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

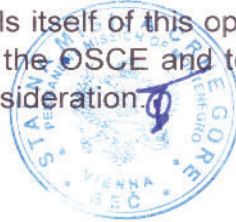
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The Permanent Mission of Montenegro to the UN, OSCE and other International Organizations in Vienna presents its compliments to all Permanent Missions and Delegations to the OSCE and to the OSCE Conflict Prevention Centre, and in accordance with the FSC Decision 02/09 has the honor to submit herewith the Montenegrin Answers to the Questionnaire on the Code of Conduct on Politico-Military Aspects of Security for the year 2020.

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



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



***MONTENEGRO
MINISTRY OF FOREIGN AFFAIRS***

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

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: Administration for Prevention of Money Laundering and Terrorist Financing, 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

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

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 2019, it has been adopted the **Law on amendments to the Law on preventing money laundering and financing terrorism**, considering that the former Administration on preventing money laundering and financing terrorism has become an integral part of the Police Directorate, on the basis of the new Law on State Administration, the Law on Amendments to the Law on Internal Affairs, and the Decree on the Organization of Public Administration. Therefore, it was necessary to align the existing Law in question with the aforementioned novelties, with the aim of making the new organizational unit in the Police Directorate, that is operationally independent from other state administration bodies in the part of its work, application of powers and protection of data and information that refer to this area in order to fully meet international standards in the field of data exchange and information in the field of preventing money laundering and financing terrorism.

Also, in April 2019, it has been adopted the new Rulebook on Internal Organization and Systematization of the Police Directorate, that established a new sector in the Police - Sector for combating organized crime and corruption which provides activities related to: suppression and elimination of organized crime and corruption offenses. On the basis on the Rulebook, and speaking of combating terrorism, this Sector, among other organizational units, has a special organizational unit called **Special police department** that is in charge of the activities related to investigation of crimes within the jurisdiction of the Special State Prosecutor's Office such as organized crime, high corruption, money laundering, terrorism and war crime.

In April 2019, it has also been adopted the new Rulebook on Internal Organization and Systematization of the Ministry of the Interior that established a new organizational unit – **Division for preventing money laundering and financing terrorism and for international restrictive measures**, that on the basis of the Law on preventing money laundering and financing terrorism is in charge of supervising the implementation of the Law on preventing money laundering and financing terrorism i.e. according to the Article 94, paragraph 1, item 9 of this Law, the Ministry of the Interior (Division for preventing money laundering and financing terrorism and for international restrictive measures) through an authorized official, supervises the taxpayers referred to in Article 3, paragraph 2, item 13 of this Law (supervision of companies, legal persons, entrepreneurs and natural persons engaged in the business, i.e. activities of auditing, certified auditor, accounting and provision of tax advisory services; providing services in the establishment of legal entities and other companies, as well as business or fiduciary services; asset management for third parties issuance and management of payment instruments, e.g. checks, travelers checks, credit cards, bank notes, money orders,

debit cards), which are not considered payment instruments in accordance with the law governing payment transactions; and other payers defined by the above mentioned Article of this Law.

In order to develop an effective and sustainable national security system of Montenegro, in the part of convergence of the normative framework for the development of the defence capabilities of Montenegro, the Parliament of Montenegro in 2019 adopted:

- Law on Amendments to the Law on Defense;
- Law on Amendments to the Law on the Armed Forces of Montenegro and
- Law on Amendments to the Law on the Use of Units of the Armed Forces of Montenegro in International Forces and Participation of Civilian Protection Members, Police and Employees of State Administration Authorities in Peacekeeping Missions and Other Activities Abroad.

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 misdemeanors; 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 analyzes, 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 Prevention of Money Laundering and Anti-money Laundering and Financing of Terrorism.

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. 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. 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. In addition to this, these officers, on the basis of previous queries of the Sector for Prevention of Money Laundering and Financing of Terrorism, carry out checks on persons on suspicion of committing the criminal offense of Financing Terrorism through the CT Operations Center of EUROPOL.

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.

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.

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

The National Security 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, analyzes, 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. 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.

Apart from the interagency cooperation with law enforcement agencies, and proceeding from the significance of money flows for financing terrorism, the ANB has also established a dynamic cooperation with the Directorate for Prevention of Money Laundering and Financing of Terrorism (which became later on an integral part of the Police Directorate), and the cooperation has been also continued with that entity in the Police Directorate.

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.

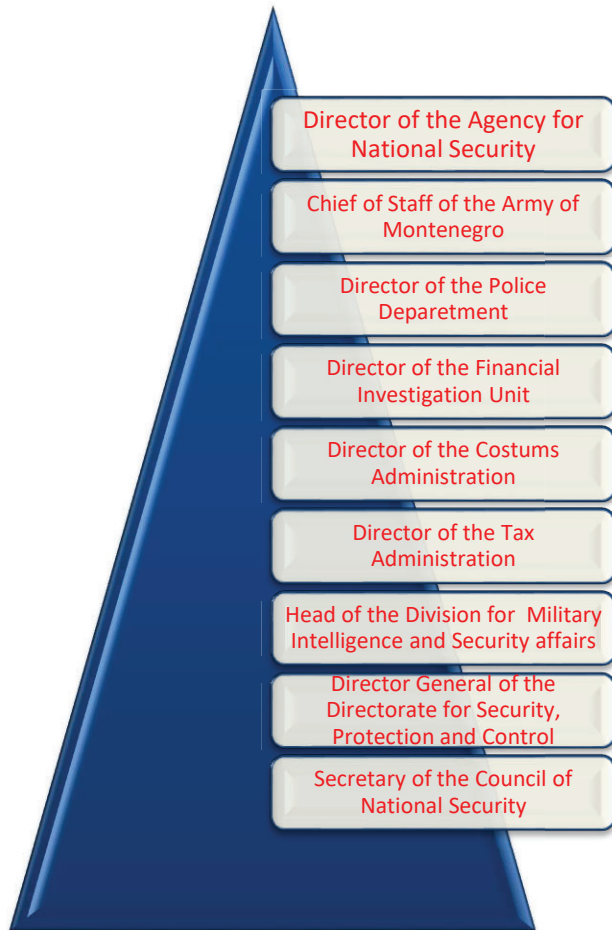
The Operational Team was formed by the decision of the Bureau for the operational coordination of the activities of the intelligence and security sector authorities and based on the conclusions of the Government of Montenegro.

