

The OSCE Secretariat bears no responsibility for the content of this document and circulates it without altering its content. The distribution by OSCE Conference Services of this document is without prejudice to OSCE decisions, as set out in documents agreed by OSCE participating States.

FSC.EMI/68/24

16 April 2024

ENGLISH only



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

Address: Lothringerstrasse 16  
1030 Vienna, Austria  
tel: +43 1 715 3102

No 93-1/2024

Date: 15 April 2024

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 2024.

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***

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

**14 April 2024**

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

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

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

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

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

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

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

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

Other legislative and policy developments in this area are:

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

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

New national plans and strategies relating to terrorism include:

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

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

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

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

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

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

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

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

Rulebook on Internal Organization and Systematization of Workplaces of the Police Directorate has been amended in March 2021, in which, among other issues, the name of the former Department for Prevention of Money Laundering and Terrorist Financing was changed to the Department for Financial Intelligence Affairs. Changes in the Rulebook also refer to the Sector for combating organized crime and corruption. Namely, the Sector for combating organized crime and corruption and Criminal Police Sector

don't exist as separate organizational units any more. Now, at the Police Directorate there is one sector - Criminal Police Sector. The Special Police Department is a part of the Sector.

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

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

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

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

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

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

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

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

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

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

Montenegrin police participated in EUROPOL operational activity Referral Action Day targeting online jihadist propaganda which took place on 6th October 2020. The referral action targeted online content disseminated by members and supporters of terrorist organizations al-Qaeda, the so-called Islamic State and affiliated groups. The counter terrorism units from the participating countries, together with the EU IRU, looked into jihadist propaganda material (such as video tutorials, social media accounts inciting to violence). The content was spread in the languages of the Western Balkan countries mainly by local supporters of the targeted jihadist organizations. The action led to the assessment of 346 URLs on 27 platforms. Europol's EU Internet Referral Unit collected the contributions sent by Western Balkan countries and stored the content in its database. After cross-checking against Europol databases and performing de-confliction with participant countries, the material was referred to the online service providers.

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

directly enables greater use of this channel in the fight against terrorism, especially in investigations, and thus more proactive and effective use of Europol products and services, especially in areas of terrorism investigation.

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

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

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

**The Ministry of Defence** proposes and implements the defined defence policy; prepares the Defence Plan of Montenegro and harmonizes Defence Plans with other stakeholders plans for defence preparations; assess the military and non-military challenges, risks and threats; realizes multilateral and bilateral cooperation in the field of defence; performs the tasks regarding 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: 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) is, among other duties, responsible for the implementation of preventive measures to the persons who perpetrate criminal acts of terrorism, directed towards the Ministry of Defence and Armed Forces of Montenegro. Representatives of ISD and General Staff are members of the Operational team responsible for monitoring and implementation of the Strategy for Prevention and Suppression of Terrorism, Money Laundering and Terrorist Financing and the implementation and monitoring of the Action Plan. In addition, they are members of the Operational team for monitoring and implementation of the Strategy for countering violent extremism and monitoring and implementation of the Action Plan. Operational teams report directly to Coordination Bureau. Director of ISD is a member of the Operation Coordination Bureau.

**National Operational Team (NOT)** for monitoring and implementation of the Strategy for Prevention and Suppression of Radicalism and Violent Extremism (2020-2024) and annual Action Plans has 22 representatives. These representatives are from state bodies, state administration bodies, the Supreme

Court, the Supreme Prosecutor's Office, administration bodies, public bodies and NGO's. In NOT there are seven working groups (RAN group – Radicalization Awareness Network).

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

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

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

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

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

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

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

The ANB representatives take part in the national interdepartmental bodies which deal with passing and implementing laws, strategies, and plans with aim of providing an adequate response to security challenges, including, among other, terrorism, too. The ANB representatives are members of the National Interdepartmental Operational Team for Preventing and Suppressing Violent Extremism, Terrorism, Money Laundering, and Financing Terrorism (NOT).

The tasks of the NOT are, as it follows: monitoring, coordination of implementation, and reporting on the implementation of measures and activities defined in the Strategy for Preventing and Suppressing



Radicalization and Violent Extremism, for the period 2020-2024; monitoring, coordination of the implementation and reporting on implementation of measures and activities defined in the Strategy for Preventing and Suppressing Terrorism, Money Laundering, and Financing Terrorism, for the period 2022-2025, and the accompanying Action Plan which refers to radicalization, violent extremism, and terrorism; monitoring, coordination, and reporting on the implementation of measures and activities defined in the Joint Plan for Fighting Terrorism on the Western Balkans; participation in proposing, drafting, passing, and harmonizing strategic documents and action plans for their implementation which deal with the field of radicalization, violent extremism, terrorism, money laundering, and financing terrorism; establishing cooperation with regional and international organizations and working bodies which deal with prevention and suppressing radicalization and violent extremism and terrorism; making proposals to the Bureau for Operational Coordination of Bodies within Security and Intelligence Sector, in regard to measures and actions for improving operational coordination of the security and intelligence sector in the fields of prevention and suppression of radicalization, violent extremism, and terrorism; drafting informative and analytical materials on the NOT's work, and materials which address the field of radicalization, violent extremism, terrorism, money laundering, and financing terrorism; reporting to the Bureau for the Operational Coordination of Bodies within Security and Intelligence Sector on the NOT's activities and other tasks.

In the work of the NOT, upon its invitation, there may also participate representatives of other bodies of the governmental administration, other organizations and institutions, as well as experts from the field of prevention and suppression radicalization and violent extremism and terrorism. Also, the NOT is obliged to submit, within 30 days upon its establishment, to the Ministry of Interior its Work Plan, with clearly defined activities and deadlines for implementation, for 2024, and for each following year, not later than December 31. The NOT quarterly informs the Bureau for the Operational Coordination of Bodies within Security and Intelligence Sector on the implementation of planned measures and activities and other undertaken and planned activities, upon which the Bureau further informs the National Security Council and the Government of Montenegro.

The ANB Representatives are also members of the Permanent Coordination Body for Drafting National Risk Assessment on Money Laundering and Financing Terrorism (established in late 2022), and the Interdepartmental Working Group for Intensifying Activities and Monitoring in the Field of Preventing Money Laundering and Financing Terrorism. The ANB representative is also a member of the Working Group for Drafting Analysis on Misuse of NGOs for the Purposes of Financing Terrorism, which was established by the abovementioned Coordination Body.

The Permanent Coordination Body for Drafting National Risk Assessment on Money Laundering and Financing Terrorism prepares the National Risk Assessment on Money Laundering and Financing Terrorism and a report on defined national risks in regard to money laundering and financing terrorism. Also, it prepares a proposal on measures and Action Plan for Decreasing Identified Risks on Money Laundering and Financing Terrorism and implements analyses from the field of preventing money laundering and financing terrorism, prepares reports on conducted analyses and aligns cooperation of competent bodies and organizations. The mentioned Coordination Body performs the following tasks: produces reports on the implementation of the Action Plan for Decreasing Identified Risks on Money Laundering and Financing Terrorism, participates in drafting reports on results of the National Risk Assessment on Money Laundering and Financing Terrorism, conducts the assessment of state in the field of preventing money laundering and financing terrorism, coordinates and guides activities of participants who take part in preventing money laundering and financing terrorism, and gives suggestions for improvement of the state, further measures and activities in the field of preventing money laundering and financing terrorism.

