31 Annex - Foreign, security and defence policy

# Government of the Republic of Montenegro MINISTRY OF INTERIOR



# STRATEGY FOR THE CONTROL AND REDUCTION OF SMALL ARMS AND LIGHT WEAPONS (SALW)

Podgorica, July 2005

#### 1. INTRODUCTION

This Strategy is made within the program activities of the Government of the Republic of Montenegro in cooperation with the United Nations Development Program (UNDP).

Illegal possession, trafficking and trade of small arms and light weapons (SALW) supports organized crime and terrorism, encourages conflicts and violence and contributes to the insecurity of citizens. Illegal trafficking and excessive possession of small arms and light weapons may represent an obstacle to the sustainable social and economic development, which might have negative impact on security of Montenegro and the region.

By adoption of the National Strategy, Montenegro establishes necessary prerequisites for organized control and reduction of number of small arms and light weapons and in that way contributes to achieving generally higher level of security.

The long-term goal of this Strategy is establishing of the Unique National System of Control and Reduction of Small Arms and Light Weapons (SALW) possessed by citizens, Police, Army and other authorities, therefore providing conditions for achieving sustainable development. Cooperation between international organizations, inter-agency cooperation in Montenegro, and cooperation with NGOs and civil sector are extremely important for establishing parameters in combating and eradicating illegal and smuggled weapons.

#### 2. SITUATION ANALYSIS

#### 2.1 Legislative framework

Montenegro passed the Law on Arms (Official Gazette of the Republic of Montenegro 54/2004), which came into force on 31 July 2004. Main reasons for adoption of this Law are:

- improvement of the overall security situation in Montenegro and region;
- reduction of the level of danger owing to keeping, carrying and using firearms, especially those prohibited;
- crime prevention, especially among juveniles;
- international reputation, improvement of the movement of persons and goods regime and contribution to the fight against organized crime;
- contribution to the reforms of state services and gaining trust in the work of the Ministry of Interior;
- fulfilling the international obligations;
- adjustment and harmonization of the Montenegrin legislation with the EU Law

According to the information of the Ministry of Interior, about 100 000 pieces of long and small firearms are in civilian hands, of which 97 937 pieces of firearms fall under the regime of keeping and bearing, whereas 2 430 pieces of small and long arms are within the regime of keeping (trophy and other arms)

The number of weapons kept and borne (weapon licence for keeping and bearing) according to type is: 60 377 handguns, 22 744 hunting rifles, 7 729 hunting carbines, 4 439 revolvers, 2 155 shotguns, 416 small shotguns, 29 submachine guns and 48 combined hunting weapons.

The number of kept weapons (licence for keeping the trophy and other types of weapons) according to type is: 1 225 licences for keeping hunting rifles, 643 licences for keeping handguns,

238 licences for keeping shotguns, 156 licences for keeping hunting carbines, 113 licences for keeping revolvers, 43 licences for keeping submachine guns, 11 licences for keeping small shotguns and 1 licence for keeping combined hunting weapons.

In legal persons' possession are 1 533 pieces of firearms, out of which 1179 handguns, 120 shotguns, 124 hunting carbines, 47 hunting rifles, 32 revolvers, 18 submachine guns, and 13 small shotguns.

Total number of registered firearms in Montenegro as of 1 June 2005 was 100 367 pieces.

Concerning the damage that can be provoked by small arms and light weapons, this kind of arms can be described as "weapons for mass destruction".

These words spoken by the UN Secretary General at the presentation of the Millennium report 2001 are the best testimony that problem of small arms and light weapons represent modern global threat. Given the fact that at the moment over 600 million pieces of such weapons circulate in the world, it is easy to imagine what immediate result might further uncontrolled proliferation of these arms cause throughout the world.

