

Government of Montenegro

Ministry of Foreign Affairs

Questionnaire

Information requested by the European Commission to the Government of Montenegro for the preparation of the Opinion on the application of Montenegro for membership of the European Union

31 Foreign, security and defence policy

Minister: Milan Rocen

Podgorica, December 2009

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**CHAPTERS OF THE ACQUIS – ABILITY TO ASSUME THE
OBLIGATIONS OF MEMBERSHIP**

Chapter 31: Foreign, security and defence policy

A) Summary Information

1. The Treaty on European Union (TEU) includes in Title V provisions on Common Foreign and Security Policy which new Member States will apply. The Commission wishes to know whether, in your view, the application of these provisions upon accession could give rise to any problems or difficulties. More precisely:

Explained in Question 2 of this Chapter.

2. Will you from the time of accession be ready and able to participate fully and actively in the Foreign, security and defence policy (CFSP and ESDP) as defined in the TEU?

At the time of accession Montenegro shall be ready and able to participate fully and actively in the foreign, security and defence policy (CFSP and ESDP) as defined in the Treaty on the European Union.

After regaining its independence Montenegro gained full-fledged membership in almost all international organisation very quickly and started to actively participate in their work. It has set up a network of twenty-nine diplomatic postings and has significantly increased the capacities of its Ministry of Foreign Affairs. A new Department for the EU and NATO was established in the Ministry of Foreign Affairs in early 2007 along with the EU Directorate, which performs the daily work of following and analysing the common foreign, security and defence policy. Furthermore, Montenegro regularly aligns with the declarations and common positions in the area of the Common Foreign and Security Policy and the European Security and Defence Policy.

In the area of security and defence policy, Montenegro is especially committed to international cooperation and enhancement of its capacities in the area of arms control and fight against terrorism. In this context, Montenegro harmonises the planning and implementation of reforms in the area of security with the principles and standards of the European foreign, security and defence policy.

Montenegro has gradually started introducing the CFSP and ESDP *Acquis* into its legislation through the process of integration into the European Union. This has been further confirmed through the National Programme for Integration of Montenegro in the European Union. In the next years Montenegro shall align its legislation with the EU *Acquis*, further improve its own capacities and do everything in order to be ready for the moment of accession into the European Union.

In order to achieve this, the Ministry of Foreign Affairs shall adopt the Law on Foreign Affairs in 2010 as well as the Law on Restrictive Measures. Along with the already adopted Law on Conclusion and Implementation of International Treaties (of 2008), these laws shall round up the foreign affairs legislative framework.

Parallel to this the Ministry of Foreign Affairs shall coordinate all activities related to foreign policy as well as increase and develop its capacities. Pursuant to the Rulebook on Organisation and Systematisation of the Ministry of Foreign Affairs, this institution, which currently employs 238 civil servants and state employees and has twenty-nine diplomatic and consular postings, should have 318 employees and thirty-eight diplomatic and consular postings by 2012. Special attention shall be paid to the development of the part of the Ministry of Foreign Affairs dealing with the CFSP and ESDP, development of civil and military capacities for participation in civil and military missions in the framework of the ESDP within the state administration and the Armed Forces of Montenegro.

Along with all this, education and training on the CFSP and ESDP shall be especially significant for civil servants in order to get ready to successfully follow the EU policies in this area during the EU accession process as well as to take part in them, especially in the framework of permanent political and military structures of the European Union such as the Political and Security Committee (PSC), the EU Military Committee (EUMC), the EU Military Staff (EUMS), the Civil Planning and Conduct Capability (CPCC) of the ESDP.

Parliamentary capacities and participation within the CFSP and the ESDP shall also be developed in order to increase the parliamentary role in these EU policies and to contribute to the common efforts of all structures in the accession process.

3. Are you prepared to accept unreservedly the future definition, legal structure and organisational arrangements for the Union's Foreign, security and defence policy (CFSP and ESDP), including its military dimension, that may be implemented after the ratification of the Lisbon Treaty?

Montenegro strongly supports the Union's foreign, security and defence policy (CFSP and ESDP) and is prepared to accept unreservedly the future definition, legal structure and organisational arrangements of the CFSP and ESDP. After regaining independence, three and a half years ago, Montenegro began to dynamically develop its legislation framework, administrative capacities and its strategic commitment to an ever improved and enhanced participation in the CFSP and the ESDP. Apart from the strategic priorities of joining the EU and NATO, the most important priority of Montenegro is the development of good neighbourly relations and regional cooperation. Montenegro is full committed to its role of a contributor and initiator of a better and more improved regional cooperation. To this aim, Montenegro regularly takes part in all regional fora and makes necessary preparations to take over the presidencies of three regional initiatives (the Central European Initiative, the Adriatic-Ionian Initiative and the South-East European Cooperation Process). The matter of fact is that Montenegro has no open bilateral issues with its neighbours and is therefore ready to offer its good services for the mediation of bilateral disagreements that are burdening the region as well as to be of help for further improvement of cooperation and integration efforts in the Western Balkans.

Parallel to this, Montenegro, although being a small country, has very good relations with global actors which along with the EU exist in the international scene, such as the USA, Russian Federation or China. In this regard, Montenegro shall, within its own capacities, be in position to offer its contribution to the development of relations among the EU and these big countries.

Furthermore, Montenegro has already started educating and increasing its professional diplomacy through the development of its Directorate for the European Union in the Ministry of Foreign Affairs and the Permanent Mission to the EU in Brussels in order to adequately prepare for participation in the CFSP structures such as the GAERC, PSC etc. This also holds true for the structures that are to be established after the Lisbon Treaty enters into force. The focus is on the development of institutional and organisational structures and professional cadre.

Montenegro supports the ESDP and is prepared to give its contribution to the development of military and civilian capacities of the EU for action in peace keeping missions outside of the Union, conflict prevention and strengthening of international security in line with the principles of the UN Charter and Article 28 A(1) of the Lisbon Treaty.

In order to attain interoperability which is prerequisite for NATO membership, as well as to prepare its armed forces for full participation in the most complex NATO and EU led international missions, Montenegro implements a comprehensive reform of its defence system. A number of legislative acts and strategies has been adopted by which Montenegro has prepared for its participation in peace operations around the World: the Constitution of 2007, Law on Defence, Law on the Armed Forces, Law on the Deployment of the Armed Forces of Montenegro Units in the International Forces and the participation of the Civil Protection, the Police and State Administration Employees in Peace Missions and other Activities Abroad as well as the National Security Strategy and the

Defence Strategy.

The Ministry of Defence (without the General Staff) currently employs 188 persons (120 civil servants and state employees, 61 officers and 7 non-commission officers). At the same time, the General Staff of the Armed Forces of Montenegro employs 81 persons (60 officers, 9 non-commission officers and 12 civilians). There are 1996 persons employed in the Armed Forces of Montenegro (263 officers, 889 non-commission officers, 519 contract soldiers and 325 civilians).

The projected number of members of the Armed Forces of Montenegro (with the General Staff) for the next three years is 2356 (345 officers, 892 non-commission officers, 809 contract soldiers and 310 civilians). The General Staff has 72 projected work posts (54 officers, 9 non-commission officers and 9 civilians).

Although being a small country, Montenegro is prepared to contribute with present military and civilian means, as well as those means that are to be developed in the near future, in order to assist in a more successful implementation of joint operations of disarmament, humanitarian and rescue operations, military counselling and assistance, conflict prevention and peace keeping, combat forces tasks in crisis management, fight against terrorism, as well as peace implementation and post-conflict stabilisation.

In line with this, in July 2009 the Parliament of Montenegro passed a decision on the future deployment of Montenegrin troops in the European Union Naval Force (EU NAVFOR) – ATALANTA peace mission of the EU in Somalia, which presents the first participation of Montenegro in an ESDP operation. Based on this decision, Montenegro shall develop its capacities in the next period in order to take part in both military and civilian ESDP missions.