The task of the Interdepartmental Group for Intensifying Activities and Monitoring in the Field of Preventing Money Laundering and Financing terrorism is to coordinate all activities in the field of preventing money laundering and financing terrorism and, through a proactive approach and cooperation and coordination with all bearers of the activities, to contribute to improvement of the state in the field of preventing money laundering and financing terrorism. The primary goal in the work of the group is intensification of activities in this field, direct communication and correspondence with all bearers of the activities, aimed at implementing international standards, fulfilling recommendations of the MONEYVAL, achieving optimal results, as well as fulfilling obligations from the Negotiation Chapter 24. The Ministry of Interior submits to the Government of Montenegro a quarterly report on the work of this working body.

The task of the Working Group for Drafting Analysis on Misuse of NGOs for the Purposes of Financing Terrorism was to work out an analysis on misuse of NGOs for the purposes of financing terrorism (the analysis was done) that is necessary and very important for both activities of the competent bodies in this field and because of the procedure of 5<sup>th</sup> round of the MONEYVAL evaluation of the system for preventing money laundering and financing terrorism, which was conducted during 2023.

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

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

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

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

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

Among other things, the tasks of the Operational Team are to manage, coordinate and monitor activities at the operational level of state administration bodies, state authorities, and other competent institutions for the implementation of the Strategy for the prevention and suppression of terrorism, money laundering and terrorist financing, in the implementation of obligations from the strategies and action plans.

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

**1.4 Provide any additional relevant information on national efforts to prevent and combat terrorism, e.g., those pertaining inter alia to: financing terrorism; border controls; travel document security; container and supply chain security; security of**

**radioactive sources; use of the Internet and other information networks for terrorist purposes; legal co-operation including extradition; safe havens and shelter to terrorists and terrorist organizations.**

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

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

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

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

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

Members of the Armed Forces of Montenegro during 2023 participated in international missions and activities as follows:

- NATO Mission in Iraq (NMI) - Following the decision of the Parliament of Montenegro („Official Gazette of Montenegro“, NO. 00-72/19-56/5) – one member of the Armed Forces of Montenegro was deployed in 2023;
- 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) – one member of the Armed Forces of Montenegro was deployed;
- EU Naval Force Somalia - EU NAVFOR - ATALANTA- Following the decision of the Parliament of Montenegro („Official Gazette of Montenegro“, No. 45/16) – two members of the Armed Forces of Montenegro were deployed in 2023, on six-month period rotation (by engaging at Force Headquarters). In the period February-July, one officer of the AFM was engaged on the ship of the Navy of the Armed Forces of Spain "Reina Sofia", while another officer was engaged in the period August-December, on the ship of the Navy of the Republic of Italy "ITS Durand de la Penne";
- NATO Mission “Kosovo Force (KFOR)” - Following the decision of the Parliament of Montenegro („Official Gazette of Montenegro“, No. 47/18) – one officer and one NCO were deployed in 2023;
- NATO Advisory and Liaison Team (NALT) in Kosovo – Following decision of the Government of Montenegro („Official Gazette of Montenegro“, No. 104/2022) – one civilian was deployed/engaged in November 2023;
- NATO activity Forward Land Forces (FLF) - Following the decision of the Parliament of Montenegro („Official Gazette of Montenegro“, No. 84/2022) - members of the Armed Forces of Montenegro were deployed in the battle groups in Latvia and Bulgaria in 2023.

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

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

### **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 cooperation and coordination with other relevant state authorities, the Montenegrin Verification Centre (within the Ministry of Defence) continued activities to maintain full compliance with international obligations in the field of Arms control on the national level.

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

- Vienna Document;
- Sub-regional Arms Control Agreement, Article IV, Annex 1-B, of the Dayton Peace Accords;
- The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention);
- The Convention on Certain Conventional Weapons and Protocols I,II, Amended Protocol II,III,IV and V;
- CCM (Convention on Cluster Munitions);
- HCOC (Hague Code of Conduct Against Ballistic Missile Proliferation);
- CTBT (Comprehensive Nuclear Test Ban Treaty);
- NPT (Nuclear Non-Proliferation Treaty);
- BTWC (Biological and Toxin Weapons Convention);
- Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof;
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction;
- Convention on Physical Protection of Nuclear Material;
- IAEA Safeguards Agreement, Additional Protocol and Small Quantities Protocol;
- Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management;
- The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition Firearms Protocol;
- United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (Programme of Action, or PoA);
- Arms Trade Treaty (ATT) 2013;
- International Tracing Instrument (ITI) International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons;
- South East Europe Regional Implementation Plan for Combating the Proliferation and Impact of Small Arms and Light Weapons.

Additionally, Working Group, comprised of the representatives of the state administration bodies in charge of: internal affairs/police, defence, finance/customs, foreign affairs, education and economy, has drafted the Strategy for Combating Illegal Possession, Misuse and Trafficking of Small Arms and Light

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

In addition, Montenegro is committed to fulfilling and actively participating in arms control and CSBM activities such as:

- Intensive international cooperation in the field of disarmament and destruction of surpluses of ammunition and ordnance.
- Building capacities for safe storage and warehousing of perspective weapons and equipment systems, ordnance and armaments.
- Common programmes and initiatives with state bodies in project of control and disabling of SALW,
- Additional engagement in NATO VCC and ACDC bodies in creating and harmonizing Arms Control activities in sense of training missions, common inspections and evaluation visits and visits to AB/MF.

### **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 Armed Forces as well as information on units and formations lower than stipulated in Vienna document 2011. In this regard, Montenegro provided Annual information including battalion level data, which is not stipulated in provisions of VD11.



In addition, Montenegro announced and reported information related to the main military activity in 2023, which is out of scope of VD11 but is in accordance with FSC decision 9/12.

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

#### **Agreement on Subregional Arms Control, Article IV, Annex I-B of the Dayton Peace Accord**

In accordance with the Agreement on Sub regional Arms Control, Montenegro fulfilled all activities related to annual meetings of the Standing Working Group, Sub regional Consultative Commission, as well as other activities related to conducting Sub regional Arms Control inspections. In 2023 Montenegro realized annual quotas, the Bosnia and Herzegovina inspection team conducted an inspection in Montenegro and the Montenegrin inspection team conducted two inspections, one in Bosnia and Herzegovina and one in Serbia.

2023			
Bosnia and Herzegovina	Inspection visit - conducted		DPA
		Montenegro	


Montenegro	Evaluation Visit - conducted		DPA
		Serbia	
		Bosnia and Herzegovina	

### Vienna Document 2011

Montenegro received and conducted following:

- According to Vienna Document 2011 (VD11), on 15 XII 2023 the Annual Exchange of Military Information - AEMI for 2024 was exchanged with all OSCE member States;
- One active inspection of the Specific Area in Cyprus, was organized in April 2023, with the guest inspector from Luxembourg.