War, economic regression, presence of different forms of crime, poverty ... These are only some of the reasons of increase in crime rate which also reflects the illegal use of weapons. If our local mentality, which perceives arming as a part of the national tradition, is added to this, we have a complicated social and cultural picture according to which the weapon cult in Montenegro has grown to an impressive, at the moment undefined number of arms and explosive devices.

The South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) estimates this number to be between 170 and 245 thousands of arms. This disagreement in estimation shows how risky it is to delay measures aimed at reducing the total amount of arms and control of arms in Montenegro. Of the total number, approximately 75% of arms are in civilian possession (UNDP, 2003).

Negative consequences of the illegal use of weapons, requests for demilitarization of society and security cause different attitude not only of government agencies responsible for these issues (primarily police authorities), but also the change of citizens' attitude, influenced by the negative heritage from the recent and remote past.

International and regional organizations are intensively and devotedly working on the issues of illegal trafficking of arms and control of armament. The main activities are undertaken by UN and its agency (UNDP), as well as OSCE and the Council of Europe.

At the regional level, having learned from negative experiences of the recent past, within the Stability Pact a special body responsible for addressing these problems has been established (SEESAC). This project covers Serbia and Montenegro, Croatia, Bosnia and Herzegovina, Albania, Bulgaria, FYR Macedonia, Romania and Moldavia. Montenegro is taking active part in the work of this organisation.

In 2003 the Ministry of Interior, in cooperation with NGO "NET" within the Stability Pact for SE Europe, organized the action named "RESPECT LIFE – HAND IN CONCEALED WEAPONS" to encourage voluntary return of arms, mines and explosive devices. The action took place between 12 March and 27 May 2003. It was supported by the network of NGOs, "Action", USAID, UNDP and SEESAC.

The significant amount of legal and illegal weapons in the possession of citizens of the Republic of Montenegro is the result of a number of historical events, political situation and, above all, security situation provoked by warfare in our immediate surroundings.

Large amounts of weapons in civilian possession cause a number of arms abuses and this has negative consequences for the overall security situation in the Republic, such as increase in the number of criminal offenses, including homicide, public danger, arms abuse in public places and illegal possession of arms, explosives and ammunition.

Based upon knowledge and estimation of significant number of pieces of arms existing in the territory of the Republic, as well as the obligations assumed under UN and Stability Pact for SE

Europe "Action Program", the Ministry of Interior performs activities of collecting illegal weapons from citizens and reducing the total quantity of small arms and light weapons. Concerning these problems, in previous period state officials were tolerant towards different categories of persons. Such attitude contributed to the development of citizens' bad habits of keeping and abusing weapons. Measures taken by the state officials, numerous initiatives and warnings from experts, scientific and other circles and appeals directed to the citizens in order to restrain them from such abuses did not give expected results. Within the framework of strategic activities of UN, the Regional Office for Arms Control (SEESAC) in Belgrade made a study "Small Arms and Light Weapons Survey in Montenegro" (31 July 2004) according to which significant quantities of registered and non-registered weapons and ammunition are in civilian, Army and Police possession. According to the international standards Montenegro represents highly armed territory. Such evaluations are confirmation that the problem of control and reduction of small arms and light weapons in Montenegro cannot be solved in a satisfactory way by exclusive engaging of the Ministry, as it has been done up to now.

#### 3. INTERNATIONAL DOCUMENTS

In combating and eradicating illegal trafficking in small arms and light weapons, Montenegro is guided by the following international documents:

- UN Convention Against Transnational and Organized Crime;
- UN Convention for Combating Trans-border Organized Crime;
- UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade of Small Arms and Light Weapons, resulting from it, is the obligation of the states to influence preventing, combating and eradicating illegal trafficking in small arms and light weapons in all its forms by national laws, regulations and procedures;
- Regional Micro-Disarmament Standards (RMDS) for South Eastern Europe, which suggest
  that personal arms, small weapons and ammunition can represent huge risk for
  governments, as well as for the international and regional efforts towards peace-building,
  while the most efficient way for their monitoring is through the interventions and programs
  for micro disarmament and control of small arms and light weapons (SALW).

