVID-19. Published video materials are available on MoD's YouTube channel (Ministarstvo odbrane Crne Gore).

Despite the pandemic, MoD organized and successfully conducted Summer Military Camp for the fifth time, respecting all the health measures. This was a unique opportunity for young population to experience military life in two weeks. The public was informed about activities in camp through photos and posts on MoD's Social media pages.

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 promote gender equality in the Armed Forces. With an intention to present the importance and role of the Armed Forces in the system of defence, we promote cooperation with non-governmental organizations.

2. CONTACT INFORMATION

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

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- Contact at the national mission of Montenegro to the OSCE: 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 Interior 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 Interior of Montenegro and the Ministry of the Interior 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 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 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;²

² *The depositories 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 depositories would be informed about the given legal transaction.*

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 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;
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).

**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 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 335 members of AFM attended gender trainings in 2020 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 DCAF; 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.

Number of women in Armed Forces MNE increased for almost 3% in one-year period. Currently, there are 14,7% of women in AF MNE or 9,76% of women in professional military personnel structure. These percentages increased significantly compering to 2019.

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 policy 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. MoD is using positive advertisement campaigns in order to attract more female candidates to the Armed Forces or to motivate them to apply for education at military academies. When entering the AF service, it the female and male candidates have the same score during selection processes, advantage is given to the female candidate. Also, there are different physical criteria for male and female candidates. Ministry of Defence also has a Guidelines for attracting and retaining women in AF MNE.

Currently there are 12 women on command positions in AF MNE, and that number has increased compering to previous period. Also, in 2020, 7 women participated in international missions and operations, which means that in total 16 female members of AF MNE participated in mission and operations so far.

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.

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. [Currently, we are in the phase of drafting Final report on implementation of NAP Program for the period 2019-2020. More than 90% of NAP activities planned for two-year period is already implemented. In addition, the Ministry of Defence is working on the development of the new Program for implementation of NAP, for the period 2021 - 2022.](#)

[In implementing activities from the program, for period 2019-2020, the Ministry of Defence established Working Team for Networking of Women in the Security Sector which is consisted of representatives of the Ministry of Defence, the Armed Forces, the National Security Agency, the Ministry of Interior and Police Directorate.](#)

[In the Ministry of Defence there is a set of established mechanisms that are responsible for implementation of Gender equality policy. Those are: coordinator for integration of gender equality in the Ministry of Defence, Gender Advisor to the Chief of General Staff in the Armed Forces, eight certified gender trainers in charge of conducting trainings for Armed Forces needs, especially for deployment. In addition, there are two civil servants who are involved in implementation of gender equality activities in the Ministry of Defence. As a contribution to the NATO Command structure, Montenegrin female officer covers the position of Gender Advisor in SHAPE.](#)

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 in 2020 that percentage is 39%. In addition, a representation of women in the managerial structure has been considerably increased (from the initial 3.2%, to the present 37.5%).

Keeping on with the fulfillment 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", ANB adopted both the Action Plan for implementation of activities in this aspect for 2021 and the Report on conducted activities during 2020. Process of education and raising awareness of officers in this field during 2020 was very limited through participation in online meetings, due to introduced measures within fight against Coronavirus pandemic.