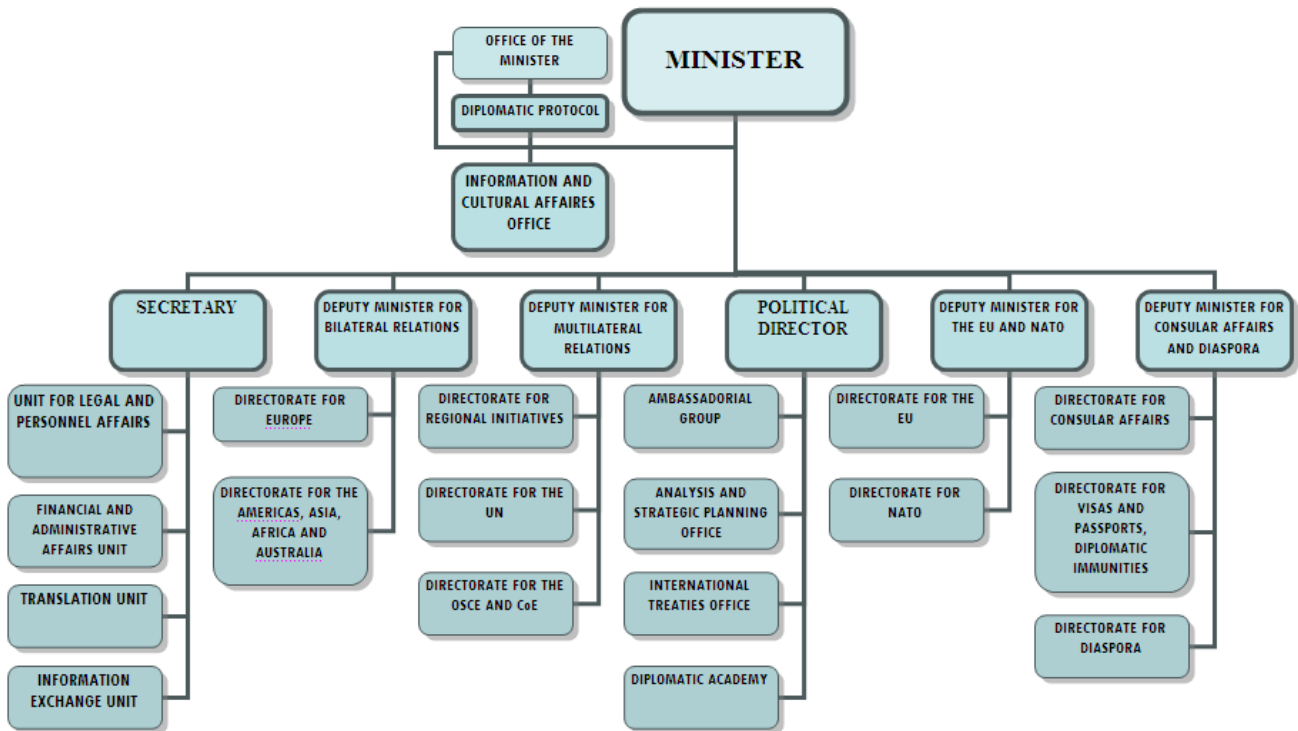
For example, Montenegro is already developing specialised capacities through which it can contribute to the military dimension of the common foreign, security and defence policy, such as underwater demining through its Regional Demining Centre in Bijela, Herceg-Novi as well as the Regional Centre for training of helicopter pilots at Golubovci Airport in Podgorica. Furthermore, the knowledge and experience that Montenegrin soldiers are to gather in the framework of their participation in ISAF in the next several years shall significantly contribute to more efficient and specialised Armed Forces of Montenegro, which can prove to be very helpful when taking part in the EU peace operations.

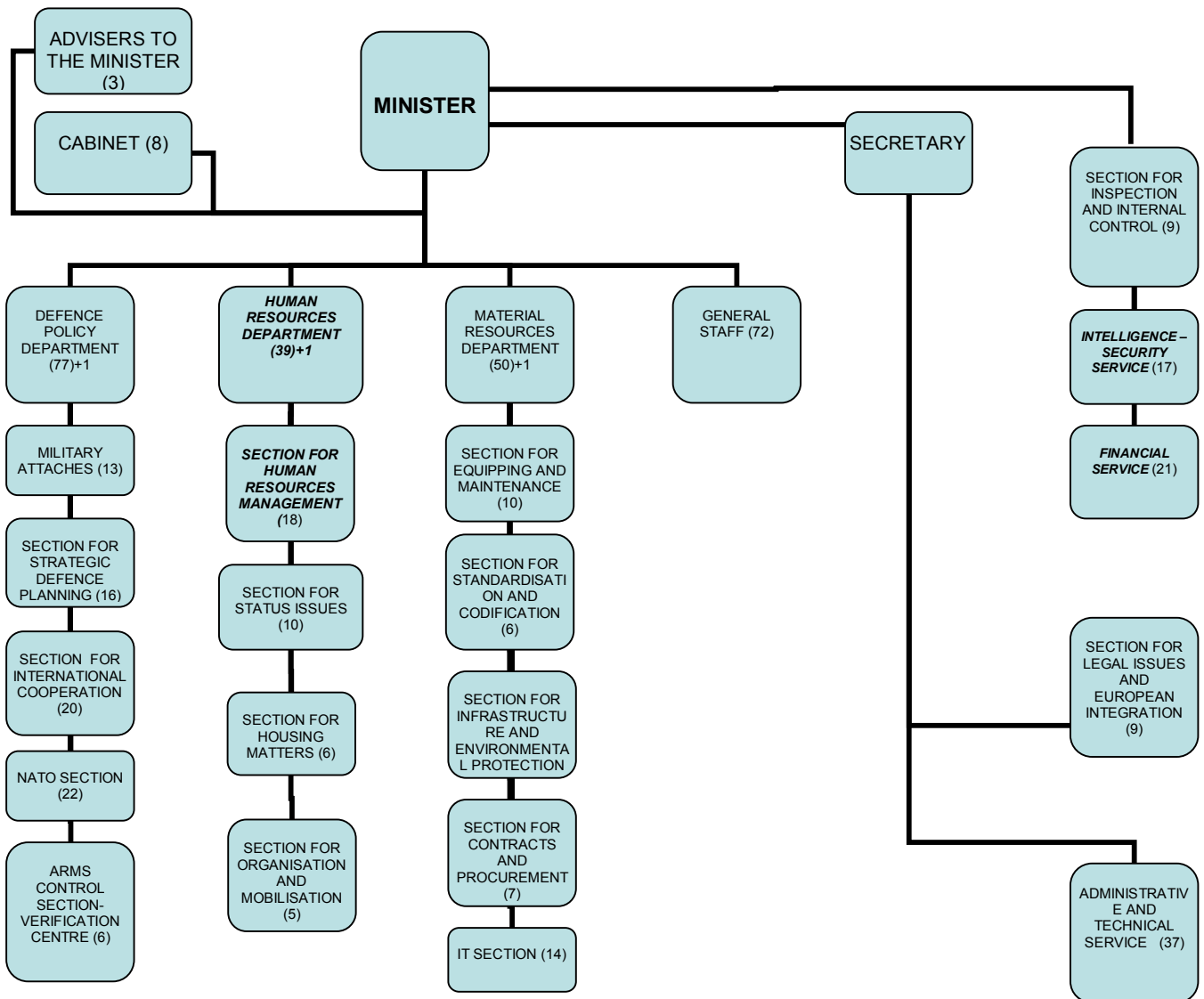
After the Lisbon Treaty enters into force the ESDP will be able to be much better implemented. In this context, Montenegro shall continue to develop its capacities for strategic defence planning. The Defence Policy Department within the Ministry of Defence consists of four Sections: the Section for Strategic Defence Planning, the Section for International Defence Cooperation, the Section for NATO and the Arms Control Centre - Verification Centre. The Section for Strategic Defence Planning is projected for 16 employees. It performs the following duties: assessment of necessary defence capabilities, participation in the development of the National Security Strategy and the Defence Strategy of Montenegro, Strategic Defence Review, long term development plan of the Armed Forces of Montenegro, mid term development plans of the Armed Forces, participation in the development of the Operational Concept of Armed Forces deployment, Defence Plan of Montenegro, participation in the drafting of the combined doctrine of the Armed Forces of Montenegro, yearly programmes of work of the Ministry of Defence and the mechanisms of the Partnership for Peace (the IPP; PARP; IPAP and the ID).

Moreover, having in mind the fact that Montenegro belongs to the region of the Western Balkans, it has special interest and focus on the development of this region as well as the common foreign, security and defence policy of the EU in this geographic area. Therefore, the Montenegrin foreign, security and defence policy in the next period shall be concentrated on contributing to the peace civil and military operations of the EU in the Western Balkan countries.

Besides this, in this phase of Montenegrin accession to the EU, the military part of the Mission of Montenegro to NATO is responsible for military issues of the EU, which ensures the compatibility of cooperation between the EU and NATO peace operations.

MINISTRY OF FOREIGN AFFAIRS OF MONTENEGRO





4. Will you, upon accession, take on in their entirety and without reservations the objectives of the TEU, the provisions of its Title V, and of the declaration attached to it, as well as the relevant international agreements concluded on behalf of the EU, and other relevant sources of the Foreign, security and defence policy (CFSP and ESDP) acquis?

Montenegro shall, upon accession, take on in their entirety and without reservations the objectives of the TEU, the provisions of its Title V, and of the declaration attached to it, as well as the relevant international agreements concluded on behalf of the EU, and other relevant sources of the foreign, security and defence policy (CFSP and ESDP) Acquis.

To this aim, after regaining its independence, Montenegro started to align its legislation with the EU Acquis in the area of foreign, security and defence policy. The Law on the Conclusion and Implementation of International Treaties (Official Gazette of Montenegro 77/08) was adopted while it is planned that the Law on Foreign Affairs and the Law on Restrictive Measures are to be adopted in the next period. Moreover, the Law on Defence (Official Gazette of Montenegro 47/07), the Law on the Armed Forces (Official Gazette of Montenegro 47/08), the Law on the Deployment of the Armed Forces of Montenegro Units in the International Forces and the participation of the Civil Protection, the Police and State Administration Employees in Peace Missions and other Activities Abroad (Official Gazette of Montenegro 61/08) and the National Security Strategy and Defence Strategy have also been adopted. All international treaties before being concluded have to be checked on their alignment with the CFSP and the ESDP Acquis in the Ministry of European Integration. All other treaties that were concluded earlier shall be revised and fully aligned with the EU Acquis until the time of accession to the EU. Montenegro regularly aligns with the EU measures (declarations, demarches and common positions) both in Brussels and in other multilateral fora. Finally, before the time of accession to the EU, Montenegro shall, like other EU Member States, introduce the so called European Article within its Constitution. In this way, Montenegro shall fully take on the obligations of its membership in the mentioned areas.