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 Administration for the Prevention of Money Laundering and Terrorism Financing, the National Security Authority, the Tax Administration and the Customs Administration.



**BUREAU FOR COOPERATION AND HARMONIZATION OF THE INTELLIGENCE AND
SECURITY SECTOR**



- Member of the National Security Council (nominated by the Defense and Security Council, according to the National Security Council suggestion) coordinates a work of the Bureau for operational cooperation and harmonization
- The Government nominates a members of the Bureau for operational coordination and harmonization

In February 2019, the Government adopted the XV Report on the Implementation of the Strategy for the prevention and suppression of terrorism, money laundering and terrorism financing 2015-2018, and the Action Plan 2017-2018, for the period July - December 2017.

<http://www.aspn.gov.me/ResourceManager/FileDownload.aspx?rid=351608&rType=2&file=XV%20izvje%C5%A1taj%20o%20spvodjenju%20Strategije%20za%20prevenciju%20i%20suzbijanje.pdf>

<http://www.aspn.gov.me/ResourceManager/FileDownload.aspx?rid=355645&rType=2&file=XV%20REPORT%20ON%20THE%20REALIZATION%20OF%20MEASURES%20FROM%20THE%20ACTION%20PLAN%202017%20-%202018.doc>

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, regulating the process of deploying its units or members in international forces, peacekeeping missions and other activities abroad.

The Parliament of Montenegro makes the decisions on deploying units or members of the MNE AF in international forces abroad, which is carried out by the Ministry of Defence of Montenegro.

The participation of members of the Armed Forces of Montenegro in Peace Support Operations and NATO activities during 2019 is indicated by the following:

- NATO Mission in Afghanistan - „RESOLUTE SUPPORT“ - Following the decision of the Parliament of Montenegro („Official Gazette of Montenegro“, No. 21/14) - 87 members of the Armed Forces of Montenegro were deployed;
- „EU Peacekeeping Training Mission“ in Mali - Following the decision of the Parliament of Montenegro („Official Gazette of Montenegro“, No. 60/14) - 3 members of the Armed Forces of Montenegro were deployed;
- UN Mission in Western Sahara - „United Nations Mission for the Referendum in Western Sahara - MINURSO“ - Following the decision of the Parliament of Montenegro („Official Gazette of Montenegro“, No. 38/16) - 2 members of the Armed Forces of Montenegro were deployed;
- EU Peace Enforcement Operation - „EU NAVFOR - ATALANTA“ - Following the decision of the Parliament of Montenegro („Official Gazette of Montenegro“, No. 45/16) - 15 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 the Armed Forces of Montenegro 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) - 21 members 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 conducted a set of activities to improve compliance with international obligations in the field of arms control on the national level.

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

- Vienna Document;
- 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.

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, which is not prescribed in provisions of VD11. In addition, Montenegro announced and reported information related to the main military activity in 2019, 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.

During February 2019, Montenegro organised workshop which was related to the Best Practice in SALW. During the activity, Master Document for Weapons and Ordnance in the Ministry of Defence and Armed Forces of Montenegro was presented and discussed. Best practice workshop covered three main field related to the GAP Analysis of National Strategy and organisation; Personnel and training, as well as Stockpiling and security.


In 2019, Montenegro hosted one Evaluation visit based on bilateral agreement between Montenegro and Germany. Activity was based on voluntary basis and in good faith as well as was not counted under the active-passive VD11 quotas.


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





In 2019 Montenegro conducted following VD-11 activities:



2019			
Montenegro	Specified Area Inspection - received		VD 11
		Switzerland	






2019			
Montenegro	Evaluation Visit - received		VD 11
		Russian Federation	

2019			
Montenegro	Bilateral Evaluation Visit - received		VD 11
		Germany	

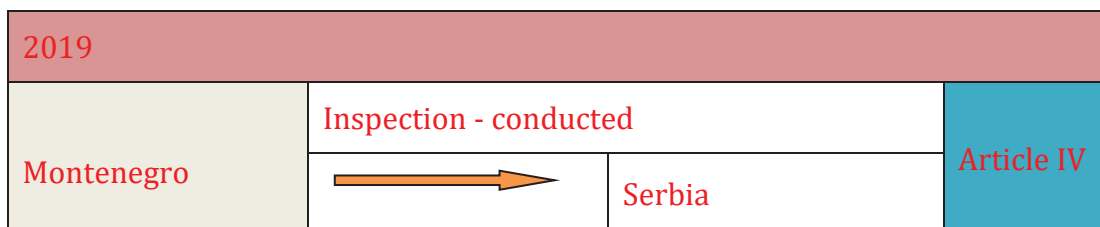
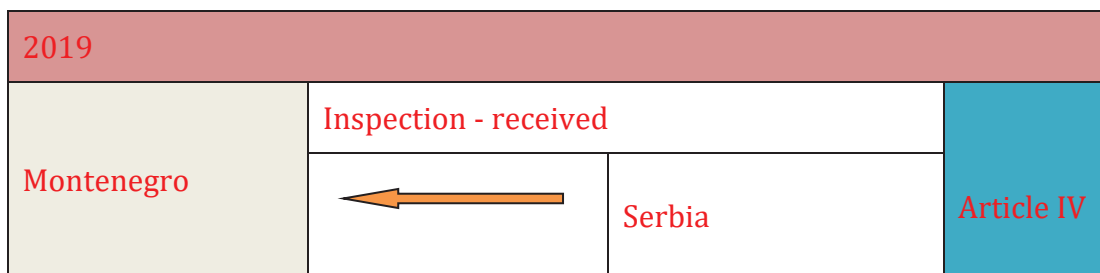
2019			
Montenegro	Specified Area Inspection - conducted		VD 11
		Republic of Moldova (MNE was a Leading Nation with G/I from Germany and UK)	