#### 4. GENERAL GOAL

The general goal is to establish a unique national system for control and reduction of the total quantity of small arms and light weapons (SALW) in the possession of citizens, Police, Army and other authorities, in order to improve the overall security situation in the society, and to ensure one of the most important conditions for sustainable development of the country.

#### 5. OPERATIONAL GOALS

National Strategy for control of SALW has the following operational goals:

Control over legal weapons by providing full implementation of laws regarding small arms and light weapons (SALW) in Montenegro, as well as international agreements regarding weapons

Collection of data on small arms and light weapons and information exchange

Fast and efficient collection of small arms and light weapons from persons who fail to meet legal requirements for arms possession

Development of mechanisms and systems (quantitative and qualitative) for the control of small arms and light weapons

Reduction of small arms and light weapons abuse

Strengthening police cooperation with regional and international organizations for security and similar activities

Establishing partnership with civil society and working on strengthening community awareness about the problem of small arms and light weapons

Safe and secure storage and handling of small arms and light weapons

Destruction of redundant stockpiles of small arms and light weapons

Establishing partnership, using multidisciplinary approach, with all key players regarding small arms and light weapons

Establishing transparent procedures of control, possession and handling of small arms and light weapons within the security sector

Supervision and evaluation of results achieved in Strategy implementation

#### 6. THE COMMISSION FOR THE IMPLEMENTATION OF STRATEGY FOR ARMS CONTROL

By recognizing all dangers of illegal arms trafficking and possession, it is necessary to establish a separate national authority charged with the following tasks:

- to coordinate and direct the activities of all relevant subjects in implementation of Strategy for Control and Reduction of Small Arms and Light Weapons (SALW);
- to implement and, when necessary, update the Agenda of activities;
- to submit periodical reports to the Government of the Republic of Montenegro and other relevant ministries and responsible institutions about the implementation of Strategy for Control and Reduction of Small Arms and Light Weapons (SALW);
- to inform public about planned activities and achieved results;
- to develop media strategies regarding SALW issues and affect perception of arms;
- to initiate and coordinate harmonization of legal and normative issues regarding weapons control;
- to engage expert organizations with the aim to achieve efficient implementation of Strategy for Control and Reduction of Small Arms and Light Weapons;
- to report on the results achieved in control and reduction of small arms and light weapons (SALW), according to the UN Action Plan for Weapons Control, OSCE Document on SALW and other relevant agreements;
- to establish the impact the small arms and light weapons (SALW) have upon society, security and safety of citizens, as well as upon economic and social development in the Republic;
- to develop principles and action policies of the Republic of Montenegro in the field of arms control during the next three years;
- to define precisely the roles of relevant institutions, organizations and other that will be involved in the implementation of SALW Strategy;
- to coordinate activities of all relevant actors during the implementation process;
- to establish partnership with civil society and educational institutions; and
- to mobilize all potential resources for the realization of SALW Plan activities.

#### 6.1 COMPOSITION OF SALW COMMISSION FOR THE NATIONAL STRATEGY

The National Commission plans, coordinates and supervises implementation of the Strategy, according to the adopted mandate. National Commission for SALW Control is composed of

permanent members and observers. Role, rights and responsibility of each Commission member and observer will be defined by the mandate from the competent authority or institution.

MEMBERS	PERSONAL NAME AND POSITION
Ministry of Interior	
Ministry of Finance	
Ministry of Foreign Affairs	
Ministry for International Economic Relations and European Integrations	
Customs Administration of Montenegro	
Ministry of Justice	
Territorial Defence Agency in the Republic of Montenegro	
Ministry of Education and Science	

OBSERVERS	PERSONAL NAME AND POSITION
Ministry of Agriculture, Forestry and Water Management	
Administration for Sports and Youth	
Army of Serbia and Montenegro	
PR Office of the Government of Montenegro	
UNDP	
Representatives of NGOs (Civil Society Organization)	
Media	

#### 6.2 NATIONAL COORDINATOR FOR SMALL ARMS AND LIGHT WEAPONS/ FOCAL POINT

Following the recommendations of the Commission charged with drawing up of the National Strategy, the Government of the Republic of Montenegro will appoint the National Coordinator.