5. Will you be ready and able to support the relevant policies of the Union in force at the time of accession?

Montenegro shall be ready and able to support the relevant policies of the Union in force at the time of accession. Although being a small state, Montenegro eagerly develops its legislation and capacities in order to get ready to support the appropriate EU policies at the time of accession. As it has been already suggested, Montenegro shall put special focus on its positive role in the Western Balkan region. It shall work on directing and developing regional programmes and projects of use for all countries of this region in their path to the EU, strengthening regional initiatives and organisations, promoting good neighbourly relations and possible mediation in resolving bilateral disputes. Furthermore, by starting with its participation in the ESDP peace operations through the ATALANTA peace operation in the Somali waters, Montenegro shall additionally develop its presence, expertise and capacities for further participation in civil and military ESDP missions, particularly in the Western Balkan region.

In order to be ready and able to support the relevant policies of the Union, Montenegro shall take part in the discussion on the relevant EU policies until the accession to the EU and to this aim develop its capacities and resources through enhanced administrative mechanisms and permanent process of training.

6. Will your administration, and in particular the Ministry of Foreign Affairs, have the necessary structure and technical equipment to take fully part in the Foreign, security and defence policy (CFSP and ESDP) at the time of accession?

Public administration of Montenegro, and especially the Ministry of Foreign Affairs, shall permanently work on improvement of its administrative capacities and organisational structure in order to be prepared to fully undertake its role in the framework of the CFSP and ESDP at the time of accession.

The Ministry of Foreign Affairs has four departments: for the EU and NATO; bilateral affairs; multilateral affairs; and for consular affairs and Diaspora.

The Bilateral Department is geographically divided into two directorates: the Directorate for Europe and the Directorate for Americas, Asia, Africa and Australia with Oceania. These two directorates shall continue to develop capacities for dealing with the events in all parts of the World. This shall be of paramount importance for professionalism and capacity of the MFA people when included in

the foreign policy of the EU towards these geographical regions. Parallel to this, the number of employees shall continuously rise with constant training and strategic commitment of the Ministry of Foreign Affairs to expand organisational units within the Bilateral Department to focus on certain geographical regions.

The Multilateral Department is divided into three directorates: the Regional Initiatives Directorate, UN Directorate and the OSCE and CoE Directorate. After the process of accession to all regional initiatives and international organisations of significance to Montenegro, the Ministry of Foreign Affairs continued with the successful and qualitative fulfilment of obligations deriving from the membership (participations in working bodies, reporting, secondment of Montenegrin representatives to these organisations, monitoring of election activities, programme and project development etc). The Multilateral Department and four permanent missions to multilateral organisation (UN, OSCE, CoE as well as other international organisations) shall further improve their capacities and readiness to be involved in the work of international organisations in a better and a more profound manner. The work of the Directorate for Regional Initiative on furthering regional cooperation is of special interest since Montenegro represents a significant contributor to the improvement of neighbourly relations and common efforts in the European integration process.

The EU and NATO Department functions through two directorates: the EU Directorate and the NATO Directorate. The EU Directorate deals with issues in the area of common foreign, security and defence policy as well as the relations of Montenegro with the EU through constant diplomatic contacts and the political dialogue. Apart from this, the Permanent Mission to the EU in Brussels was established three years ago and it represents an important segment of cooperation with the EU. In the EU accession process, the Ministry of Foreign Affairs shall further develop the capacities for administrative work of the EU Directorate. Moreover, the EU Directorate shall be upgraded in its organisation and systematically expanded through the accession process in order to include separate sections, such as: the section for the CFSP, the section for the ESDP, the section for horizontal affairs and the section for institutional preparations for membership. Moreover, a political director as well as a European correspondent for relations with the EU in the area of common foreign, security and defence policy shall be appointed. The Permanent Mission to the EU shall be strengthened with more people and expertise along with a stronger presence of the military part of the mission to the EU.

Conscious of the significance of proper preparedness and readiness for taking part in common foreign, security and defence policy of the EU, the Ministry of Foreign Affairs actively works on education of its employees and further training of its service. Consultations on the topic of the EU are continuously organised with EU Member States, EU candidates and potential candidates. Meetings with EU representatives are held in Brussels, Podgorica and international conferences. Moreover, civil servants of the Ministry of Foreign Affairs of Montenegro are constantly going through the process of trainings, study visits, education courses and seminars on the topic of the EU, are being trained through the Diplomatic Academy of the Ministry of Foreign Affairs as well as they go through internship in other foreign affairs services and international bodies.

Finally, the coordination that the Ministry of Foreign Affairs has with the Ministry of Defence, Ministry of Interior, Ministry of Finance and the Police Administration in the area of common foreign, security and defence policy is of great importance. This enables a successful and effective implementation and directing of these policies of Montenegro when it comes to the CFSP and the ESDP of the EU.

See the organizational chart of the Ministry of Foreign Affairs, answer to the question 3.

7. In view of the provision for Member States to support the Union's external and security policy actively and unreservedly (Article 11.2 TEU), please explain what your country's treaty obligations are under international law, and whether they will need to be modified in view of accession. For this purpose, please send the Commission a list of your existing treaty obligations, and those under negotiation.

In order to demonstrate the current contractual obligations of Montenegro, in accordance with the international law as well as possible future contractual obligations, this answer has four chapters in the Annex:

1. The list of bilateral treaties ([Annex 258](#)) that Montenegro applies according to Point 3 of the Decision on Proclamation of Independence (Official Gazette of the Republic of Montenegro 36/06).

Point 3 of this Decision stipulates: The Republic of Montenegro shall apply and adhere to International Treaties and Agreements that the State Union of Serbia and Montenegro was party to and that relate to the Republic of Montenegro and are in conformity with its legal order.

Immediately after regaining independence, Montenegro opened up the process of consolidation of its contractual relations in regard to the treaties concluded by the previous state unions with Serbia. Diplomatic notes on the succession of bilateral agreements have been sent to most of the countries and the process is ongoing. Some of them (Austria, Lithuania, India, Moldova, Cyprus, Bosnia and Herzegovina, Poland and Macedonia) have accepted the succession of the treaties valid for the former state union of Serbia and Montenegro in relation to Montenegro.

2. The list of bilateral treaties concluded by Montenegro and other countries ([Annex 258](#));
3. The list of bilateral treaties being negotiated with other countries ([Annex 258](#)); and
4. The list of multilateral treaties to which Montenegro is party to or a signatory ([Annex 258](#)).

Through the provisions of the Article of its Constitution, Montenegro defined that international treaties and agreements shall form an integral part of its internal legal order, have supremacy in case of conflict with domestic law, and shall be directly applicable in case of conflict with domestic law.

By signing the Stabilisation and Association Agreement, Montenegro committed itself to approximation of its legislation with the legislation of the European Community, and especially to gradually and thoroughly apply comparative legislation. Pursuant to Article 27 of the Stabilisation and Association Agreement, the Contracting Parties confirm the importance of harmonising the actual legislation in Montenegro with the EC legislation as well as its efficient implementation. Montenegro chose to gradually approximate its existing laws and its future legislation with the EC Acquis including the adequate implementation of the current and future legislation.

The SAA stipulates that the approximation should start on the day of signing, while Montenegro has to prepare a special programme for the implementation of the SAA, which is also stipulated in Article 72. On the basis of this, on 5 June 2008 the Government of Montenegro adopted the National Programme for Integration of Montenegro in the European Union for the period of 2008-2012. This programme presents a detailed plan of legislation approximation and institutional capacity building.

Montenegro is committed to modify its contractual obligations in the accession context. During the process of negotiations and conclusion of international treaties, the activity of the Ministry of European Integration plays an important role since the Ministry provides opinions on the compliance of provisions of international treaties with the goals and the EU Acquis.

In the next immediate period, the competent authorities of Montenegro are ready to monitor and follow thoroughly all the activities related to conclusion of international treaties from the point of view of their compliance with the goals of the common foreign, security and defence policy of the EU, as well as to revise, renounce or fully approximate all the existing Montenegrin international contractual obligations in line with these goals.

8. Does your country support the European Security Strategy as updated and endorsed in December 2008?

The answer to this question is positive. Montenegro believes that the creation of the European Union was of essential significance for a long period of peace in Europe after the Second World War. As a European country, Montenegro shares the position that states should resolve their conflicts through dialogue and cooperation through the mechanisms of common institutions. The

spreading of rule of law and democracy represents the most efficient way to achieve a secure, peaceful and united Europe.

Many regions in the World have been burdened by war conflicts in the past decades. The EU peace operations have had a considerable positive impact on the stabilisation of the Balkans and other crisis regions. Being a union of 27 Member States with a wide diapason of available means, the EU is a global security actor. Montenegro is conscious of the fact that any large scale aggression towards any European country is less likely to happen at this moment. The region of the Western Balkans, Europe and the World are faced with threats that are more varied, less visible and less predictable. The present day security threats are: terrorism and organised crime, proliferation of weapons of mass destruction, regional conflicts, unsustainable states, cyber criminal and security, energy security and climate changes. Moreover, piracy in the Indian Ocean and the Gulf of Aden also presents a new dimension of organised crime.