Germany Montenegro		Azerbaijan (MNE representative was G/I in GER Team)	
Croatia Montenegro		North Macedonia (MNE representative was G/I in CRO Team)	
Slovakia Montenegro		Bosnia and Herzegovina (MNE representative was G/I in SLV Team)	

2019			
Arms control training activities			
Germany Montenegro		Montenegro participated with 2 representatives in Arms control courses in Germany	VD 11 CFE SALW

2019			
Visit to AB/MF			
Montenegro		BACA	
		CH-DE	
		HU	
		UK	

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



In order to prevent the illegal trade, possession and accumulation of SALW, in accordance with the Strategy adopted on the basis of the adopted Road Map, the Ministry of Defense of Montenegro is working on strengthening the capacities related to the control of small arms and light weapons and ammunition in cooperation with the Ministry of Interior and other state authorities, 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 Defense 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 to be not safe for further use and storage by team expert, are proposed to be destructed and destroyed by priority.

During 2019, the Ministry of Defense of Montenegro intensively worked on the preparation of new projects for weapons and explosive ordnance and their safe storage. During the first half of 2019, in cooperation with the OSCE, a Master Document for weapons, ammunition and their safe storage in the Armed Forces of Montenegro was adopted.

After military facility "Sasovići" was proclaimed as non-perspective, dislocation of explosive ordnance to other promising military facilities was carried out to the following facilities: „Brezovik“ Nikšić, „Taraš“ Danilovgrad and „New Location“ Pljevlja.

The Ministry of Defense of Montenegro during 2020, should be given for use QPAK two mobile laboratories and a mobile laboratory QPAK +, by the Federal Ministry of Defense of the Republic of Austria. Also, MNE MoD will train at least three persons to work with these laboratories.

In order to create its own capacities for testing the stability of gunpowder, the Ministry of Defense has decided on two facilities that will be reconstructed for the needs of the laboratory

for monitoring the stability of gunpowder and for the storage of samples. Their reconstruction is planned in 2020.

Based on the Work Plan of the Ministry of Defense of Montenegro for October 2019, in the period from 15 to 31 October 2019, the "Basic theoretical course for safe storage and ammunition management" was implemented in cooperation with representatives of the Federal Ministry of Defense of the Republic of Austria and the Armed Forces of Bosnia and Herzegovina. Continuation of the course is planned for April 2020, when practical training will be provided for the safe storage and management of ammunition.

In the period from 1 January 2019 to 31 December 2019, the quantities of explosive ordnance were reduced by 398.90 tonnes, out of which 78.22 tonnes were taken over by customers and 320.68 tonnes were destroyed.

The destruction of surplus explosive ordnance was carried out through the NATO Trust Fund and the ITF.

Through NATO Trust Fund, 302.80 tonnes of ordnance were destroyed during the mentioned period, and the remaining 27.36 tonnes will be destroyed in the first quarter of 2020.

As part of the ITF Fund, 17.88 tons of ordnance were destroyed in the mentioned period, and the remaining 56.36 tons will be destroyed in the first quarter of 2020.

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. Namely, in order to establish a complete legal framework for combating all forms of illegal possession, trafficking and misuse of firearms, an analysis of the Law on Weapons was made and a working team was formed to develop amendments to it. The UNODC, the Ministry of Justice, the Ministry of the Interior, and the Police Directorate carried out an analysis of the compliance of weapons regulations: the Law on Weapons and Proposals for its Implementation, the Criminal Code and the Code of Criminal Procedure and others, with EU regulations, the UN Convention on Transnational Organized Crime and Protocols against the Illegal Production and Trade in Firearms, Parts, Components and Ammunition and Other International Obligations. Also, the provisions of the Law on Courts, Law on Public Prosecutor's Office, Law on Special Public Prosecutor's Office, Law on Internal Affairs, customs regulations were analyzed. Particular attention was paid to the analysis of the provisions of the Criminal Code and the Criminal Procedure Code concerning the detection of criminal offenses of illicit manufacturing, trafficking and other illegal activities related to weapons, as well as the conduct of criminal proceedings against the perpetrators of those

offenses. The analysis contains recommendations for improvement of domestic legislation concerning amendments to the Law on Weapons (definition of terms of illegal production and trafficking of weapons), as well as the Criminal Code (definition of illegal production and trafficking of weapons, as well as illegal production and trafficking of weapons, parts thereof and Ammunition), the Criminal Procedure Code and the Law on the Forfeiture of Proceeds from Crime, in terms of extending the measures of confiscation to the offenses referred to in Articles 403 and 433 of the Criminal Code. Part of the recommendations concerns amendments to the Criminal Procedure Code relating to the application of secret surveillance measures and other investigative measures, as well as to the definition of electronic evidence.

An analysis of the state of play for the production and control of weapons production was carried out, and a working team was formed to draft this regulation. Criminal intelligence records have also been improved. Within this objective, a complete analysis of the existing state and procedures for the storage, maintenance and safe storage of weapons, ammunition and explosives of all state bodies has not been carried out, and the exchange of good practice has been promoted. Training was provided for the Armed Forces and the Ministry of Defense for the procedures for the storage, maintenance and safe storage of weapons, ammunition and explosives, as well as eight members for ammunition.

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. Assignment and coordination activities in this area have been strengthened, and an analysis has been carried out to identify firearms contact persons in accordance with the systematization act. A task force has been set up to develop arms monitoring procedures and systematic collection of criminal justice data has been improved. It is ensured that any weapons, ammunition and explosives found or seized are tracked in the country. Police regularly enter information on lost and stolen weapons into the Interpol system. Official records - which are the basis for the exchange of data are constantly being improved and experience and practices are being exchanged internationally. Equipment was purchased for marking the weapons, which is not carried out - because no regulation was issued. The Committee on Small Arms and Light Weapons implemented international obligations and prepared reports in accordance with the OSCE Weapons Form and UNPoA Action Plan, coordinated activities in this area, implemented public awareness campaigns, as well as measures to improve conditions for safer and more secure storage management.