The National Coordinator is obligated to:

- cooperate with key services and structures for small arms and light weapons control regarding the operational implementation of the Plan of activities;
- act as a contact person for issues concerning small arms and light weapons (SALW) in the Republic of Montenegro;

- submit information regarding small arms and light weapons (SALW), results of Strategy implementation and the work of the Commission to relevant subjects;
- · represent the Commission in contacts with international organizations, and
- make reports on the work of the Commission according to international conventions and agreements.

### 7. COMPETENCES IN THE IMPLEMENTATION AND CONTROL OF SMALL ARMS AND LIGHT WEAPONS (SALW)

Strategy for the Control and Reduction of Small Arms and Light Weapons (SALW) consists of the implementation of concrete operative plans of competent Ministries. Ministries make their decisions about operative interventions at the Commission level, thus providing full coordination in all activities.

	COMPETENCES	MAIN INSTITUTIONS	OTHER KEY PLAYERS
1	Border Control	Ministry of Interior	Customs Administration of Montenegro
2	Legislative and normative issues (amendments of laws)	Ministry of Interior	Ministry of Justice
3	Information management and research of Small Arms and Light Weapons (SALW)	Ministry of Interior	Ministry of Foreign Affairs Ministry of Defence (State Union)
4	Public and media information strategy regarding Small Arms and Light Weapons (SALW)	Ministry of Interior	Ministry of Justice PR Office of the Government of Montenegro
5A	Collection of Small Arms and Light Weapons (SALW) (Weapons)	Ministry of Interior	Ministry of Finance Army of S&M
5B	Collection of Small Arms and Light Weapons (SALW)  (Ammunition)	Ministry of Interior	Ministry of Finance Army of S&M
6A	Destruction of Small Arms and Light Weapons (SALW) (Weapons)	Ministry of Interior	Ministry of Finance Army of S&M
6B	Destruction of Small Arms and Light Weapons (SALW) (Ammunition)	Ministry of Interior	Ministry of Finance Army of S&M
7	Management of stockpiles of Small Arms and Light Weapons (SALW)	Ministry of Interior	Ministry of Foreign Affairs Army of S&M
8	Related issues of the Security Sector Reform (SSR) (Non- Military Sector)	Ministry of Interior	Cabinet of the Prime Minister Ministry of Finance Ministry of Justice Ministry of Foreign Affairs

	Related issues of the	Ministry of	Defence	(S&M)	
9	Security Sector Reform (SSR) (Military Sector)	Responsibility	or the State U	nion	Ministry of Interior

#### 8. SCHEDULE OF ACTIVITIES

COMPETENCES ACTIVITY LEADING INSTITUTION			TARGET DATE	NOTES	
1	Border control	1.1 Plan for the control of illegal cross-border transfer of Small Arms and Light Weapons (SALW)	Ministry of Interior  Customs Administration of Montenegro	By the end of 2005	
		1.2 Control of import of arms and ammunition	Customs Administration of Montenegro		
2	Legislative and normative issues	2.1 Establishment of the National Commission for SALW	Government of the Republic of Montenegro	Within three months from the Strategy adoption	
		2.2 Implementation of by-laws regarding the Law on Arms	Ministry of Interior	In progress	
		2.3 Synchronization of work of the relevant institutions on the implementation of the new Law on Arms	Ministry of Interior	In progress	
		2.4 Review of weapon registration cards issued under the old Law on Arms	Ministry of Interior	In progress	
		2.5 Undertaking measures for prevention of carrying of SALW in public places	Ministry of Interior	In progress	
		2.6 Harmonization of the proceedings of legal persons according to the new Law on Arms	Ministry of Interior	In progress	