Also, in the mentioned period, the Ministry of Defence of Montenegro continued their activities as part of NATO - ACDC and at the same time VCC in order to coordinate and implement activities with NATO partner countries regarding arms control. The final meeting was held in November in Brussels, where the activities for 2024 were coordinated.

2023			
Montenegro	Evaluation Visit - conducted		VD
		Cyprus	

In order to prevent the illegal trade, Working Group, comprised of the representatives of the state administration bodies in charge of: internal affairs/police, defence, finance/customs, foreign affairs, education and economy, has drafted the Strategy for Combating Illegal Possession, Misuse and Trafficking of Small Arms and Light Weapons (SALW), from 2019 to 2025 and the Action Plan for its implementation. Specifically, this strategic document covers weapons designed for the military and police use – service weapons, as well as weapons for civilian use. The Strategy contains an analysis of the current situation, basic and general operational goals that will lead to measurable improvements in this area.

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

The overall objective of the Strategy is to build a comprehensive and effective system for the control of small arms and light weapons and ammunition, through the establishment of a legislative framework

on arms control, the reduction of illegal flows, the proliferation and misuse of firearms, ammunition and explosives.

Through the operational objectives of the Action Plan, the Ministry of Defence of Montenegro created procedures for monitoring the status of ammunition (chemical stability of gunpowder and rocket fuels), through regular basic maintenance, examination and technical inspections, tests, and surveillance of the chemical stability of propellants.

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

In this regard, in 2023, the procedure for concluding a Technical Agreement between the Ministry of Defence of the Republic of Slovenia and the Ministry of Defence of Montenegro regarding the testing of gunpowder stability in the laboratory was initiated.

In this way the Ministry of Defence of Montenegro will have reliable results about the presence of stabilizers in the gunpowder used in the ammunition of the Armed Forces of Montenegro, which will greatly contribute to the safe storage of ordnance.

During 2023, the Ministry of Defence of Montenegro, worked intensively on implementing the project "Mitigation of security risks related to SALW and SCA in Montenegro", which is implemented through assistance of OSCE Mission to MNE, which started in November 2020. The goal of this project is to strengthen the existing established capacities in the Ministry of Defence of Montenegro and reduce the risk of unplanned explosion in places where ammunition is kept or stored, as well as reducing the likelihood of illegal trade and uncontrolled spread SALW and SCA. The Ministry of Defence of Montenegro continued its efforts to propose and prepare new project related to weapons and ordnance, as well as ~~and~~ their safe storage, which will refer to the reconstruction of the outer part of the Brezovik warehouse (where weapons are stored), as well as the reconstruction part of the Židovići warehouse near Pljevlja.

During 2023, the total amount of ammunition in the warehouse of the Armed Forces of Montenegro was reduced by 174.25 tons, as well as 59 pieces of weapons and other combat equipment. The destruction has been carried out in coordination of the Ministry of Defence of Montenegro with Republic of Slovenia through the ITF since 2018.

The Republic of Austria, as one of the most important partners of Montenegro in the domain of safe and secure stockpile management of conventional ammunition, launched an initiative for financing the project between Montenegro and the European Union within the subject area („Safe and secure stockpile management of conventional ammunition”), in September 2023.

Therefore, according to the needs and priorities of the Ministry of Defence of Montenegro, the Republic of Austria, in consultation with MNE MoD, prepared a project proposal (Non paper) which Austrian side officially forwarded to EEAS and EU member states in February 2022.

In that regard, Montenegro sent an official request to EU HR Josep Borell in February 2024, in which we requested support so as to improve our capacities for safe and secure stockpile management of conventional ammunition, through appropriate EU mechanism.

Through the implementation of a large number of activities within the Road Map, which is compatible with the Strategy for Combating Illegal Possession, Misuse and Trafficking of Small Arms and Light

Weapons, we have made certain progress in achieving of Operational Objective 1 Goal 1 mandates ensuring that arms control legislation is established and fully aligned with the EU regulatory framework and other relevant international obligations, standardized across the region by 2023.

Key activities include:

Ongoing work on the legislative framework for the control of small arms and light weapons/firearms, including the Firearms Act, the Dual-Use Goods Export Control Act, the Foreign Trade in Arms and Military Equipment Act, and the Criminal Code.

Harmonization of legislation with the EU legal framework, particularly for the Firearms Act and the Dual-Use Goods Export Control Act and Foreign Trade in Arms and Military Equipment Act.

Proposal for amendments to the Firearms Act to fully align with EU Directive 2021/555, including the definition of firearms and procedures for permanent firearm deactivation.

Participation in a regional workshop on harmonizing legislation related to arms control.

Work on drafting regulations for the production and marking of firearms and ammunition, as well as changes to the process of issuing firearm permits and medical examinations.

Based on the ratified Arms Trade Treaty and Firearms Protocol, criminal legislation has been aligned with these obligations, including the criminalization of unauthorized production and trafficking of weapons and the falsification of markings.

Introduction of new criminal offenses related to unauthorized production, trafficking, and falsification of weapons into the Criminal Code. The Parliament of Montenegro adopted Amendments to the Criminal Code of Montenegro in December 2023.

After the basic article 403 of the Criminal Code of Montenegro, three new criminal offenses have been added:

- Article 403a: Unauthorized production of weapons and explosive materials
- Article 403b: Unauthorized trade in weapons and explosive materials
- Article 403c: Falsification and removal of markings from weapons and explosive materials

There has been identified a need for the drafting of the Law on Precursors of Explosive Materials. In this regard, the Ministry of the Interior has formed a Working Group for drafting the Proposal of the Law on Precursors of Explosive Materials. The Ministry of the Interior - Directorate for Protection and Rescue is the leader, and representatives from other government institutions are involved: the Ministry of Economic Development, the Ministry of Health, the Environmental Protection Agency, and the Police Administration. Support for drafting the text of the Law on Precursors of Explosive Materials has been requested and received from UNDP/SEESAC.

These activities demonstrate progress in the regulation of weapons and explosives in Montenegro, including alignment with international standards and strengthening controls to combat illegal arms trade.

Operational Objective 2 – Goal 2 mandates ensuring that arms control policies and practices in the Western Balkans are based on facts and criminal-intelligence data by 2024. The most significant activities of the Small Arms and Light Weapons (SALW) Commission, regarding the SALW Strategy and Roadmap, were:



**Policy Creation and Coordination:** The Small Arms and Light Weapons Commission actively develops policy in this area, gathers data, and coordinates activities for the implementation of measures.

**Data Collection Enhancement:** Collection of data from the criminal justice system has been improved, ensuring the tracking of each found or confiscated weapon, ammunition, and explosive.

**Implementation of Strategies:** Strategies for controlling small arms and light weapons, along with the accompanying Action Plan for the period 2019-2025 and Roadmaps for Western Balkan countries.

**Gender Equality:** Intensive efforts are being made to improve gender equality in the defense sector through training, development of instructional materials, and integration of a gender perspective into military training.

**Regional Cooperation:** Active participation in regional initiatives and meetings addressing arms export control, reduction of illegal weapon possession, and similar issues.