For establishing a contact point for firearms, equipment was donated through the Scoping mission in order to establish operability, totalling 23,847.49 euros. In the reporting period, five days of regional training for IBM Ibase designer was held, attended by two employees of the MoI/Police Directorate. Police officers visited FFP, and they participated in the TAIEX Workshop on the subject of a national contact point for firearms, which was organised in co-operation with the General Directorate for Internal Affairs - the EMPACT. The workshop provided expert support to form a national contact point. Namely, it is determined that the contact point for weapons is the Department for Criminal Intelligence in terms of processing and analysis of data, due to existing personnel capacities and access to information from databases and current cases. Data analysis programs are linked to the records of registered weapons, police duty service-confiscated weapons, weapons that are being sought (missing and stolen). A temporary weapon database was created, which was handed over to the forensic center. Ahead is security and equipping of the Office, in which the ballistic laboratory will connect the contact point and update data on the executed examinations in the last five years. In addition, it is necessary to train police officers and analysts for the treatment of taking and finding weapons, for quality keeping of records and compiling reports.

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.

Several regional platforms allow for the exchange of good practices of interested parties in the Western Balkans at different levels through: The process of commission for small and light weapons, RASR, EMPACT, SEEFEN, SEEFEG, RACVIAC, RIEP; EU P&P; established is one joint border crossing; Joint actions and operations led by EMPACT, Interpol; Sporadic implementation of TAIEX and CEPOL training – including CEPOL programs developed for service needs; National trainings are organized – but rarely. On-line platform for the countries of Southeast Europe is used, which shows map and incident data regarding firearms. Data is collected daily by using local data from the media, online search, public reports. The aim is to help track down incidents involving firearms in the region, thanks to data obtained from official sources or media reports from Albania, Bosnia and Herzegovina, Kosovo *, Republic of Moldova, Montenegro, Serbia and North Macedonia. It is customized to easily search by selecting data on: the type of incident, the use of firearms, half victim and perpetrator, and the geographical data of the incident.

Ministry of Economy appointed a mediator – broker in Firearms, 34, issued a license to trade arms seven licenses for import 51. The value of the approved import is 7,426,106.00 euros, for which they do not have data on the realized activities. Main export destinations are: Georgia, Israel, Congo, Malaysia, Italy, Poland, USA, Serbia, United Arab Emirates, Switzerland, Ukraine. Export companies are producer companies with limited liability: "Montenegro DefenceIndustry", "Poliex", "Tara – Aerospace and Defence" and "Simon-PS".

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.

Low level of awareness about widespread abuse of firearms in domestic violence and gender-based violence. For this reason, there is an educated team for combating domestic violence and violence against women, who regularly holds meetings. A database of family violence has been established, which allows exchange of reports and announcements on domestic violence between Ministry of Labour and Social Welfare Interior and the Police. This software solution enables automated exchange of data, and contains data about: participants in the case of reported violence, potential victims, perpetrators and children, undertaken measures, misdemeanour and criminal charges and risk assessment. The result is a joint initiative, as well as the UNDP and EU project for gender equality.

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 1,779, weapon components 978, 340 mine and ammunition, 28,138 (in 2019.: weapons 78, weapons components, 37, mine and ammunition 57). Giving out the weapons is not limited with time.

In the reporting period, 365 (358) of criminal offences of illegal weapons and explosive materials were initiated, out of which number 320 were processed against (319) persons. Of this number, 19 criminal offences of illegal holding of weapons and explosive devices were carried out by activating explosive ordnance and four by detection of unexploded ordnance.

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. The realization of this goal will be contributed by a list of weapons of public bodies, as well as analysis of the equipment needed to detect weapons and ammunition and explosive devices in illegal possession. The realization of the project "Respect life-return weapons", as other activities, in the last six years, was marked on 09 July – the day of the destruction of SALW (taken in after final convictions, found or given away to the state at disposal or outdated weapons of the police), when in a transparent manner the weapons were melted: firearms 6,759, metal pieces for weapons 1,247 (from this number, in 2019, firearms, 990 and metal pieces for weapons 269). The destruction was done with the support of the European Union, UNDP/SEESAC and OSCE.

The Ministry of Interior, pursuant to the Law on Protection and Rescue, carries out protection against unexploded ordinances (UO). With the support of Norway, in 2018, there was a project to cleanse the terrain from residual cassette ammunition. In 2019, 1.7 mil m² was searched, and 82 cluster bombs (30t) were found, which were destroyed. The ITF Fund in January 2019 carried out the tender procedure for the destruction of 116.69 tons of the deadly ordinance. Funds have been provided for the destruction of 74.24 tons of ordnance, whose realization is in progress. For the destruction of 42.45 tons, no monetary assets have been provided. Police, in 2019, executed: 856 examinations, nine examinations on the notice of an improvised device and four dislocations.

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. These activities should continue. To achieve this goal, it is necessary to make operational plans for each storage location, where the technical protection measures need to be increased. In this area, the system of regular control, supervision and inspection, of legal entities and entrepreneurs needs to be promoted.

The Ministry of Interior uses the storage facility "Rogami" and the decision of the Council of EU ZVPS 2016/2356 of December 19th 2016 provided the funds for the execution of works on this warehouse, for strengthening of the safety measures: security system with video surveillance, lighting and protection of the facility. The works were completed in May 2019. With the support of the EU delegation, the UNDP office and the Centre for light Weapons control in the South East Europe (SEESAC). With their support, the adaptation of one office of the Forensic Center in Danilovgrad for the purposes of the preservation of evidence, as is the equipping of the storage room in the Center of Security of Podgorica, which was drafted by the project task for the warehouse facility, which was delivered to the UNDP/SEESAC, which called for a tender for selection of the developer.