Corresponding to the nature of threats to security, the traditional security concept has been changed. Montenegro is of the opinion that in counteracting these threats, the first line of defence is outside of the country (in distant regions). If these threats are neglected, they spread. Therefore, Montenegro believes that the actions should be preventive. None of the present threats is purely military, so none can be tackled only with military means. Each of the threats asks for combination of means. Multilateral actions often ask for a combination of various tools: political, diplomatic, military, police, intelligence, judiciary and humanitarian.

Montenegro supports the position of the EU that security and progress are ever more dependent on the existence of an efficient multilateral system. It attaches great importance to the commitment of the EU to respect and develop international law. The fundamental framework for international relations should be the Charter of the United Nations.

Montenegro supports the effort of the EU to contribute to crisis management that corresponds to its capabilities. It is aware of the fact that the EU has to accomplish its goals through multilateral cooperation within international organisation and partnership with key stakeholders. Transatlantic relationship should have a special position in this. The EU and the USA represent an extremely significant force in the service of the good in the World. Therefore, cooperation with the states and organisations that share these goals and values of the EU and are ready to support them is of the utmost importance.

The EU possesses a potential to significantly counteract threats on the global level. In this way, it can contribute to a more just and secure World.

Montenegro shares the mentioned threats to security with the EU and believes that none of the countries has capacities to deal with them individually. Therefore, it is of the opinion that the most efficient solutions to security problems can be achieved in the framework of the multilateral system. Common positions, actions and the coherence of the system ensure the best success. Montenegrin positions on security issues are compatible with the EU positions as presented in the European Security Strategy of 2003 and amended in 2008. Montenegro can develop its national security and progress in the framework of the EU.

Montenegro believes that the positions presented in the European Security Strategy essentially describe real threats and challenges to security on the global, regional and national level; they provide a definition for an optimal concept for prevention and counteraction to threats as well as the most efficient way of constructing European security and the impact of the EU on the global security. Therefore, Montenegro fully supports the European Security Strategy.

Ever since regaining its statehood in 2006, in its national legal and conceptual documents, Montenegro presented its strategic concept of joining the EU, its need to align with the CFSP and the ESDP, readiness to contribute to these policies and the capability to contribute its military and civilian capacities to the EU led peace operations. These documents are the following: the Constitution of Montenegro, the Strategy of National Security, the Strategy of Defence, the Law on Defence, the Law on the Armed Forces of Montenegro, the Law on the Deployment of the Armed Forces of Montenegro Units in the International Forces and the participation of the Civil Protection, the Police and State Administration Employees in Peace Missions and other Activities Abroad and

the Decision on the Deployment of Armed Forces of Montenegro Units in the Military Operation of the EU NAVFOR – ATALANTA.

The Constitution of Montenegro provides for the possibility that Montenegrin troops take part in international forces worldwide.

The Strategy of National Security and the Strategy of Defence define risks and threats to security of Montenegro, the concept of security and defence of Montenegro, security and defence system of Montenegro as well as their missions and tasks. The strategic approach to risks and threats to security are compatible to the European Security Strategy and the NATO Strategic Concept. The security and defence concept has its basis in the fact that the present day security threats are trans-national and that they can be counteracted in the best manner through multilateral actions in the framework of the collective security systems (UN, NATO, EU, OSCE). Therefore, the two strategies define the “participation in international peace and humanitarian operations led by the UN, NATO and the EU” as one of the mission of the system of security and defence of Montenegro.

The abovementioned laws define the responsibilities, rights and duties of citizens, companies, state bodies of public administration and the Armed Forces in performing the actions in the field of defence. The participation of military and civilians in peace operations is strictly voluntary.

Pursuant to the Decision of the Parliament of Montenegro it is envisaged that three Montenegrin troops are to be deployed in the military operation of the EU NAVFOR ATALANTA, along with the rotation mechanism.

It is planned to deploy the Montenegrin soldiers to one of the ships in the operation as staff officers and non-commission officers with specialist performance duties. Currently, Montenegro is closing talks with Italy, Norway and France on concrete participation in the operation.

After the Parliament reached the mentioned Decision, Montenegro began the procedure towards the EU in order to get the approval for its participation in the operation. Letters of intention on the involvement in the operation has been sent to the Commander of the operation and the Chair of the Military Committee of the EU.

9. Which legal instruments/pieces of legislation in the context of foreign, security and defence policy do you have in place and what do they cover?

1) The area of foreign policy of Montenegro is regulated by a number of legislative acts, such as:

The Law on State Administration (Official Gazette of the Republic of Montenegro 38/03 and Official Gazette of Montenegro 22/08) in the Article 11 paragraph 1 item 1 stipulates that the state administration is responsible for internal and foreign policy. Article 12 stipulates that the responsibility for internal and foreign policy encompasses the creation of strategies, projects, programmes and international documents on the basis of monitoring of law and other acts implementation as well as taking into account and analysing the situation in this area in order to align the system with contemporary, democratic and international standards. Article 27 stipulates that the ministries are responsible for proposing internal and foreign policy, conducting development policies, legislative activities and administrative control pursuant to the law.

The Constitution of Montenegro stipulates that: the Government is responsible for making and implementing internal and foreign policy (Article 100 paragraph 1 item 1); the President of Montenegro represents Montenegro within the country and abroad, posts and recalls ambassadors and heads of other diplomatic representations abroad on the proposal of the Government and with the Opinion of the Parliamentary Committee responsible for international relations (Article 95, paragraph 1 item 1 and 6) and receives letters of credence and letters of recall from foreign diplomatic representatives (article 96, paragraph 1 item 7).

By the Decree on the Organisation and the Manner of Work of the State Administration (Official Gazette of Montenegro 59/09) the Ministry of Foreign Affairs was established in order to

perform the activity of foreign affairs. The same Decree stipulates its scope of work (the answer to Question 11 of this Chapter 31 gives a more detailed description on its work).

The Decree on the Titles of Civil Servants Performing Diplomatic and Consular Work (Official Gazette of Montenegro 19/07) specifies titles of civil servants performing diplomatic and consular activities in the Ministry of Foreign Affairs and diplomatic and consular representation offices of Montenegro abroad, conditions for acquiring these titles and their salary grades.

The Law on Conclusion and Execution of International Treaties (Official Gazette of Montenegro 77/08) defines the procedure of conclusion, ratification and execution of international treaties as well as other issues related to their entering into force, publication, amendments and cessation.

The Law on Foreign Affairs, which shall regulate this field in a more detailed manner, is being adopted, while the Law on Restrictive Measures shall be adopted by the end of 2011. It shall finalise the set of laws in the area of foreign affairs in line with the obligations from the National Programme for Integration of Montenegro in the European Union and fully cover all the parts the mentioned area.

2) The area of security policy of Montenegro is regulated through the following acts:

The Strategy of National Security of Montenegro specifies the police as one of the fundamental elements of the national security system; it is responsible for internal security as well as one of the main parts of the system of fight against terrorism, weapons of mass destruction proliferation, corruption and fight against narcotics and other aspects of organised crime. Pursuant to the Law on the Police (Official Gazette of the Republic of Montenegro 28/05), the Police Administration is obliged to assist civilian authorities in the case of civil or man-made disasters. It is essential to point out that the police along with the Armed Forces of Montenegro constitute the security forces of Montenegro.

The security of land and water borders is of special importance in order to preserve the internal security of Montenegro. This is achieved through the system of integrated border management and cooperation with neighbour countries which contributes to a more efficient fight against terrorism and all aspects of cross-border criminal (the State Border Control Law, Official Gazette of Montenegro 72/09).

The Law on the Agency for National Security stipulates: the responsibilities of the Agency (gathering of: data and information on potential threats, plans or intentions of organisations, groups or individuals directed against the territorial integrity, security and the constitutional order of Montenegro, data of direct importance for national security and data on the activities of organisations, groups or individuals connected with internal and international terrorism, organised crime and the most serious forms of crimes against humanity and international law; analysing, evaluating, using, keeping records of collected data and information and the implementation of measures for their protection from unauthorised disclosure, handing over, altering, using or destroying as well as counter-intelligence protection of the Parliament of Montenegro, the Government of Montenegro, the President of Montenegro, other state bodies, ministries and bodies of the state administration); the manner of work, procedures in appointing its director, specificities on the rights and duties of employees of the Agency in relation to the rights and duties of other civil servants, internal control and parliamentary supervision of the work of the Agency. Three by-laws have been adopted by the Government of Montenegro for the implementation of this Law.

In relation to other activities of interest for the security of Montenegro, the Agency for National Security performs the obligations stipulated by: the Law on Classified Information (Official Gazette of Montenegro 14/08) in the part dealing with security check in the procedures of issuing the approval for access to classified information (the Government of Montenegro adopted five and the Ministry of Defence adopted one by-law for the implementation of this law); the Law on Montenegrin Citizenship (Official Gazette of Montenegro 13/08) and the Decision on the Criteria on Defining Conditions for Acquiring the Montenegrin Citizenship by Admission (Official Gazette of Montenegro 47/08 and 80/08) in the part relating to giving

opinion to the responsible body on the lack of security obstacles for admission into Montenegrin citizenship.

3) By regaining its independence, Montenegro regained the function, i.e. its sovereignty in the defence area, which was previously in the competence of the state union of Serbia and Montenegro. After the Ministry of Defence was established, the following strategic and legislative acts have been produced:

The Parliament of Montenegro adopted the following acts: the National Security Strategy, the Defence Strategy of Montenegro, the Law on Defence, the Law on the Armed Forces of Montenegro and the Law on the Deployment of the Armed Forces of Montenegro Units in the International Forces and the participation of the Civil Protection, the Police and State Administration Employees in Peace Missions and other Activities Abroad.