**Support for International Initiatives:** Participation in projects supporting UNODC and SEESAC in combating illegal arms trade and providing support for the implementation of European initiatives such as EMPACT.

**Strengthening Forensic Capacities:** Activities are underway to enhance the capacities of forensic laboratories and crime scene investigation units, including equipment procurement and staff training. Accreditation procedures for the ballistic laboratory have been completed. Through donation, the EVOFINDER ballistic database system has been acquired, installations are finalized, and training has been conducted. With the support of the OSCE mission, expert assistance from ballistic experts from the Forensic Center in Skopje was obtained, accrediting the ballistic laboratory to validate methods in our ballistic laboratory. The project "Enhancement of the Police Administration's capacities in the field of the accountability chain, crime scene investigations, and forensic laboratories, in the operational and investigative fields, in detecting and prosecuting illegal trade in explosives" is being implemented. The project's conclusion and equipment donation are scheduled for the first quarter of 2024. As part of the implementation of the project "Supporting the improvement of combating illegal possession, misuse, and trafficking of Small Arms and Light Weapons (SALW) in the Western Balkans", SEESAC committed to strengthening the capacities of investigative bodies at crime scenes, following the practices and guidelines of the European Union, especially the best practices of the European Network of Forensic Science Institutes (ENFSI). The goal of harmonization with ENFSI best practices is the preparation of crime scene investigation units for accreditation according to ISO 17020.

The Police Administration participated in coordinated joint activities within the EMPACT Joint Action Days for Southeast European countries in 2023 (SEEJAD 2023), conducted from November 13 to 18, 2023, involving law enforcement agencies across Europe. In Montenegro, during the action, 200 members of the organizational units of the Ministry of Internal Affairs - Police Administration (Sector for Combating Crime, Border Police Sector, regional security centers "Center", "West", "North", and "South") were engaged, with the support of officials from the Customs and Revenue Administration. Eight K9 teams were deployed at border crossings, and two scanning devices were used. In our country, 4,472 individuals and 4,269 vehicles were checked, 247 facilities were inspected and searched, and 115 postal items were examined. During this period, nearly 19 kilograms of narcotics were seized, including 18 kilograms of cocaine. Additionally, a rifle, 94 pieces of ammunition, €6,500, and three vehicles were confiscated. Furthermore, entry was denied to nine individuals, and checks revealed that 32 individuals exceeded the allowed stay in Montenegro. Detailed inspections were carried out on 152 vehicles and

201 individuals during border control. A total of 45 individuals were detained in Montenegro during all conducted activities.

These activities are crucial for effective control, preventing illegal trade, and misuse of weapons at the regional level

Implementation of the operational objective 3 – Goal 3 mandates a significant reduction in illicit flows of firearms, ammunition, and explosives in the Western Balkans, both within and beyond it, by 2024. The most significant activities within this goal include:

Development and adoption of Standard Operating Procedures (SOP) for the Border Police, providing additional support for the publication of SOP for risk analysis, and initiating equipment procurement processes necessary for border police services to enhance operations combating illicit arms trade.

Training of border police officers on firearms detection in collaboration with SEESAC and FRONTEX, supported by the European Union.

Participation in regional meetings and workshops, such as the Regional Meeting of the Southeast European Firearms Expert Network (SEEFEN), Regional Meeting of Border Police and Customs Representatives, and various workshops organized by the UNODC Global Firearms Programme (GFP).

Alignment of Montenegro's Criminal Code with the UN Firearms Protocol, including the addition of new criminal offenses and amendments to existing ones, adopted by the Parliament in December 2023.

Participation in UNODC projects, such as the HERMES project on trafficking of firearms and related crimes in express and postal shipments, as well as the Justitia project: criminal justice response to illegal firearms trafficking.

Reporting data for the Global Study on Firearms Trafficking and active participation in regional meetings and workshops to support the exchange of firearms trafficking data.

The need for continuing the project - Training of judicial and prosecutorial authorities on aligning criminal legislation with the UN protocol and harmonizing judicial practice has been identified; Montenegro has provided strategic support for the implementation of the second phase of the regional project Criminal Justice Response to Illegal Firearms Trafficking - the Justitia project concept. Additionally, the need for controlling firearms in postal shipments has been identified.

It is planned that during the next period, the Justitia project will develop Guidelines for the work of prosecutorial authorities in conducting investigations related to firearms and a Collection of judicial practices for judicial bodies.

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. Goal 4 mandates a significant reduction in the supply, demand, and misuse of firearms through increased awareness of the dangers of firearms, education, promotion of arms control, and improved information by 2024. The most significant activities include:

- Awareness-raising program on small arms and light weapons and ammunition:

- The OSCE Mission to Montenegro implements an awareness-raising program in collaboration with the Ministry of Internal Affairs and the general public. This program includes informing the public about the

threats posed by firearms and ammunition, as well as a media campaign for the collection and legalization of illegally possessed firearms, ammunition, and explosives.

- Meeting of the Regional Awareness-Raising Working Group:

- Representatives of Montenegro participated in a meeting in Tirana organized by SEESAC. During the meeting, the results of the analysis of media reporting on firearms abuse were discussed, as well as crisis communication training.

- Training for journalists and representatives of ministries of internal affairs:

- SEESAC organized training focused on the ethics of reporting on gender-based violence, especially in cases involving firearms abuse. The training provided an opportunity for a better understanding of the phenomenon of gender-based violence and improving communication between the media and state institutions.

Operational Target 5 – activities in reducing the number of firearms in illegal possession. Goal 5 mandates a significant reduction in the estimated number of firearms in illegal possession in the Western Balkans by 2024.

Voluntarily returned firearms:

- 919 pieces of firearms
- 369 pieces of firearm parts
- 25,296 rounds of ammunition of various calibers
- 143 pieces of explosive devices
- 65 kg of explosives and 1 kg of gunpowder

Operational target 6-reduce the number of surplus and destroy the seized small and light weapons and ammunition. Goal 6 mandates the systematic reduction of surplus firearms and the destruction of seized small arms and light weapons (SALW) and ammunition. The most significant activities include:

Ministry of Defense: By addressing surplus lethal weapons (UbS), the quantity of UbS was reduced by 174.2517 tons in 2023 (143.193 tons were issued to buyers upon request, and 31.0587 tons were taken over by the company "Poliex" a.d. Berane for destruction under the ITF program) - 59 pieces of weapons and other combat equipment.

Destruction of UbS through the ITF organization (Memorandum of Understanding on Mine Action, Conventional Weapons Destruction, and Physical Security and Stockpile Management) with the Republic of Slovenia since 2018 - through this program, 125.54 tons of UbS assets have been destroyed so far. The Ministry of Defense submitted an official request to the ITF in December 2022 to address an additional 64.73 tons of surplus UbS. Representatives of the ITF informed us in May 2023 that the donor had provided funds for the proposed 64.73 tons, which necessitated the tendering process for selecting the most favorable bidder. Accordingly, on September 5, 2023, the company "Poliex" a.d. Berane was selected, with which the ITF organization concluded a contract in November 2023. The company "Poliex" a.d. Berane (on December 15 and 18, 2023) took over 31.0587 tons of lethal weapons from the facilities of the Montenegrin Army, which will be subject to neutralization in their facilities. The dynamic plan foresees that the neutralization process will be completed by the end of March 2024.