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 bodies and institutions in national planning and decisions on the use of the Armed Forces of Montenegro are regulated by the:

- ***Constitution of Montenegro;***
- ***Law on Defence;***
- ***Law on the Armed Forces of Montenegro;***
- ***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.***

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

The Parliament of Montenegro:

- *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:

- *Makes decisions on the use of the Armed Forces units in carrying out support tasks for natural and artificial disasters and other disasters on contributing to internal peacekeeping 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;*
- *Approves the Plan on use of the Armed Forces;*
- *Analyses and assess the security situation in Montenegro and makes decisions for taking appropriate measures;*
- *Assigns, dismiss and improves officers in the Armed Forces of Montenegro;*
- *Proposes to the Parliament the declaration of war or emergency;*
- *Suggests the use of Armed Forces of Montenegro in international forces;*
- *Assigns and dismisses military diplomatic representatives.*

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 Council of Security and Defence;*
- *Orders the mobilization of the Armed Forces in accordance with the decisions of the Council for Security and Defence;*
- *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 directs and coordinates the work of the authorities that include the intelligence and security sector, through:

- The adoption of guidelines and conclusions about authorities that make up the intelligence security sector and the Bureau for operational coordination;
 - Consideration of intelligence and security risk assessment and threats to national security;
 - Giving opinions to the Government on the budget proposals of authorities that make the intelligence security sector;
- Responsibility for the implementation of regulations and standards in the field of 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 Defense, 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 of Defense of Montenegro, the Government of Montenegro:

- Suggests a Montenegro National Security Strategy and Montenegro Defense Strategy;
- Makes a Defense Plan of Montenegro;
- Adopts the Strategic Defense Review of Montenegro and the Long-Term Defense Development Plan;
- Makes 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 defense purposes in case of war or emergency;
- Takes preparedness measures and orders their implementation to bearers of defense preparations, except for Armed Forces preparedness measures;
- Performs other duties in accordance with the law;

According to the Law of Defense of Montenegro, the Ministry of Defense of Montenegro:

- Suggests Defense Plan of Montenegro, Strategic Defense Review of Montenegro and Long-term Defense Development Plan;
- Suggests organizational-formation structure and numerous size of the Armed Forces;
- Conducts defense 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 defense 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 defense system, in accordance with the law;
- Executes established defense policy;
- Organizes and executes international defense cooperation;
- Organizes electronic communications, cyber defense 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 governing health care;
- Performs other duties in accordance with the law;

Minister of Defense, according to the Law of Armed Forces of Montenegro:

- Ensures enforcement of Armed Forces command decisions;
- Makes 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;
- Suggests to the Council the appointment and dismissal of the Chief of General Staff;
- Suggests to the Council the promotion, appointment and dismissal of officers;
- Produces NCOs and Reserve NCOs to the opening ranks;
- Suggests 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 organized unit of the Ministry of Defense) 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 defense 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 defense, in accordance with the law;
- Elaboration of the Armed Forces Use Plan;
- Elaboration 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 realization of logistical support of the Armed Forces;
- Health care and military sanitation;
- Suggesting a plan for equipping and modernizing the Armed Forces;
- Keeping 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 him. On the state of the AF, Chief of the General Staff is reporting to the Minister of Defense.

The national defense 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 Defense Investment Plan, which foresee investments in defense. Unified proposals are delivered to Ministry of Finance for approval. After approval, budget proposals become part of Budget draft, which will be 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.

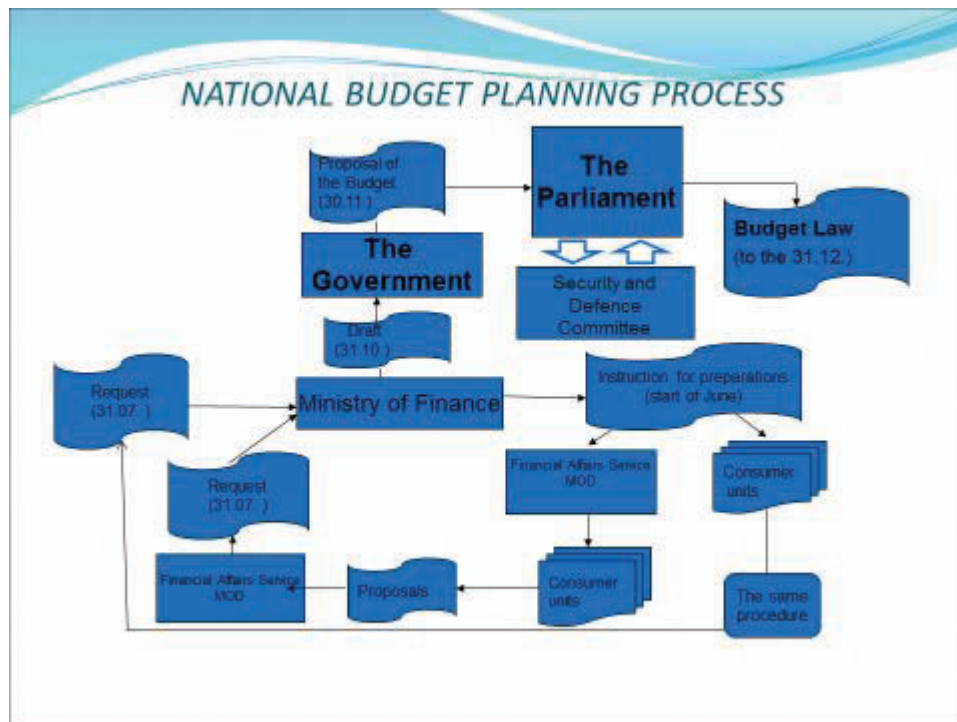
National Planning Programming and Budgeting Process – PPB

The process of making national defence budget initiates on consuming units' level, with their proposals. Proposals are made in accordance with needs of consumer units and strategic documents Long Term Defence Development Plan of Montenegro and Defence Investment Plan, which plan defence investments. Unified proposals at the level of the Ministry of Defence, in the form of the Budget Request, shall be submitted for inspection and approval to the Ministry of Finance of Montenegro. Upon approval of the Ministry of Finance, the Budget Request for Defence enters the Draft of the Budget, which is submitted to the Government of Montenegro for inspection. The Government of Montenegro submits the Budget Proposal to the Parliament of Montenegro for adoption for the next fiscal year.