The National Security Strategy represents a strategic document that defines the development and functioning of the national security system of Montenegro. It also represents the commitment of Montenegro to be part of regional and international (NATO and the EU) security systems. The Strategy defines strategic goals, security interests, challenges, risks and threats to security of Montenegro, the reaction of the state to security challenges, risks and threats, the states of national security, missions as responses to risks and threats for national and international security, the system of national security, the structure of the system of national security, management of the system of national security and the resources of the system of national security.

The Defence Strategy of Montenegro is a document that provides answers to key questions in the area of functioning and development of the defence system, it gives a vision of how Montenegro intends to implement its basic defence function – preservation of independence, territorial integrity and sovereignty. In relation to the identified challenges, risks and threats for the national security, the Strategy defines: strategic defence goals, elements of the system of defence, defines the strategic defence concept, projects the system of defence, missions and tasks of the Armed Forces of Montenegro; provides a vision of development, the principles of organisation and the organisational structure of the Armed Forces of Montenegro; resources and financing of defence as well as the strategic directions of development of the defence system of Montenegro until 2015.

The Law on Defence (Official Gazette of Montenegro 47/07) defines: the organisation and the functioning of the unified system of defence of Montenegro; the rights and competences of the implementers of defence preparations (citizens, legal persons, state bodies, bodies of state administration and local self-government); security and protection measures during the state of war or emergency or during military exercises; inspection and supervision of law implementation, plans and preparatory measures for the defence of the country as well as the responsibilities of the Armed Forces of Montenegro; rights and competences of the employees of the Ministry of Defence; financing of defence and fines for citizens and legal persons for violation of this law. The Government of Montenegro adopted 20 bylaws while the Ministry of Defence adopted two bylaws in order to implement this law.

The Law on the Armed Forces of Montenegro (Official Gazette of Montenegro 47/07) defines: the organisation of the Armed Forces of Montenegro, its composition and service in the Armed Forces of Montenegro; rights, responsibilities and the status of persons employed in the service of the Armed Forces of Montenegro; military ranks; service in the active and reserve formation of the Armed Forces of Montenegro, filling in the posts and the mobilisation of the Armed Forces of Montenegro; conditions and procedures of promoting troops; evaluation, rewards and medals in the military service; military classification; states in the military service (on duty, intern status, education and training, at disposal and being put out of service), education, training and assignment of troops and officers; salaries, benefits and other incomes; work time, holidays and free time; the termination of military service; conditions for the termination of military service; disciplinary and material responsibility and the procedures for its specification; conditions for rank deprivation; health protection and pension and disability insurance; start, duration and the termination of military duty; human resources management; democratic control of the Armed Forces of Montenegro and the financing of the Armed Forces of

Montenegro. The Government of Montenegro adopted 10 bylaws while the Ministry of Defence adopted 15 bylaws in order to implement this law.

Law on the Deployment of the Armed Forces of Montenegro Units in the International Forces and the participation of the Civil Protection, the Police and State Administration Employees in Peace Missions and other Activities Abroad (Official Gazette of Montenegro 61/08) defines: deployment of Armed Forces of Montenegro units in international forces and the participation of the Civil Protection, the Police and the employees in the state administration in peace missions and other activities abroad. The Parliament of Montenegro decides on the deployment of Armed Forces of Montenegro units in international forces, while the Government of Montenegro decides on the participation of the Civil Protection, the Police and the employees in the state administration abroad on the voluntary basis. This law defines the procedures of deploying and withdrawing the Armed Forces of Montenegro and the Civil Protection, the Police and the employees in the state administration from international forces, peace missions and other activities abroad, their rights and responsibilities (salaries, compensations and all other financial compensations, damage compensations and other rights in the case of injury, wounds or illnesses during the time spent in international forces and other activities abroad). The Government of Montenegro adopted 4 bylaws.

Besides the abovementioned laws, in this are (the part on restrictive measures and the control of arms) the following legislation exists:

- The Criminal Code (Official Gazette of the Republic of Montenegro 70/03, 13/04 and 47/06 as well as the Official Gazette of Montenegro 40/08);
- The Criminal Procedure Code (Official Gazette of the Republic of Montenegro 71/03, 7/04 and 47/06 as well as the Official Gazette of Montenegro 57/09 which entered into force on 26 June 2009 and is to be implemented from 26 June 2010)
- The Law on Arms (Official Gazette of the Republic of Montenegro 49/04 and Official Gazette of Montenegro 49/08);
- The Law on Prohibition of Development, Production, Storage and Use of Chemical Weapons and their Destruction (Official Gazette of the Republic of Montenegro 44/05);
- The Law on Foreign Trade in Arms, Military Equipment and Goods of Dual-Use (Official Gazette of Montenegro 80/08);
- The Law on Dangerous Substances Transport (Official Gazette of Montenegro 95/08),
- The Law on Protection and Rescue (Official Gazette of Montenegro 13/07, 05/08),
- The Law on Prevention of Money Laundering and Terrorism Financing (Official Gazette of Montenegro 14/07 and 4/08);
- The Law on Foreign Trade (Official Gazette of the Republic of Montenegro 28/04 and 37/07);
- The Law on Foreigners (Official Gazette of Montenegro 82/08 and 72/09);
- As well as the planned Law on Restrictive Measures until the end of 2011.

10. How many measures (declarations, demarches, common positions) have you aligned with? Which such measures have you not aligned with?

Since June 2006, through its missions to the EU, UN, OSCE and the Council of Europe as well as other international organizations, Montenegro has aligned with the EU measures in 1,677 cases.

The overall number of measures that Montenegro has not aligned with is 27. Montenegro has no political reasons not to align with these positions and declarations of the EU. The rationale why Montenegro has not aligned to a small number of measures is primarily because of technical

problems in receiving certain requests that are delivered electronically and have a brief deadline for responding. Since there is no possibility of consecutive aligning with them, Montenegro is ready to unilaterally apply the EU measures it has not aligned with.

The following list presents the measures with which Montenegro has not aligned:

CFSP Declarations to which Montenegro did not align.

2006

Russia	Enactment of the Russian Law on Non-profit Organisations	19.01.2006
Taiwan	Decision of the Taiwanese leader regarding the NUC	28/02/2006
Iran	Freedom of expression in Iran	26.07.2006
Burkina Faso	The case of the journalist Norbert Zongo	02.08.2006
Sao Tome and Principe	Elections in Sao Tome and Principe	04.08.2006
RDC	Elections in the Democratic Republic of Congo	04.08.2006

2007

DR Congo	Concerning the stability in the Great Lakes region - the situation in the eastern part of DR Congo	15.10.2007
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2008

Iran	Consideration of a draft Penal code in Iran	25.2.08
Guatemala	Guatemalan President's decision to veto the law on reinstatement of the death penalty	20.03.2008
Taiwan	Cross-strait relations	26.5.08
Burma	Extension of the house arrest of Daw Aung San Suu Kyi	29.05.08
DPRK	Six-Party Talks process	30.6.08
-	10th anniversary of the Rome statute of the International Court of Justice.	3.7.08
DPRK	Six-Party Talks	18.07.08
Iran	on the situation of Mr Emadaddin Baghi in Iran	9.9.08
Pakistan	on the assassination of three girls in Pakistan	15.9.08
South Africa	The election of President Kgalema Motlanthe	25.09.08
-	on the occasion of the Day of fight against the capital punishment (10 October)	10.10.08
Maldives	Presidential elections	31.10.2008

2009

-	Declaration by the Presidency on behalf of the European Union on the United Nations International Day in Support of Victims of Torture	26.06.2009
USA	Declaration by the Presidency on behalf of the European Union on the 1000th execution by lethal injection in the United States of America	21.07.2009

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Indonesia	Results of the presidential elections	25.07.09
ASEAN	Declaration by the Presidency on behalf of the European Union on the establishment of an ASEAN regional Commission on Human Rights	24.07.09
Niger	on the situation in Niger	31.07.09
Russia	Declaration on the murders of Chechen human rights defender Zarema Sadulayeva and her husband Alik Dzhabrailov	12.08.2009

Council of Europe Working Bodies Declarations to which Montenegro did not align

2008

Council of Europe	Council Conclusions on Georgia	16. 9. 2008
Council of Europe	on the occasion of the Day of fight against the capital punishment	10.10.2008

11. Which bodies in your country are responsible for, implement and ensure coordination of foreign policy?

The Constitution of Montenegro defines the competences of the bodies in charge of the implementation and coordination of foreign policy. These bodies are the Government, the President and the Parliament.

Pursuant to Article 100, paragraph 1 item 1 of the Constitution, the Government is in charge of internal and external policy of Montenegro, while Article 100, paragraph 1 item 8 and 9 stipulates that the Government makes decisions on recognising states and establishing diplomatic and consular ties with other states, it also proposes ambassadors and heads of other diplomatic postings of Montenegro abroad.

Pursuant to article 95, paragraph 1, point 1 of the Constitution of Montenegro (Official Gazette of Montenegro 01/07) the President of Montenegro represents Montenegro within the country and abroad, while Article 95, paragraph 1 item 6 of the Constitution of Montenegro stipulates that the President of Montenegro posts and recalls ambassadors and heads of other diplomatic representations abroad on the proposal of the Government of Montenegro with the Opinion of the Parliamentary Committee responsible for international relations.