Ministry of Internal Affairs, in accordance with the Law on Protection and Rescue, implements protection from unexploded ordnance (UXO). In the second half of 2023, 7 tons of unexploded ordnance were found. The mentioned items will be destroyed during 2024, using funds provided by the ITF. During the reporting period, 6.5 tons of UXO collected during the first half of 2023 were destroyed. ITF

During the second half of 2023, a functional FFP (Firearms Focal Point) was established with the development of an application that tracks incidents related to firearms. In 2023, a total of 724 pieces of firearms were seized, of which:

Out of the total number mentioned, there were a total of 189 pieces of firearms in illegal possession:

- Firearms: 599 pieces
- Gas pistols: 96 pieces
- Air guns: 28 pieces
- Signal guns: 1 piece

Automatic rifle	22
Automatic pistol	1
Pistol	63
Semi-automatic rifle	5
Rifle	71
Carabine rifle	4
Shotgun	13
Revolver	9
Hand-held rocket launcher (RPG)	1

We would like to remind, that on June 7, 2023, 798 pieces of weapons were destroyed at the Institute for Ferrous Metallurgy AD in Nikšić, in cooperation with the Center for the Control of Small Arms and Light Weapons in Southeast and Eastern Europe.

Goal 7 mandates that the risk of proliferation and diversion of firearms, ammunition and explosives into illicit flows be significantly reduced Goal 7 mandates a significant reduction in the risk of spreading and redirecting firearms, ammunition, and explosives into illicit channels. The following are the most significant activities:

1. Control and supervision at legal entities and entrepreneurs engaged in hunting, sports shooting, service provision, physical protection of persons and property, production, trade, repair, and modification, transportation of firearms and ammunition, are not carried out continuously. Conditions for production are prescribed, but the disabling of weapons is not fully regulated; there is a minimal

number of regulations and a level of control and supervision regarding the production and trade of explosives for civilian use.

2. There were no firearms or ammunition reported lost from state institutions or private entities. Upon review of the electronic database of duty service systems, no incidents were recorded where a citizen reported the disappearance of weapons.

3. Several firearms were stolen from the depot of the Higher Court in Podgorica in September 2023. The prosecution stated that due to the ongoing investigation, details regarding the type and quantity of weapons will not be disclosed.

4. In March, the 3rd edition of STANAGs (the new NATO AASTP-1 standard adopted during 2022) related to the storage of ammunition and explosives was adopted, allowing for the completion of the Manual we have been working on for the past few years.

In this regard, the final OSCE workshop for the development of a document on the storage of lethal weapons for the Ministry of the Interior and the Ministry of Defense was held on May 31, 2023, with the engagement of an expert.

The document should encompass:

- The existing organizational structure for managing ammunition in Montenegro
- An overview of applicable national regulations
- Review of international standards and recommendations
- Nomenclature and codification of lethal weapons
- Classification of lethal weapons into hazard groups and compatible storage groups
- Classification of storage facilities.

The Ministry of Defense has approached the OSCE Mission to Montenegro for further support in drafting the mentioned Manual, which would be simplified and applicable to various levels of responsible personnel for implementing activities specified for the safe management of conventional ammunition stocks.

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

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

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

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

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

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

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

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

- Ensures implementation of Armed Forces command decisions;

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

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

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

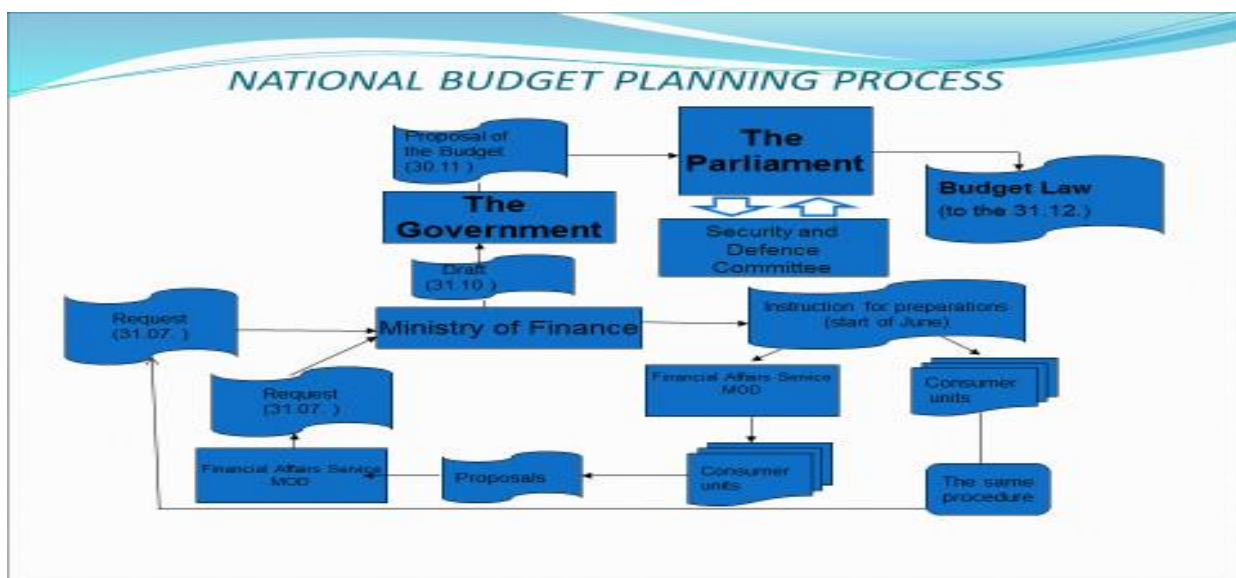
- Participation in the planning, organization and realization of material and financial operations in the Armed Forces;
- Participation in the planning and implementation of the military's cooperation with the Armed Forces of other countries and international organizations;
- Planning, organization and provision of logistical support of the Armed Forces;
- Health care and military sanitation;
- Suggesting a plan for equipping and modernizing the Armed Forces;
- Maintaining weapons, military equipment and other movable and immovable items used by the Armed Forces;
- Planning and management of information and communication systems in the Armed Forces;
- Participation in the planning and implementation of classified information security measures in the Armed Forces;
- Other tasks in accordance with the law.

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

**The National Defence Budgeting Process** begins with consuming units submitting their budget planning proposals. Proposals are made in accordance with the needs of the consuming units and with the strategic documents Long-term Development Plan and the Defence Investment Plan of Montenegro, which defines investments in defence. Unified proposals are delivered to the Ministry of Finance for approval.

The Ministry of Defence is obliged to submit the request for allocation of funds by 1<sup>st</sup> September to the Ministry of Finance which also supervises the appropriations.

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





## **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 continued to contribute to global peace and security by participating in international missions and operations. In June 2023, Montenegro deployed one member of AFM to NATO mission in Iraq (NMI). This was third rotation to NMI, with engagement period of six months. Also, during 2023 one officer and one NCO were deployed to NATO led mission 'Kosovo Force (KFOR)'. In November 2023, one civilian was engaged in the NATO Advisory and Liaison Team (NALT).