Request for allocated funds has to be delivered to the Ministry of Finance by the end of the July, which does scrutiny of them.

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 realized as part of funds for following fiscal year.

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



The Ministry of Defense is obliged to submit the request for allocation of funds by the end of July to the Ministry of Finance, which also supervises the appropriations.

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 realized as part of funds for following fiscal year.

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

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

During 2019, the process of revising the existing and adopting new strategic documents in the field of security and defense continued. In accordance with the Ministry's Work Program for 2019 and the obligations arising from the NATO defense planning process, a new Montenegro Defense Strategy has been made, drafted and adopted. The previous Defense Strategy was adopted in 2008.

The Defense Strategy is a basic strategic document that regulates and directs the development of the defense system in the long term, as well as the engagement and development of defense resources in response to contemporary security challenges, risks and threats. The Strategy defines: strategic defense objectives, strategic concept of defense, defense system, missions and tasks of the Armed Forces, vision of development, principles of organization and organizational structure of the Armed Forces, resources and defense financing. The strategy gives a vision of the basic defense function - the protection of independence, sovereignty and state territory of Montenegro, with a comprehensive approach and contribution of all institutions of the system. It is also a reflection of NATO's strategic concept as well as other relevant national, allied and international documents.

The Decree on the Method and Procedure for Preparation, Harmonization and Monitoring of the Implementation of Strategic Documents of July 2018 and the Methodology for Policy Development, Drafting and Monitoring of the Implementation of Strategic Documents stipulates that all strategic documents have an action plan for implementation. Accordingly, the Ministry has formed an Interdepartmental Working Group, which has drawn up an Action Plan for the Implementation of the Defense Strategy 2019-2022, which was adopted by the Government of Montenegro in July 2019. The accession phase of Montenegro to NATO, during which all planned activities and tasks from the integration process were realized, lasted for two years. The bearers of this process were the Ministry and the Armed Forces, the Ministry of Foreign Affairs, the Ministry of Public Administration, the Ministry of Finance and the Directorate for the Protection of Classified Information actively participated in the process. The Declaration on Completion of Montenegro's NATO Integration Process was signed on 23rd of July in Podgorica.

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

Montenegro's security and defence policy is based upon the principle of indivisibility of security. The security of citizens and the state of Montenegro depends on security in the region, Europe and beyond. It is projected and developed within its national borders, as well as beyond them. A clear line of separation between foreign and domestic security no longer exists.

Montenegro promotes peace, freedom, democracy, human rights, rule of law, international cooperation, as well as implementation and obedience to international laws. It is firmly committed to preservation of its freedom, independence, sovereignty and state territory in all security conditions.

The security of Montenegro depends on the security and stability in the Western Balkans. Hence, Montenegro promotes Euro-Atlantic integration of Western Balkans countries, and sees it as the best framework for stabilization of the regional security. Montenegro promotes NATO "open door policy" and supports all states aspiring for NATO membership. In that sense, Montenegro has already conducted several bilateral meetings with the Republic of North Macedonia, at the political and operational level, in order to transfer its experience and lessons learned in the process of reforms of its defence sector on the way towards full membership in the Alliance

Montenegro gives its contribution to the stability and world peace by expressing international solidarity, engaging in the development and improvement of friendly and good-neighbourly relations, by active participation in anti-terrorist actions and non-proliferation of weapon for massive destruction, humanitarian and peace-keeping operations and possibilities for use of land, air and sea for support to the NATO, UN, EU and OSCE missions.

During 2019, Montenegro has cooperated with with 25 countries, within the area of defence. In addition, MNE MoD has signed 18 agreements on bilateral cooperation as well as 17 agreements, contracts, memorandums and protocols on cooperation, technical arrangements

and declarations pertaining to the area of procurement and equipment, logistical and information support as well as education.

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

Montenegro remains committed to preservation of global peace and security and thus, in 2018, it continued to contribute to the activities of NATO, UN, EU and OSCE, in order to support the overall efforts aimed at building and preserving peace and security in the region and beyond.

Montenegro supports Alliance's efforts to project stability beyond NATO borders, in order to support security and defence-related reforms in partner countries, by providing contribution to various NATO Trust Funds and Defence Capacity Building packages. Montenegro pledged to continue to participate in the NATO Trust Fund for the Afghanistan National Army by 2024, and in 2019 it also contributed to the Trust Funds for Iraq and Ukraine.

Members of the Armed Forces of Montenegro are engaged in the "Resolute Support" mission (RS) through participation in joint tasks with the Armed Forces of the Republic of Croatia. Previously they had contributed to the successful accomplishment of the ISAF mission. Currently, the 10th contingent of RS mission is deployed to Afghanistan, consisted of 31 members of the Armed Forces of Montenegro.

In addition, members of the Armed Forces of Montenegro participate in missions and operations led by the European Union: EU NAVFOR ATALANTA in Somalia and the European Training Mission in Mali (EUTM), as well as in the United Nations mission in Western Sahara (MINURSO). Before these, several Montenegrin military observers had participated in the UNMIL mission in Liberia.

During 2019, the Armed Forces of Montenegro began their engagement in NATO led "KFOR" mission and NATO activity "enhanced Forward Presence" in Latvia.

Montenegro participates in the KFOR with one officer, who is covering the position of acting deputy chief of department for engineering plans and operations in the Operation Command at the Film City Base in Pristina, as well as with one civilian who is performing possession of human resources adviser.

In order to contribute to the overall Alliance's Deterrence and Defence efforts, Montenegrin Defence and Security Council (on July 12, 2018) took a decision on participation in NATO enhanced Forward Presence, by deploying staff officers and military units to the Battle Group in Latvia. Therefore, on December 10th, 2018, one reconnaissance squad, with eight personnel, has been deployed to eFP BG in Latvia, within the Slovenian contingent, under the Canadian command.

In addition, one AF MNE NCO has been deployed in August 2018 to the NATO Force Integration Unit (NFIU) in Hungary for a period of four years.

Montenegro will declare units for NRF (NATO Response Force) and will consider further possibilities of participation in other NATO operations, missions and activities, primarily in NATO mission in Iraq (up to two members of the Armed Forces of Montenegro).