Pursuant to Article 96, paragraph 1 item 7 of the Constitution the President of Montenegro receives letters of credence and letters of recall from foreign diplomatic representatives.

The Parliament of Montenegro, pursuant to article 82, paragraph 1, point 17 of the Constitution, ratifies international treaties. The Parliamentary Committee responsible for international relations gives opinions on the posting and recalling of ambassadors and heads of other diplomatic representations of Montenegro abroad, which is not mandatory. The Decree **on the Organisation and the Manner of Work of the State Administration** (OG of MNE 59/09) in its article 6 defines that the Ministry of Foreign Affairs performs the administrative work related to: implementation of the defined foreign policy of Montenegro and keeping relations with other states, international organisations and institutions; monitoring of the situation in and the development of international relations, as well as bilateral cooperation with other states; monitoring and presentation of political situation and coordination of the activities of the ministries and the institutions of Montenegro in the process of EU accession, Partnership of Peace, NATO and other regional Euro Atlantic and global organisations and initiatives whose membership strengthens the political, economic and security

position of the state of Montenegro; presents initiatives to the Government of Montenegro to establish or interrupt diplomatic ties of Montenegro with other states, accession of Montenegro into international organisations, the manner of representation of Montenegro in the postings of Montenegro to the United Nations, the OSCE, the EU and the Council of Europe as well as opening and closing of a diplomatic and consular posting of Montenegro in other states and to international organisations; performing diplomatic, consular and other specific activities related to political, economic, cultural and information and other relations of Montenegro with other states and international organisations; preparation, conclusion and implementation of international treaties and other international legal acts; protection of interests of Montenegro and its citizens and legal entities abroad in cooperation with other competent bodies; undertaking measures in order to improve relations with Montenegrin diaspora; participation in defining and implementing foreign policy and international cooperation in all areas, in collaboration with competent state bodies; informing the public abroad on the policies of Montenegro; informing the nationals of Montenegro abroad and its diaspora on the policies of Montenegro as well as monitoring of foreign media when reporting about Montenegro; organising cooperation with scientific institutions in order to study and improve the foreign policy of Montenegro; preparation of participation of Montenegrin representatives in international conferences or negotiations on conclusion of international treaties and performing activities related to the implementation of an international treaty; issuing of diplomatic and service documents and keeping record on diplomatic and service documents; activities on issuing diplomatic approval for fly-overs; processing of forms for issuance of documents in diplomatic and consular postings in the framework of centralised system of document issuance and keeping proper records of it; cooperation in the area of consular work with diplomatic representatives of foreign countries and international organisations in Montenegro; monitoring and coordination of activities in the framework of regional initiatives; accreditation of persons residing in Montenegro; collections, keeping record and publishing documentation on the Montenegrin foreign policy, activities in the procedure of implementation of the Succession Agreement; monitoring the position of nationals of Montenegro in other states, as well as other activities under its competence.

The Law on Foreign Affairs is in the final draft preparation phase in the Ministry of Foreign Affairs and shall be sent to the Government and the Parliament for adoption.

12. Have you appointed the necessary "Political Director" and the "European Correspondent"?

The Ministry of Foreign Affairs introduced the position of a "political director" in the Rulebook on Internal Organisation and Systematisation of the Ministry of Foreign Affairs of Montenegro of 15 March 2007. The political director performs the duties of coordination of diplomatic and foreign policy activities of the organisational units within the Ministry of Foreign Affairs; coordinates and actively participates in the contacts and communication of the diplomatic and consular postings of other states and international organisations in Montenegro; in cooperation with the Minister of Foreign Affairs and upon his instructions performs specific duties and appropriate missions related to significant issues for Montenegro in the area of foreign policy and international relations; suggests and takes part in the process of analysis and planning of the policy of the Ministry of Foreign Affairs and the diplomatic and consular postings; heads or participates in bilateral and multilateral political consultations, conferences and gatherings on the appropriate level; when appropriate and upon the instruction of the Minister, replaces the Minister in the activities within the country and abroad.

At the same time, although the Ministry of Foreign Affairs has not established the position of the European correspondent, the EU Directorate – Section for Political Dialogue and Common and Security Policy covers the field of the CFSP.

The areas that are covered by the political director as it is specified in Question 12 of this Chapter, in the course of accession of Montenegro to the EU shall be taken over by the Deputy Minister who is the Head of the EU and NATO Department, while the European correspondent shall be the Director of the EU Directorate.

The Rulebook on Internal Organisation and Systematisation of the Ministry of Foreign Affairs of Montenegro of 15 March 2007 specifies that the Director of the EU Directorate oversees the work of the Directorate, coordinates the cooperation of Montenegro with the European Union in the framework of the political dialogue as well as the foreign and security policy of the EU; analyses information on political, security and socio-humanitarian activities in the EU in cooperation with the EU; takes part in negotiations, conferences and round tables in the field of political cooperation with the EU, foreign and security policy of the EU; coordinates communication with other ministries in connection with the political dialogue with the EU and foreign and security policy of the EU; coordinates the cooperation with the Permanent Mission of Montenegro to the EU and the Delegation of the European Commission in Montenegro, and performs other duties.

Currently, the EU Directorate has five systematised work positions, out of which three have been filled in. In the next period, it is planned to fill in the rest of the positions as well as to enlarge the Directorate in order to fulfil the obligations coming out of the accession process and the later accession to the EU.

13. Please provide us with basic information on the structure, disposition, and numbers of your diplomatic service (embassies, missions, consulates general and consulates). For instance, how many employees does your foreign service consist of (diplomats, support staff etc)?

The Government of Montenegro adopted the Rulebook on Internal Organisation and Systematisation of the Ministry of Foreign Affairs on 15 March 2007.

The Rulebook specifies that the Ministry of Foreign Affairs consists of: the Cabinet of the Minister, the Cabinet of the Political Director, four departments (the Department for the EU and NATO, Bilateral Department, Multilateral Department and the Department for Consular Affairs and Diaspora), the Secretariat, the Ambassadorial Group, three offices (the Office for Analysis and Strategic Planning, the Office for Information and Culture and the International Legal Office), the Diplomatic Protocol, the Diplomatic Academy and the diplomatic and consular postings abroad.

There are 238 civil servants and employees in the Ministry of Foreign Affairs of Montenegro. 89 civil servants and employees are employed in the seat of the Ministry in Podgorica, out of which there are 58 diplomats, 23 junior employees and 8 interns.

Montenegro has a network of 21 embassies in: Austria, Albania, Belgium, Bosnia and Herzegovina, France, Greece, Croatia, Italy, China, Macedonia, Hungary, Germany, Russia, the United States of America, the Holy See, Serbia, Slovenia, Turkey, Great Britain, Switzerland and the United Arab Emirates.

There are 6 permanent missions: to the EU in Brussels, to the United Nations in New York, to the Organisation for Security and Cooperation in Europe in Vienna, to the United Nations and other international organisations in Geneva, to the North-Atlantic Treaty Organisation in Brussels and to the Council of Europe in Strasbourg.

There are two Consulates General – in New York and in Frankfurt.

There are 149 employees in diplomatic and consular postings, out of which 96 are diplomats (23 ambassadors and heads of missions, 2 consuls general and 71 of other diplomats) as well as 53 administrative and technical staff members.

Montenegro covers 19 countries on a non-residential basis with 9 ambassadors (three non-residential ambassadors sitting in Montenegro and 6 in the embassies and missions to the international organizations abroad.

Having in mind the fact that the membership in the EU is the primary foreign policy goal of Montenegro, the Permanent Mission of Montenegro to the EU is being enlarged in order to accommodate the intensity of the accession process at any moment by proper human resources capabilities. In this context, the Rulebook on Internal Organisation and Systematisation of the MFA stipulates that the Permanent Mission to the EU consists of 15 diplomats and 2 staff members. Its organisational chart is made of: ambassador – head of the Permanent Mission, 2 minister-counsellors, 6 first counsellors or counsellors, 2 first secretaries, 2 second secretaries and two third secretaries. In the next immediate period it is planned to upgrade the number of people working in the Permanent Mission in Brussels in order to accommodate the next phase of the European integration of Montenegro.

Military and Defence Sections were set up in early June 2007 in the Mission of Montenegro to NATO in Brussels. Pursuant to the Rulebook on Internal Organisation and Systematisation of the Ministry of Defence and the Armed Forces of Montenegro they are made of: the Military Section with 5 military-diplomatic representatives (1 military representative and 4 military advisers); Defence Section with 3 defence representatives (1 defence representative and 2 defence advisers); the Liaison Officer in the MCD, Mons with one representative; which sums up to 9 representatives. Up to now, four positions have been filled in. The Military and Defence Sections in the Mission of Montenegro to NATO also represent Montenegro in the EU when it comes to the European Security and Defence Policy.

Pursuant to the Rulebook on Internal Organisation and Systematisation of the Ministry of Defence and the Armed Forces of Montenegro, the network of military attaches is made of 8 attaches on residential basis (USA, Russia, Austria, Slovenia, Germany, Serbia, Croatia and Great Britain) and 4 attaches on non-residential basis (Macedonia, Turkey, Italy and China). Currently four posts of military attaches are filled in – Slovenia, Ljubljana on residential basis; Austria, Vienna as well as the military representative to the OSCE in Vienna on residential basis and a military attaché on non-residential basis to Slovakia and the Czech Republic; the United States of America, Washington DC on residential basis serving at the same time as a non-residential military attaché to Canada and Iceland; Germany, Berlin on residential basis serving as a non-residential military attaché in Poland, the Netherlands and Denmark.