Having in mind the efforts that Alliance is undertaking in terms of strengthening deterrence and defence posture, and collective defence in general, our active contribution to Forward Land Forces (FLF) at the NATO eastern flank has been continued. During 2023, in June Montenegro deployed 11 troops as a part of eFP BG Latvia, under the command of Canada. After that, the 11th rotation was deployed in December 2023. Based on the Alliance's decision to increase its presence to the eastern flank by establishing four additional battle groups, in January 2023, Montenegro began its engagement within the battle group in Bulgaria. In July, the second contingent, consisting of 36 personnel, was deployed in Bulgaria, which tour was lasting till February 2024.

Montenegro continued its support to the Alliance's efforts in projecting stability beyond NATO borders, in order to uphold security and defence related reforms in partner countries. In that context, in 2023, the Ministry of Defence allocated financial contributions to certain NATO Trust Funds.

Montenegro remains strongly committed to contributing to EU Common Security and Defence Policy (CSDP). Therefore, the Armed Forces of Montenegro participated in operation EU NAVFOR ATALANTA during 2023, with two officers engaged on six-month period rotation. In the period February-July, one officer of the Armed forces of Montenegro was engaged on the ship of the Navy of the Armed Forces of Spain "Reina Sofia", while another officer was engaged in the period August-December, on the ship of the Navy of the Republic of Italy "ITS Durand de la Penne".

Bearing in mind that AF of Montenegro is considering modalities to extend its contribution to CSDP, we expressed our intention to contribute to EU Military Assistance Mission in support of Ukraine (EUMAM Ukraine) by deploying our instructors, in cooperation with the Armed Forces of the Republic of Slovenia. We sent an official letter to MPCC in September 2023, and we received a positive feedback from the EU HR Borell in February 2024 (national procedures for obtaining a Parliament' Decision on participation in EUMAM are ongoing. The final decision on our participation is to be made by the EU Political and Security Committee (PSC)).

During 2023, Ministry of Defence of Montenegro has cooperated with 32 countries. In addition, Ministry of Defence has signed 11 Plans of bilateral cooperation. The Ministry of Defence of Montenegro actively participates in regional initiatives such as the US-Adriatic Charter (A5), the South-East European Defence Ministers Initiative (SEDM), the Centre for Security Cooperation (RACVIAC), the Balkan Medical Task Force (BMTF), the Defence Initiative Cooperation (DECI), the Adriatic-Ionian Initiative (ADRION), the Balkan Countries CHODs Forum (B9), and the Central European Defence Cooperation Initiative (CEDC +), Graz/KREMS format.

## 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 Defence and Security Council (article 95, paragraph 1, point 2);
- The Defence and Security Council makes decisions on commanding the Armed Forces, appoints and dismisses officers and proposes deployment of members of the Armed Forces (article 130).

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

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

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

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

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

According to the *Law on Parliamentary Oversight of Defence and Security Sector*, the Parliament of Montenegro ensures democratic political control of military, internal security forces, intelligence services and the police. This Law regulates the parliamentary control over the work of bodies and

institutions in the field of security and defence, the manner of parliamentary oversight duties of the institutions that are subject to parliamentary oversight.

Parliament of Montenegro adopts and makes:

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

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

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

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

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

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

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

The internal control of the Police is conducted by a special organizational unit of the Ministry of Internal Affairs.

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

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

Considering that with implementation of means and methods of secret collection of data some constitutionally guaranteed human rights and freedoms are being temporarily limited, a significant segment of control over ANB work represents the control conducted by the judicial authority through clearly defined and binding procedures, approvals for implementation/continuation of implementation of the mentioned methods issued by the Supreme Court President or the judge who is replacing him/her, or by the Supreme Court Council of Judges, for each individual case.

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

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

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

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

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

### **Defence and Security Council:**

- Makes decision on command of the Armed Forces of Montenegro;
- Appoints, promotes and dismisses officers;
- Approves the Plan of usage of the Armed Forces;
- Adopts decisions on the use of the units of the Armed Forces in carrying out tasks related to the support in case of natural and man-made disasters and other disasters, and tasks related to the contribution to internal security in peacetime within the Armed Forces assigned mission to support other institutions;
- Suggests the Parliament to make a request to the North Atlantic Treaty Organization for activation of Article 5 of the North Atlantic Treaty;
- Determines preparedness measures for the Armed Forces;
- Assigns and dismisses officers as military diplomatic representatives;
- Proposes to the Parliament of Montenegro the usage of the units or members of the Armed Forces in the international forces;
- Determines the participation of the Armed Forces units on the level of platoon or higher level to exercises or training aboard.

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

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

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

Montenegro does not have Private Military and Security Companies (PMSC) 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 to peace building and peacekeeping in the region and world.

Defence Strategy of Montenegro defines missions of Armed Forces which are: defence of Montenegro and NATO member states, contribution to international peace and security, support to other institutions.

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

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

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

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

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

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

The procedures for recruitment and call-up of personnel for the needs of the Armed Forces include analysis and needs assessment, planning, attracting, selecting and recruitment of an adequate number and staff profile. 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 determine these needs.

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.

Process of recruitment of officer staff is carrying out through the following:

- Military recruitment, after completion of the military academy;
- Military recruitment from among the citizens with completed higher education;
- Scholarships at the 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 of personnel is dominantly performed from among the category of contract soldiers, and exceptionally by recruitment of personnel from the public, through public advertising.

The recruitment of soldiers is carried out through selection of personnel for recruitment to the Armed Forces under the contract, through public advertising and from the ranks of personnel 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 operating with the permanent and reserve armed forces. In accordance with the needs

for operating 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 affected based on a public advertisement published by the Ministry. There are two trainings for up to 100 personnel annually.

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

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

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

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

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

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

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

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

The contract reserve will count up to 100 personnel and will be used for operating specialist formation positions in the units of the Armed Forces. He/she will be engaged, in accordance with the contract and expressed needs, with the permanent composition of the Armed Forces during training, exercises, participation in international forces, provision of assistance and protection to population from the consequences of natural and other disasters, as well as to perform other tasks in defence matters that require the engagement of additional forces.

The contract reserve will comprise personnel with adequate specialist knowledge and skills that are deficient, and not profitable to employ or be educated in larger numbers for the performance of regular tasks. Manning with specialized staff will be done based on public advertising that will be announced by the Ministry of Defence.

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

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

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

**The Ministry of Internal Affairs** and the **Police Directorate**, on the basis on the Law on internal affairs, cooperate with the competent authorities of other countries and international organizations and institutions, in accordance with confirmed and concluded international agreements. The Police Directorate at the operational level cooperates with police services of other countries and international police organizations, in accordance with concluded international agreements and the principle of reciprocity. Within this cooperation, the Police Directorate may, in accordance with the law, exchange information and information, undertake jointly established measures against terrorism, organized crime, illegal migration and other forms of international crime and damage to the security of the state border, as well as to carry out certain police activities in other countries, in cooperation with the police of those countries. At the request of international organizations or on the basis of international treaties of which Montenegro is a member or signatory, the Police may participate in the execution of police or other peacetime tasks. On the use of the Police to carry out these tasks decides the Government of Montenegro, at the proposal of the Minister of Internal Affairs, a police officer may be assigned to work abroad as a police liaison officer and police attaché (hereinafter: police representatives), and they can be appointed by the Government of Montenegro, on the proposal of the minister of interior.