2. EXISTING STRUCTURES AND PROCESSES

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

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 internal affairs.

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

Namely, the Law on the National Security Agency defines Parliamentary control (conducted by the Parliament of Montenegro through a competent working body - the Security and Defense 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.

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 parliamentary oversight.

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 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 military personnel 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 availability of 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. Through quality and modern mechanisms of promotion of the advantages of the military profession, particularly among younger population, we will continue to attract and recruit the missing staff. In addition, by active promotion of the military profession, it is necessary to bring the Armed Forces closer to younger female population.

RESERVE COMPOSITION OF THE ARMED FORCES

Armed Forces units, depending on their purpose and expressed needs, will be filled with: contract and strategic (assigned and un-assigned) reserve.

The contract reserve will count up to 100 persons and will be used for manning specialist formations in the units of the Armed Forces. It 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 realization of regular tasks. Manning with specialist staff will be done on the basis of public competition 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's 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 un-assigned reserve will be used to man the units of the Armed Forces in case of need for enhancing defence capabilities. A strategic non-assigned reserve will comprise soldiers that possess military knowledge and skills but are not deployed in the units of the Armed Forces. Their data will be entered into military records and, in the event 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 according to the approval, get the insight into the register of citizens and register of soldiers.

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 Arm forces of Montenegro regulates the rights and procedures for the protection of the rights of members of the Arm forces of Montenegro.

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 a strategy that Human Resources of the Ministry of Defence (HR MoD) and the Armed Forces of Montenegro defines the policy of gender equality and specific strategic objectives as follows:

- Increasing representation of women in the Armed Forces, in command posts and missions;
- Continuously implementation of the national policy of gender equality, Resolution 1325 and other accepted and applicable regulations.

Through the adoption of regulations, within documents and acts gender-sensitive language is in use in the Ministry of Defence and in the Armed Forces of Montenegro. All documents of Armed Forces organizational structure are being written in gender sensitive language.

The Ministry of Defence and the Armed Forces of Montenegro are constantly working to promote military sign-up through the issuance of various promotional materials (brochures, leaflets, posters), through civilian visits to military units, familiarization with equipment and weapons, TV campaigns (broadcasting of TV spots of Armed Forces of Montenegro, promotion of military profession, cadets education and training at international military academies). This would ensure that more and more young female apply in public service announcements for employment and education in Armed Forces. Those processes will increase number of women 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 favorable terms, the provision of holidays for family members, with repayments in several monthly installments, 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 favorable 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 principles of international law on usage of force.

In accordance with this constitutional norm, programs of education 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, military ethics is crimes proscribed by international law. Also if a member of armed forces is convicted for the crimes 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 Armed Forces of Montenegro commanding (chain of command) is based on the principles of subordination, unity of command in respect of the use of power and resources of single and obligations execution decision, commands, orders and orders of a superior officer and the competent authorities and in accordance with respect for fundamental human rights.

The Law on Armed Forces states that member of Armed Forces has the right and an obligation to perform their duty in accordance with the Constitution and other legal acts, and to comply his/her superiors orders, except in the case that compliance to those orders present a criminal act, in which case they have to report this. In addition, all legal acts concerning this area are being published in the „Official Gazette “and also on the web site 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 will ensure that military forces personnel are able to enjoy and exercise their human rights and fundamental freedoms as reflected in international law, in conformity with relevant constitutional and legal provisions and with the requirements of service.

State ensures that the 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, by executing the Constitution and previously mentioned laws in which all procedures for usage of Armed Forces and punishment for those that violet them are stated.

Respect for the principles referred to in paragraph 1 of this Article provides the defence minister without violation of any of the principles of transparency, fairness and equal rights without discrimination on any grounds (sex, race, language, religion, political or other opinion, ethnic or social origin, property, or other status).

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?

Professional Military Personnel serving in the Armed Forces are obliged to, while on duty, shall act in accordance with the **Code of Ethics**¹ (hereinafter: the Code). The Code is a set of principles on ethical conduct of persons serving in the Armed Forces, which is based on the norms of international and domestic law.

Regular training with the Code shall be conducted at least once a year in the Armed Forces. Any violation of code of ethics and failure to comply with the same shall be considered a *disciplinary violation*², and according to that each disciplinary violation has appropriate *disciplinary sanction*³. Members of Armed Forces are being introduced with their constitutional rights during their military education. The Constitution and Law on Armed Forces forbids membership in political organizations.

The Constitution of Montenegro has established 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 organizations are banned in state bodies.

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?

¹Pursuant to Article 55, Paragraph 3 of the Law on the Armed Forces of Montenegro of Montenegro ("Official Gazette of Montenegro", No. 88/09), Ministry of Defence, issued the CODE OF MILITARY ETHICS ("Official Gazette of Montenegro", number 60/10

²Articles 125,126,127,128 of Law on Armed Forces

³Articles 129,130,131,132 of Law on Armed Forces

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.

Montenegro shares the attitude of democratic countries that the most effective way of achieving a favourable security environment for common action in order to prevent conflict and build stability. Special attention is focused on the development of good neighbourly relations and strengthening regional and international cooperation in order to establish trust and affirmation of peace in South-East Europe and the world.

Montenegro is providing an active contribution to the process of developing an international system of cooperative security and collective defence, which are based on multilateral cooperation and international laws.

Based on the National Security Strategy of Montenegro (Article 2, point 7 of the National Security Strategy of Montenegro) the implementation of norms of International laws and the international obligations which Montenegro accepted in accordance with the constitutional provisions are vital interests and goals of Montenegro.

Legal acts in this area are based on these strategies and in this manner Montenegro ensured that our Defence policy is in consistent with international law.

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.

In the light of marking 25th Anniversary of adoption of the Code of Conduct on Politico-Military Aspects of Security, during the 2019 Ministry of Defence of Montenegro has launched an initiative to promote the relevance of the Code, its norms and principles, by publishing it in Montenegrin language and has been distributed it to all relevant public institutions on national level. Also, it was organized a lecture of the Code of Conduct for employees from the Ministries of Defence and for the members of Armed Forces of Montenegro.