The Law on Foreign Affairs is being drafted and its adoption in the Government of Montenegro and the Parliament is planned by the end of this year. The aim of the law is to fully regulate the area of foreign affairs according to the international standards and at the same time to serve for the organisation of the Foreign Service of Montenegro in a modern and efficient way. It is planned that a new Rulebook on Internal Organisation and Systematisation of the Ministry of Foreign Affairs should be drafted once the Law on Foreign Affairs becomes adopted.

Apart from this, special attention shall be put on training and further specialisation of diplomats dealing with the common foreign, security and defence policy of the EU. The Ministry of Foreign Affairs, Ministry of Defence, Ministry of Interior and Public Administration and Police Administration take part in regional trainings in the field of the ESDP, which comes as the product of cooperation of the Western Balkans countries and four EU countries (Slovenia, Hungary, Germany and Austria), as well as in special bilateral seminars and orientation courses on the ESDP. At the same time, having in mind the need to involve the employees of the Montenegrin Ministry of Foreign Affairs in the policies of the EU in the area of the CFSP, joint development projects shall be developed with Member States of the EU in the field of training or study visits to the EU institutions (DG for external relations, DG for enlargement etc).

See the organizational chart of the Ministry of Foreign Affairs, answer to the question 3.

B) CFSP – political dialogue

14. In view of the objective of strengthening the security of the Union and its Member States in all ways (Art. 11.2 TEU), please explain the state of relations between your country and neighbouring non-EU member states. For this purpose, the Commission requests you to provide summary information on your co-operation with neighbouring countries, including both co-operation in regional organisations and bilateral co-operation.

The Constitution of Montenegro stipulates that Montenegro cooperates and develops friendly relations with other states, regional and international organisations on the principles of international law. The paper of the Government of Montenegro Foreign Policy Priorities of Montenegro, confirms its commitment to the improvement of good-neighbourly relations and regional cooperation. Montenegro cherishes good bilateral relations with all its neighbours and contributes to regional stability as a constructive partner through the affirmation of dialogue and cooperation.

In a very brief period since it regained its independence Montenegro has shown to be a factor of peace, stability and cooperation in the region in the context of its dedication to an open and all encompassing cooperation in order to strengthen the European and Euro-Atlantic perspective of the Western Balkan countries. The aim of Montenegro is to develop good relations and communication with all neighbouring countries, to preserve mutual respect and constantly build political, economic, security, cultural and scientific contacts and cooperation as well as the very significant infrastructural linkages. With these countries Montenegro shares not only the same geographical space but the same foreign policy objectives.

Exactly because of its special and positive role in the region, Montenegro can be a mediator for resolving bilateral disputes among the countries of the Western Balkans; can actively participate in promoting regional cooperation through the already developed regional mechanisms of various institutions and organisations, as well as through ad hoc bilateral, trilateral or quadrilateral fora. Montenegro is of a strong belief that only through this approach of a comprehensive cooperation and development of good neighbourly relations the whole region can move faster and better in its accession to the EU.

(A more detailed presentation of the relations with the countries of the Western Balkans is given in the answer to question 112 of the 3 Chapter of the Political Criteria)

Cooperation with Regional Organisations

Montenegro is active in regional organisation and initiatives. It had also taken an active part in their work even earlier being a member of the Federal Republic of Yugoslavia and the state union with Serbia. Montenegro is a supporter of the regional ownership concept from the very beginning of its promotion in the region.

Since it regained its independence in 2006 and defined regional cooperation as one of the three most significant foreign policy priorities, Montenegro primarily worked on regulating its status in the most important regional organisations and initiatives as well as in taking part in their activities. In line with the succession principle, Montenegro secured its status of a full-fledged member of regional organisations and initiatives of special national interest for it, as well as the status of observer/guest in those initiatives and organisations in which the Montenegro national interest plays a smaller role. Moreover, it accomplished the membership in those initiatives in which it had not been a member through its former state and legal framework.

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Montenegro has the status of a full-fledged member in the following regional organisations and initiatives:

1. The Central European Initiative (CEI) – Montenegro became a member on 1 August 2006 and since then it regularly fulfils its financial contributions to the CEI Secretariat in an annual amount of 3,330 euro. Since 2009 the annual contributions have been increased by 20 percent so that Montenegro (the Ministry of Foreign Affairs) contributes 3,960 euro. A network of

contact persons has been established on the national level in order to improve cooperation with the CEI in the following areas: climate and environment; renewable energy; entrepreneurship development; tourism; human resources development; information society; media; cooperation among cultures, minorities; multimodal transport; science and technology; sustainable agriculture and cross-border and regional cooperation. Montenegro applied for funding from the CEI Fund for three projects: one for the Regional Cooperation Fund on 1 April 2008 and two for the Climate and Environment Protection Fund on 30 September 2008 (not approved). Montenegrin representatives take an active part in all CEI meetings. Montenegro shall take a one year chairmanship-in-office of the CEI from 1 January 2010.

2. The South-East European Cooperation Process (SEECP) – Montenegro became a member of the SEECP on 11 May 2007. There is no financial contribution envisaged by the membership apart from the financial contribution of 40,000 euro for the membership in the Regional Cooperation Council (RCC) which is an operational body of the SEECP. Montenegrin representatives actively participate in all meetings of the Initiative on the level of political directors, ministers and heads of state or government. This is of great importance in order to demonstrate the commitment of Montenegro to regional processes and strengthening of its image of a new Balkan state which contributes to regional stability through its constructive approach to the most delicate issues, conscious of this being extremely important for European and Euro-Atlantic integration processes. During the visit of Prime Minister M. Đukanović to Romania, 23 October 2008, Montenegro signed the Charter on Good-Neighbourly Relations, Stability, Security and Cooperation in South-East Europe, which is the most significant document of the SEECP. By doing this, Montenegro fulfilled another important international obligation. Montenegro shall take over the chairmanship-in-office of the SEECP in June 2010.
3. The Regional Cooperation Council (RCC) – Montenegro became a member of the RCC in February 2008. It gives its financial contribution in the amount of 40,000 euro. Montenegro ratified the Agreement between the Council of Ministers of Bosnia and Herzegovina and the Governments of other State Parties of the South East European Cooperation Process, the Interim Administration of the Mission of the United Nations in Kosovo, on behalf of Kosovo and in line with the UNSC Resolution 1244 on the Arrangement of the Host Country for the RCC Secretariat on 11 February 2008. RCC experts organised a presentation of the RCC with the competent Montenegrin authorities in Podgorica 11/12 November 2008. Montenegro (the Ministry of Foreign Affairs) established a network of contact points for cooperation with the RCC in line with clearly defined areas and intensified its efforts on the communication with the SEE countries on the national level with the assistance of the RCC as a regional promoter of cooperation in order to better articulate its interest and cooperation. The main aim is to give birth to the project dimension of the RCC activities, which presents the regional ownership over the most important mechanism and the main interlocutor of the countries of the region and the European Commission as well as the overall international donor community. In this regard, Montenegro actively participates in the project-oriented cooperation by contributing to various projects such as the South-eastern and Central Europe Catastrophe Risk Insurance Facility (SECE-CRIF) or the South East European Fire-fighting Regional Centre (SEEFREC). Two Montenegrin representatives work in the RCC.
4. Migration, Asylum, Refugees Regional Initiative (MARRI) – Montenegro became a member of this initiative in April 2007. It took over its chairmanship-in-office in May 2009. In order to strengthen the regional ownership concept, MARRI Member States have financed activities and costs of the MARRI Centre since 2008. Montenegro (Ministry of Interior and Public Administration) provides an annual contribution in the amount of 17,580 euro. The Montenegrin representative sitting in the MARRI Regional Centre is the deputy director of the Centre at the same time. Montenegrin representatives actively participate in all six-month and yearly meetings of the MARRI Forum. The Montenegrin Presidency of MARRI has held four meetings in the MARRI Regional Centre up to now.
5. The Adriatic-Ionian Initiative (All) – Montenegro became a member on 1 June 2007, but even before that Montenegro presided over the initiative on behalf of the state union of Serbia and Montenegro in the period of 2004/2005, which was the first ever chairmanship-in-office of Montenegro over a regional initiative. The All Member States are not obliged to contribute

financially to the activities of the initiative. The Ministry of Foreign Affairs coordinated the work on the creation of the network of contact points for the All covering the following areas of work: small and medium enterprises, transport and maritime cooperation, tourism, culture and inter-university cooperation, as well as environment and protection against fires. Representatives of the Ministry of Foreign Affairs actively take part at the Committees of High Representative and the Council of Ministers of the All, while the line ministries representatives participate at numerous thematic meetings. Montenegro shall take over the presidency of this initiative in May 2010.