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

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



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

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

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

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

Voluntary military service is one of the training models for the service in the Armed Forces in order to create a base for operating with the permanent and reserve armed forces. In accordance with the needs for operating 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 based on a public advertisement published by the Ministry. There are two trainings for up to 100 personnel annually.

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

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

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

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

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

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

Personnel in the Armed Forces of Montenegro have the right to form *Trade Unions* in accordance with the Law on the Armed Forces. The Trade union activities cannot be related to: composition, organization and formation of the Armed Forces training, combat readiness of the Armed Forces recruitment of the Armed Forces readiness and mobilization, use of Armed Forces of Montenegro units in international forces, command and management of the Armed Forces of Montenegro and the Defence system, as well

as the decisions of the Defence and security Council, except in the parts relating to the position and rights of employees in the field of labour and labour relations.

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

Against these decisions, members of Armed Forces can appeal to the state ombudsman or regular courts.

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

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

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

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

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

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

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

The Law on the Armed forces of Montenegro regulates the rights and procedures for the protection of the rights of members of the Armed Forces of Montenegro. Against the acts of the Minister, an appeal could be filled to the Complaints Commission in accordance with the law governing the rights and obligations of civil servants and state employees. A dispute before a competent court could be initiated

against the decision of the Appeals Commission. In addition, a person serving in the Armed Forces of Montenegro, in order to protect his/her rights, can contact the inspector for defence.

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

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

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

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

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

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

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

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

Based on the Law on internal affairs police officers have the right to organize trade union, professional and other organization and activity in the manner prescribed by law. In that spirit, we have the Union of Police Directorate of Montenegro. The Union of Police Directorate of Montenegro is an independent, voluntary and non-partisan organization of police officers employed by the Police Directorate that deals with socio-economic issues and improving the economics of the members of the Union. It also deals with the supply of food products on favourable terms, the provision of holidays for family members, with repayments in several monthly instalments, the provision of free stay in spas, both at sea and on the mountain, to protect occupational disability. The Union of the Police Directorate points out, as a novelty, in relation to the work of other unions, the provision of activities to solve housing problems for employees of the Police Directorate, on favourable terms. In addition to these priority activities, the Police Directorate is engaged in providing legal assistance and representation before the Council of the Disciplinary Commission of the Police Directorate. The Union of Police Directorate is a Legal Entity with its own Statute, and the official registration of the Union was in 2006 when this union started to operate independently. The Union represents membership, negotiates on behalf of membership, protects members by providing legal aid and judicial protection, provides necessary financial assistance, and organizes and conducts strikes and other union actions (talks, negotiations, writing press releases, appearing in the media, giving warnings, etc.), which are not prohibited by the Constitution and laws of Montenegro. In order to protect and exercise the rights of its members, the Union may cooperate with other trade unions, both domestically and abroad, and also cooperate with other similar organizations and associations in the country and abroad, and all other organizations.

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

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

Armed Forces of Montenegro 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 provide us to enjoy the inalienable rights and freedoms.

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

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

In accordance with this constitutional norm, programs of educations and training of members of Armed Forces include basics of International Humanitarian Law and Law on Armed Conflicts.

Law on Montenegro Armed Forces stipulates that service in Armed Forces of Montenegro is being conducted in accordance with domestic laws and international law. If a member of the Armed Forces is convicted for the crimes against humanity, he/she will be dishonourably discharge from military service.

Duty of all members of armed forces is to know basics of International Humanitarian Law and Law on armed conflicts, which is being inspected in process of evaluations of defence readiness.

Armed Forces of Montenegro, for the members to be deployed in international forces abroad has specific topics relating to international humanitarian law and the international law of armed conflict.

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

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

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

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

Montenegro ensures that the Armed Forces are not used to limit the peaceful and lawful exercise of human and civil rights by individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity, by executing the Constitution and above-mentioned laws, as well as through constant trainings related to this topic. In addition, a significant number of members of the Armed forces of Montenegro participated in international missions abroad, where they had an opportunity to practice their duties in this area and to share experiences with the members of other Armed Forces. All the lessons learned from the international missions become part of the training programs for the Armed Forces of Montenegro.

As it was mentioned before in the document, the purpose of the Police is to do the exact opposite of what is asked in this question, so the Police Directorate is one of the main state bodies to ensure the safety of the citizens. In the Law on Internal Affairs is prescribed that the police work is carried out with the aim of ensuring equal protection of security, rights and freedoms, applying the law and ensuring the rule of law, and the conduct of Police activities is based on the principles of legality, professionalism, cooperation, proportionality in the exercise of powers, efficiency, impartiality, non-discrimination and timeliness. The Law also says that police officers act in accordance with the Constitution, confirmed international treaties, law and other regulations. Police officers abide by the standards of police conducting, and in particular those arising from obligations laid down in international instruments, relating to the duty to serve people, respect for lawfulness and combating illegality, the exercise of human rights, non-discrimination in the performance of police tasks, limited and restrained use of coercive means, the prohibition of torture and the use of inhuman and degrading treatment, assistance to victims, the obligation to protect classified and personal information, the obligation to refuse unlawful orders and counter any form of corruption. It is important to note that police officers are required to comply with the Code of Police Ethics, which is a set of principles on the ethical conduct of police officers based on international standards.

Any person has the right to file a complaint against the work of a police officer when he / she considers that a police officer in the course of police activities violated his / her right or caused damage to him /

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

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

The members of the AFM are being introduced with their constitutional rights during continuous education and training. The Constitution of Montenegro stipulates that a professional member of the Armed Forces of Montenegro, the Police and other security services cannot be a member of a political organization, and that political gathering is banned in state institutions.

The Law on the Armed Forces of Montenegro stipulates that personnel 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 in the 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 personnel 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 Armed Forces.

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

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

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

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

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

## SECTION III: PUBLIC ACCESS AND CONTACT INFORMATION

### 1. PUBLIC ACCESS

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

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

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

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

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

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

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

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

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

There are also numerous trainings and exercises of the AF MNE that Montenegrin public was informed about daily, through announcements and posts on social networks. In the focus of the public in 2023 was international military exercise Immediate Response 23, which took place in Montenegro, as a part of Defender Europe 23, with the participation of about 500 service members of the MNE and US AF and staff officers from Croatian AF. Also, in 2023 international military exercise Common Challenge 23 held in Montenegro. Common Challenge 23 included participation about 250 service members from Montenegro, Austria, Italy, North Macedonia, United States and NATO Center of Excellence for Mountain Warfare.

In the occasion of celebration, the Day of the Armed Forces of Montenegro - October 7th, MoD organized humanitarian concert of military orchestras of Montenegro and Slovenia "Armed Forces of Montenegro for our children" in Montenegrin National Theatre. Collected funds were donated to the Institute for Children`s Diseases of Clinical Center of Montenegro. The central celebration of the Armed Forces of Montenegro Day was organized at the military barrack in Danilovgrad with the presence of dignitaries and media.