		2.7 Estimation of the fiscal impact on the Budget of Montenegro (Article 76 of the Law on Arms)	Ministry of Finance Ministry of Interior	January 2006	
		2.8 Analysis of the Law on Arms implementation and submitting proposal for amendments and supplements	Ministry of Interior	First quarter of 2006	
3	Information management and research on SALW	3.1 Collection and evaluation of data about SALW ownership (Army, Police, physical and legal persons)	Ministry of Interior  Territorial Defence Agency in the Republic of Montenegro	March 2006	
		3.2 Establishing operative SALW Unit in support of the National Commission	Ministry of Interior	Within 60 days from establishing the National Commission	
		3.3 Submitting the Report on SALW to appropriate international organizations according to the relevant international agreements	Ministry of Foreign Affairs	OSCE - first half of 2006 UN POASALWC - second half of 2006	
		3.4 Development of methodology, monitoring and evaluation of progress	Commission for the National SALW Strategy		It will be defined within competences of National Commission
4	Information Strategy for public and media regarding the issue of Small Arms and Light Weapons (SALW)	4.1 Organize and perform Public Information campaign  Media campaign on the new Law on Arms in support of the National Strategy  Mobilizing resources for this campaign	Ministry of Interior  Ministry of Education and Science  Ministry of Foreign Affairs  Ministry of Health	In progress	
			National Commission for SALW  PR Office of the Government of		

			Montenegro		
		4.2 Development and implementation of the awareness-raising campaign on Small Arms and Light Weapons (SALW), with the aim to support the National Strategy	Ministry of Interior	Three months upon the Strategy adoption	
		4.3 Development of the Plan for Media Operations as a form of support of the awareness-rising campaign on Small Arms and Light Weapons (SALW) during arms collection activities	Ministry of Education and Science  Ministry of Education and Science  Ministry of Foreign Affairs  Ministry of Health  National Commission for SALW  PR Office of the Government of Montenegro	Three months upon the Strategy adoption	
		4.4 Raising awareness and training of citizens for safe SALW storage and handling	Ministry of Interior  Ministry of Agriculture, Forestry and Water Management	In progress	
5	Collection of Small Arms and Light Weapons (SALW) (Weapons and ammunition)	5.1 Development of the Plan for Arms Collecting	Ministry of Interior  National Commission for SALW	In progress three months upon the Strategy adoption	
		5.2 Implementation of the Plan for Arms Collection	Ministry of Interior  National Commission for SALW	After adoption of the Action Plan for SALW Control and Reduction	
		5.3 Development of MES/EOD capacities as a form of support of the Collecting Campaign	Ministry of Interior  PR Office of the Government of Montenegro	COMPLETED	EOD Team was trained by ISSEE in the spring of 2004
			Regional Centre for Divers Training,		

			Underwater Demining, Providing Assistance, Rescue and Control at Sea International organizations		
6	Destruction of Small Arms and Light Weapons (SALW)	6.1 Evaluation of capacities for the modalities of SALW destruction (development of capacities in terms of infrastructure and personnel on the facility for destruction)	Ministry of Interior  Regional Centre for Divers Training, Underwater Demining, Providing Assistance, Rescue and Control at Sea	End of 2005	
			Organizations for International Monitoring  NGOs  PR Office of the Government of Montenegro		
		6.2 Start activities of resource mobilization for financing the weapons destruction	Ministry of Interior UNDP	In progress	
7	Issues regarding management of stockpiles of Small Arms and Light Weapons (SALW)	7.1 Provide safety for national arms and ammunition stockpiles  Training in safe ammunition storage  Develop software system for weapons and ammunition registration	Ministry of Interior	2005/2006	
		Improve hardware			
8	Reform of the Security Sector (SSR) (non-military)	8.1 Identify surplus of stockpiles originating from the Police restructuring and provide for their storage and destruction	Ministry of Interior  Cabinet of the Prime Minister  Ministry of Finance  Ministry of Justice  Ministry of Foreign Affairs		Security Doctrine - mid 2006