In addition, almost every year, representatives of Montenegrin governmental institutions actively participate in the regional seminars on the OSCE Code of Conduct on Politico-Military Aspects of Security and report about that.

1.2 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 defense strategy and provide relevant opinions;
- considers law proposals, other regulations and general acts from the area of security and defense, 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 defense budget proposal, final account on defense 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 defense, 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 Defense and the Armed Forces premises in order to get insights into the relevant documentation and discuss specific topics concerning the Committee's scope of work.

Meetings of the Committee shall be, by rule, closed to the public, but they can be open if decided by the majority of present members of the Committee, in accordance with the law. In the ten-year implementation of the Law, all meetings have been open to the public, with exception of when classified data were subject of the discussion. Moreover, representatives of the Government, representatives of scientific and professional institutions, other legal entities and non-governmental organizations, as well as individual professional and scientific workers can take part in the work of the committee, if invited, with no right to make decisions. The Law also prescribes that the Committee shall inform the public on its work. The Chair of the Committee or a member authorised by the Committee present the positions and conclusions of the Committee to the Parliament and the public, while a member of the Committee may present a dissenting opinion to the public, observing thereby the restrictions in accordance with law.

Each activity which is done in MoD and AF MNE is published on websites www.mod.gov.me and www.vojska.mod.gov.me on daily basis. Everything is transparent on the aforementioned websites in specified sections. Montenegrin public is informed about the AF MNE through numerous interviews of the Minister of Defence, and high officials of MoD and AFMNE, as well as the reportages regarding AF MNE units, Montenegrin soldiers in international missions, operations and exercises, cadets educated in foreign military academies and students visits to military barracks. Also, focus of the Montenegrin public was on the modernization of the AFMNE in 2019, and it was continuously informed through press releases, interviews, press briefings and etc.

In order to increase young people's interest for the military and to provide the highest quality of personnel, MoD organized presentation of AFMNE on the main squares in Montenegrin cities as well as visits to local high schools and present projects for youth. Also, fourth year in a row, MoD organized a Summer Military Camp for youth, which presents unique experience for youth to feel military life, and public was on a daily basis informed about activities in camp with photo and video reportages on social networks. On the occasion of the AFMNE Day military barracks were opened for children and students.

Special emphasis is given to the promotion of voluntary military service. Three promotional videos for voluntary military service have been prepared and broadcast on local and national television and on the MOD's social media, as well as short movies for inter-agency exercise "Winter 2019" and naval military exercise "ADRION LIVEX 19". Promotion of gender equality and the participation of women in the defense sector as one of the important policy of the MoD was promoted through various reportages and interview and presentation of different professions of women in the Army, such as pilots, deminers, officers on board, members of special forces, etc.

The Defense Ministry's Public Relations Bureau participates in the organization and media coverage of minister's visits, visits of official NATO military and civilian representatives, participation in conferences in the country and abroad, joint exercises and training of AFMNE and NATO.

During 2019, the Ministry of Defense has been very active on social media through daily posts on Facebook, Instagram and Twitter accounts. Increase in the number of followers and interaction with them is noticed. Also, appearance of posts on social media is improved, which

has received good reception from followers, due to the faster and easier consuming the information.

2. CONTACT INFORMATION

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

- Helena Vizi, e-mail: helena.vizi@mfa.gov.me; address: Stanka Dragojevića 2, 81 000 Podgorica; Ministry of Foreign Affairs, General Directorate for Multilateral Affairs, Directorate for OESC and the Council of Europe
- 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 Defense 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;⁴

⁴ *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 352 members of AF attended gender trainings in 2019 proves that education on gender is high on training agenda.

Annual training programmes 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.

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

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

understanding of their role in the implementation of the principles of gender equality in the police.

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

II Participation

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

Number of women in Armed Forces MNE increased for almost one percent in one-year period. Currently, there are 11,49% percent of women in AF MNE or 6,24% of women in professional military personnel structure. Those percent also increased compering to 2018.

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

Currently there are 11 women on command positions in AF MNE, and that number increased compering to previous period. It is obvious that interest for women participation in mission increased if we take into consideration that 4 women are attending pre-deployment trainings, currently. Until now, 9 women participated in military missions and operations.

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, as follows: 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 phase of drafting annual report on implementation of NAP in 2019. It is important to mentioned that Ministry of Defence implemented more than 80% of activities of those that are planned for 2019.

Ministry of Defence also has obligation derived from National Plan of Activities for Achieving Gender Equality in Montenegro (PAPRR) for the period from 2017 to 2021 – Program for Implementation 2019-2020.

In the Ministry of Defence, there are a set of established mechanisms which are responsible for implementation of Policy of gender equality. When it comes to the highest level, there is coordinator for integration of gender equality in the Ministry of Defence as well as contact person in the Armed Forces of Montenegro. Also, there are nine certified gender trainers that are in charge for conducting trainings for Armed Forces needs especially for deployment. In addition, we had one Gender Advisor who currently covers on NCS position to SACEUR. Our strategic and planned documents regarding to gender equality, defined activities for nomination and education of new gender advisor at the strategic, operational and tactical level, and that process is ongoing.

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

- Support of top management in MoD and AF MNE;
- Gender perspective became part of all human resources management policies and processes;
- Structure of mechanisms for implementation of gender policies is established;
- Education on gender became integral part of trainings programmes in AF which affected on increasing awareness on gender and changing institutional culture;
- First post of MNE in NATO Command Structure is post of Gender Advisor to SACEUR;
- Increasing number of women in professional military personnel structure;
- Strong regional and international cooperation for sharing best practices, participation in joint projects, studies / research, joint educations, and for the strengthening of internal mechanisms, etc.

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

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

Namely, in the period of establishment of the Agency as an independent state authority (in 2006), a participation of women in the total number of officers was 33.5%, while 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", the Agency pays a special attention to the education and raising awareness of its officers (during 2019, apart from participation at round tables, seminars, and conferences, the Agency organized a series of topical lectures attended by all its officers).