During 2023 on social media of the Ministry of Defence was implemented campaign Be Cadet in order to inform youth about the possibilities of education on foreign military academies. During campaign on social media was presented how to become and what means to be Cadet of AF MNE, and what are the opportunities after graduating and becoming the officer of AF MNE.

At the same time, representatives of MoD and AF MNE visits high schools in Montenegro and talk with students about military and possibilities of education on foreign military academies.

MoD organized and successfully realized Summer Military Camp for the seventh time, as unique opportunity for youth to experience military life in two weeks. The public was informed about activities in camp through photos and posts on MoD`s Social media pages.

Also, in 2023 citizens has been able to socialize with the Army and get known with the most modern equipment and weapons of the MNE AF during the presentations which are organized at central squares in eight Montenegrin cities.

The MoD pays special attention to the promotion of public ads and announcements regarding the employment in the service of the Armed Forces of Montenegro. The Ministry of Defence and the Armed Forces of Montenegro continuously promote gender equality and women in the Armed Forces, so their successes are often presented in public and media.

## **2. CONTACT INFORMATION**

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

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



## Agreements and arrangements related to preventing and combating terrorism

### Montenegro is a party to the following conventions:

- European Convention on Counter Terrorism;
- European Council Convention on Prevention Terrorism;
- European Council Convention on Laundering, Searching, Confiscating Objects Gaining by Criminal Activities and on Funding Terrorism.
- In 2013, a Memorandum between the Ministry of Internal Affairs of Montenegro and the Ministry of Internal Affairs of Ukraine on the cooperation in the area of combating crime was signed in Kiev on 13 June 2013 and entered into force on the day of signature. The Memorandum is concluded for an indefinite period. It also provides for cooperation in the fight against terrorism.
- In 2012, the Ministry of the Internal Affairs has signed a few bilateral (international) agreements, some of which are related to fight against terrorism:
- 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.
- 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.
- Agreement between the Ministry of the Internal Affairs of Montenegro and the Ministry of the Internal Affairs of the Slovak Republic on Police Cooperation, signed in Podgorica on 5 June 2012, entered into force after 30 days from the signing date. In accordance with the Article 2 Paragraph 1 Line 2, the cooperation between the Parties is also extended to the fight against terrorism and terrorism financing.
- Montenegro has signed the Police Cooperation Convention for Southeast Europe (Official gazette of Montenegro – International Agreements, Number 01/08), in Vienna, on 5 May 2008. Along with Montenegro, the Convention has also been signed by: Albania, Bosnia and Herzegovina, Moldova, Republic of Macedonia, Romania and Serbia. After ratification by all seven signatory States, the Convention entered into force on 10 October 2007. In addition, Bulgaria acceded to it on 25 September 2008. Austria (on 24 May 2011), Hungary (on 6 July 2012) and Slovenia (on 14 December 2012) have also deposited their accession acts to the Convention. The Convention is also aimed at strengthening cooperation with respect to prevention, detection and police investigation of criminal offences.
- Montenegro's police officers have also successfully participated in peacekeeping missions in Afghanistan. Furthermore, the Ministry of the Internal Affairs and the Ministry of Defence of Montenegro have signed on 19 November 2012 the Agreement on cooperation on preparation and engagement of advisory police teams within peacekeeping mission „International Security Assistance Force“ in Afghanistan.
- In addition, as of 2009, Montenegro's police officers have also participated in UN Peacekeeping Missions in Cyprus (UNFICYP).

- As for the international-legal instruments in the field of preventing and combating terrorism and cooperation in the fight against crime, Montenegro has deposited its instrument of succession to the following conventions:

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

1. In line with the resolution of the UN on foreign fighters (2178) the amendments to the Penal Code of Montenegro has been adopted;
2. United Nations Convention against Transnational Organized Crime (and the Protocols thereto (Official Gazette of the Federal Republic of Yugoslavia 6/2001) by means of succession, entered into force on June 03, 2006;
3. UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna Convention), (Official Gazette of the Socialist Federal Republic of Yugoslavia - International Treaties 14/90) by means of succession, entered into force on June 03, 2006;
4. Convention on Offences and Certain Other Acts Committed on Board Aircraft (Official Gazette of the Socialist Federal Republic of Yugoslavia - International Treaties 47/70) by means of succession, entered into force on June 03, 2006;
5. International Convention for the Suppression of the Financing of Terrorism (Official Gazette of the Federal Republic of Yugoslavia 07/02) by means of succession, entered into force on June 03, 2006;
6. Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (Official Gazette of Serbia and Montenegro - International Treaties 11/05) by means of succession, entered into force on June 03, 2006;
7. International Convention for the Suppression of Terrorist Bombings (Official Gazette of the Federal Republic of Yugoslavia 12/02) by means of succession, entered into force on June 03, 2006;
8. United Nations Convention against Corruption (Official Gazette of Serbia and Montenegro-International Treaties 11/05) by means of succession, entered into force on June 03, 2006;
9. International Convention Against the Taking of Hostages (Official Gazette of the Socialist Federal Republic of Yugoslavia - International Treaties 09/84) by means of succession, entered into force on June 03, 2006;
10. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents;
11. International Convention for the Suppression of Acts of Nuclear Terrorism (Official Gazette of Serbia and Montenegro-International Treaties 2/06), by means of succession, entered into force on June 03, 2006 (succession to the signature);

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

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

2. The Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (Official Gazette of the Federal Republic of Yugoslavia 01/92), by means of succession, entered into force on June 03, 2006;
3. European Convention on Extradition and its Additional Protocol (Official Gazette of the Federal Republic of Yugoslavia 10/01) by means of succession, entered into force on June 03, 2006;
4. European Convention on the Transfer of Sentenced Persons and its Additional Protocol (Official Gazette of the Federal Republic of Yugoslavia 04/01) by means of succession, entered into force on June 03, 2006;
5. European Convention on the Suppression of Terrorism (Official Gazette of the Federal Republic of Yugoslavia 10/01) by means of succession, entered into force on June 03, 2006;
6. European Convention on the Transfer of Proceedings in Criminal Matters (Official Gazette of the Federal Republic of Yugoslavia 10/01) by means of succession, entered into force on June 03, 2006;
7. European Convention on Mutual Assistance in Criminal Matters and its Additional Protocol (Official Gazette of the Federal Republic of Yugoslavia 10/01- and Official Gazette of Serbia and Montenegro International Treaties 2/06) by means of succession, entered into force on June 03, 2006;
8. European Convention on the International Validity of Criminal Judgments with Amendments (Official Gazette of the Socialist Federal Republic of Yugoslavia - International Treaties 13/02 and 02/06) by means of succession, entered into force on June 03, 2006;
9. Council of Europe Convention on the Prevention of Terrorism;
10. Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism.
11. Criminal Law Convention on Corruption (Official Gazette of the Socialist Federal Republic of Yugoslavia - International Treaties 02/02 and Official Gazette of the Republic of Montenegro 18/05) by means of succession, entered into force on June 03, 2006.

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

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

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

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

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

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

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

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

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);

---

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

- 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).