9 Reform of the Security Sector (SSR)  (military)  9.1 Identify surplus of stockpiles originating from the Police restructuring and provide their storage and destruction.	
--	--

#### 9. RESOURCE ESTIMATION

COMPETENCES		AVAILABLE RESOURCES	NECESSARY RESOURCES
FA1	Border Control	FA.1.1 Border Police Units of the Ministry of Interior	Technical equipment for vehicle control (scanner)  Technical equipment for border line surveillance
		FA.1.2 Database on goods import of the Customs Administration of Montenegro	Hardware
FA2	Legislative and normative issues	FA.2.1 Legal Service of the Ministry of Interior  Legal Service of the Ministry of Justice	Software and hardware for the weapons registration
FA3	Information management and research on SALW	FA3.1 PR Service of the Ministry of Interior of Montenegro  FA3.2 PR Office of the Government of Montenegro  FA3.3 NGO Partners  FA3.4 Media Partners	Technical/computer equipment
FA4	Information Strategy for public and media regarding the issue of Small Arms and Light Weapons	FA4.1 PR Service of the Ministry of Interior of Montenegro  FA4.2 Ministry of Education and Science (schools)  FA4.3 Local self-governments	Expert assistance from the agencies for public information and awareness-raising
FA 5A	Collection of Small Arms and Light Weapons (SALW) (Arms)	1. Ministry of Interior 2. NGOs 3. Media 4. Local self-government 5. Army of S&M	Technical/computer support  Resources for education of personnel  Resources for media campaign  Resources for arms collection points
FA 5B	Collection of Small Arms and Light Weapons (SALW) (Ammunition)	1. Ministry of Interior 2. NGO 3. Media 4. Local self-government 5. Army of S&M	Technical/computer support  Resources for education of personnel  Resources for media campaign  Resources for arms collection points
FA 6A	Small Arms and Light Weapons (SALW) destruction (Arms)	1. Ministry of Interior 2.NGOs 3. Media 4. Local self-government	Financial resources for arms preparation for melting Financial resources for selected modality of weapons destruction Education of personnel and NGOs

		5. Army of S&M	Resources for destruction monitoring
		Ranges intended for weapons destruction	
		Industrial facilities intended for melting	Financial resources for melting operations
FA 6B	Small Arms and Light Weapons (SALW) destruction (Ammunition)	Access to the industrial facility intended for ammunition destruction, depending on final level of stocks	Requires significant capacity development and international technical capacity evaluation
		Ministry of Defence  EOD Teams (only for the open detonation)	Requires modernization of the equipment and training in alternative destruction techniques
		1. Ministry of Interior 2.NGOs 3. Media 4. Local self-government 5. Army of S&M	Financial assistance from International Community for capacity strengthening
FA7	Issues of managing stocks of Small Arms and Light Weapons (SALW)	1. Ministry of Interior 2. Army of S&M	Necessary storage facilities
FA8	Reform of the Security Sector	1. Ministry of Interior	

After the Government of the Republic of Montenegro adopts the Strategy for Control and Reduction of Small Arms and Light Weapons, following steps will be taken:

- promotion of the Strategy through public media;
- establishing the National Commission for Strategy implementation;
- appointment of the National Coordinator;
- drafting of the Action Plan for Control and Reduction of Small Arms and Light Weapons in Montenegro (SALW) (Strategy implementation).

\*\*\*

The Strategy is adjusted to meet the requirements of potential international donors and can be submitted to Donor Conferences, as well as to the individual international organizations.

Possible required resources for the implementation of this Strategy will be provided by the International Financial Organization and donors.

To facilitate communication with international donors and financial institutions, it is necessary to translate the Strategy into English and prepare it for the Internet presentation.