6. The Union for the Mediterranean – Montenegro became a member of this organisation on 13 July 2008. Since financial contribution has not been defined yet, Montenegro is not contributing to the Union. The Ministry of Foreign Affairs is engaged in the coordination of the activities of line ministries in order to prepare the inclusion of Montenegro within all project initiatives of the UfM. Throughout 2008 it appointed contact points in all relevant ministries. The membership in this initiative is important having in mind the possibility to participate in regional and sub-regional projects and programmes of the EU in the Mediterranean, especially in the area of environmental protection and preservation of sea, as well as the area of alternative energy sources such as solar one and therefore the valorisation of the Mediterranean dimension as one of the key ones in the foreign policy of Montenegro. Full-fledged membership is of benefit for further improvement of bilateral relations with the countries that are members of this initiative as well as additional affirmation of Montenegro being a responsible partner and candidate for membership in the EU. The possibility of active participation in the Euro-Mediterranean Parliamentary Assembly (EMPA) is open, too. This is of great importance for strengthening parliamentary dimension of Montenegro foreign policy and its international place. Montenegro appointed its representative in ARLEM in the framework of the Committee of European Regions/UfM and the Anna Lind Foundation.
7. The Central European Free Trade Agreement – CEFTA 2006. The Agreement entered into force on 26 July 2007. Montenegro took over the chairmanship-in-office on 1 January 2009. The activities of the initiative mainly fall under the competence of the Ministry of Economy that energetically implements its plan and programme of presidency. A number of expert meetings have been held, while the first meeting of Deputy Ministers of Economy of the CEFTA Member States was held in Budva in May 2009. Montenegrin Chairmanship-In-Office played an important role in the process of adoption of the Law on the Protection of Domestic Production in the Parliament of Bosnia and Herzegovina which was put out of force by the decision of the Constitutional Court of Bosnia and Herzegovina. By the end of 2009, Montenegro shall organise the summit of heads of government of the CEFTA Member States.
8. The Initiative on Cooperation of Local Communities at the Triple-Border of Bosnia and Herzegovina, Montenegro and Croatia. Montenegro became member on 27 April 2007 and it chaired the Initiative from May 2008 until July 2009. During its presidency-in-office Montenegro established the Commission for Cross-Border Cooperation in the Cases of Natural and Other Disasters and in the Area of Natural Resources Management. Five meetings in all have been held up to now, which have been used to initiate, formulate and harmonise four projects of crucial importance for the population living by the triple-border. The projects were presented at the Ministerial Meeting of the Initiative together with the donor community representatives with the following title The Presentation of Project-Oriented Cooperation at the Triple-Border. The aim of the meeting was to publicly present joint projects and to animate donor community in order to get funding for the presented project, all of which strengthened the cross-border cooperation of the three Member States. A joint statement on cooperation in the implementation of common cross-border projects under the competence of the Commission was signed. During the Montenegrin Presidency-In-Office, representatives of the local communities confirmed their interest for joint cooperation in the identified areas and emphasised the need to swiftly start their implementation, especially in the area of protection against fires.
9. Regional Centre for Fight against Cross-Border Criminal (SECI Centre in Bucharest). Montenegro became a full-fledged member on 6 June 2008. The Ministry of Interior and Public Administration/Police Administration and Customs Administration are competent for the

activities of this Initiative. Their representatives are actively involved in the meetings of the initiative. A representative of the Police Administration was sent to the SECI Centre in 2008, by which Montenegro fulfilled its obligation of seconding a national representative.

10. South East Europe Energy Community. Montenegro ratified the Agreement of the Creation of the SEE Energy Community on 26 October 2006. It presided over the Community in the period 1 January – 1 July 2007. The Ministry of Economy is competent for the activities of this initiative. Its representatives regularly and actively take part in the work of the Council of Ministers, Permanent High-Level Group and the Regulatory Body of the SEE Energy Community.
11. South East Europe Health Network (SEEHN) – Montenegro became member on 2 September 2001 and presided over the initiative in the period 30 June – 31 December 2008. Representatives of the Montenegrin Ministry of Health actively participate in the meetings organised by this initiative.
12. Centre for Security Cooperation (RACVIAC) – Montenegro became member on 21 March 2007. Its financial contribution is 10,528 euro and is paid by the Ministry of Defence of Montenegro which is responsible for the most part of activities of RACVIAC. Montenegrin representative participate at the meetings of the Multinational Advisory Group (MAG). Representatives of the Ministry of Defence and the Armed Forces of Montenegro as well as other institutions take part in numerous and various seminars, courses and trainings organised in the Centre.
13. The Disaster Preparedness and Prevention Initiative (DPPI) – Montenegro has been a member of the Initiative since its inception. It provides an annual contribution of 25,000 euro, paid by the Ministry of Interior and Public Administration. Montenegro signed the Memorandum of Understanding of the Institutional Framework of the Initiative on 24 September 2007 – the ratification process is ongoing.
14. The Regional Anti-Corruption Initiative (RAI) – Montenegro became member in February 2000. It took the two year presidency-in-office on 9 October 2007. The Anti-Corruption Initiative Administration provides an annual contribution of 24,000 euro. Montenegro organised summer school for young judges and prosecutors from nine countries in the region (Moldova, Bulgaria, Rumania, Serbia, Macedonia, Bosnia and Herzegovina and Montenegro) in June 2008. Montenegrin representatives regularly attend the activities of RAI.
15. The Council of Ministers of Culture of South East Europe. Montenegro became member on 31 March 2005 and is currently presiding over the initiative (April 2009 – 2010). Representatives of the Ministry of Culture, Sport and Media of Montenegro attend all meetings of the initiative. The first meetings in the framework of the Montenegrin presidency are planned for late 2009.
16. Electronic South East Europe Initiative (eSEE) – Montenegro has been a member since 4 June 2002. The Ministry of Information Society of Montenegro is responsible for this initiative and it participates actively in the work and organisation of the meetings of eSEE.
17. The Police Cooperation in South East Europe – Montenegro signed the Convention on Police Cooperation in South East Europe on 5 May 2006 and ratified it on 26 December 2007 by which it became eligible for full membership in the initiative. The first workshop on police cooperation of the SEE countries was held in Podgorica on 2 October 2008. Its goal was to create a more intensive police cooperation in the region.
18. The International Commission for the Protection of the Danube River (ICPDR) – after several months of diplomatic activities of the Ministry of Foreign Affairs with the Secretariat and the Member States of the ICPDR, and especially with the depositary of the Convention on the Cooperation on Protection and Sustainable Use of the Danube – Rumania, Montenegro acceded to this Convention in October 2008, which was a precondition for her to become a full-fledged member of the International Commission. The official accession of Montenegro to the ICPDR happened at the ICPDR Conference in Vienna on 10-11 December 2008. Annual financial contribution is 21,173.17 euro.

19. The Regional School for Public Administration (ReSPA) – The International Agreement on the Establishment of ReSPA was signed in Podgorica on 21 November 2008. Its seat is in Danilovgrad, Montenegro, while the school became operational on 1 January 2009. The European Commission announced a public tender for equipment of the school in 2009. The annual ReSPA contribution of Montenegro is 120,000 euro.
20. South Adriatic Eurodistrict – Montenegro is one of the founders of this initiative. The official signing ceremony of the Convention of Accession was held in Italy in March 2008. The Mayor of the Kotor Municipality (Montenegro) was elected the Chairman of the initiative. The first meeting of the Executive Board was held in April 2008 in Kotor.
21. The Adriatic Euroregion – Montenegro has been a member of the Initiative since its inception and is actively involved in its activities.
22. The Adriatic Charter (A5) - Montenegro became a full-fledged member on 4 December 2008. In order to contribute fully to the activities of the Adriatic Charter, Montenegro organised the Conference of the Chiefs of General Staff of the A5 members (Montenegro, Croatia, Bosnia and Herzegovina, Macedonia and Albania) in September 2009 in Montenegro.
23. South East Europe Clearing House (SEECH) – Montenegro became a full-fledged member of the SEECH in November 2006. The Government of Montenegro started the programme Montenegro Demilitarisation MONDEM as an integral part of the Programme of Capacity Development for Demilitarisation and Secure Storage of Weapons and Conventional Ammunition SALW for Montenegro. The Programme is jointly implemented by the Ministry of Defence of Montenegro, the UNDP and the OSCE. The Ministry of Defence signed a Technical Agreement with the US State Department in early 2008. Its aim is to destroy small and light weapons and various types of ammunition. During the SEECH Conference in Bečići in Montenegro 17-19 June 2009, the Ministry of Defence presented an initiative to establish a Regional Centre for Training of Helicopter Pilots which was endorsed by all participants at the conference. This initiative was also welcomed in July 2009 in Brussels by the European Defence Agency. Having in mind extremely good geographic characteristics of the terrain in Montenegro and the expertise that Montenegrin helicopter pilots possess from the time of ex Yugoslavia, when a similar centre existed in Podgorica, this initiative of Montenegro can present a very valuable contribution to the development of trust and security cooperation in the region.
24. South East Europe Small Arms Control Regional Centre (SEESAC) - Montenegro cooperates with SEESAC in drafting Regional Reports on Export of Weapons and Military Equipment as well as in projects in the area of small and light weapons.
25. The South East Europe Defence Ministers (SEDM) – Montenegro received an observer status within SEDM on 28 September 2006 and it became a full fledged member on 21 October 2009.

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Montenegro is an observer/guest/partner in the following regional organisations and initiatives:

1. The Danube Commission – Montenegro became observer on 6 November 2006.
2. The Danube Cooperation Process (DCP) – during the ex state union with Serbia Montenegro had been a full-fledged member of the Process. On the invitation of the Republic of Serbia, Montenegro participated at the latest DCP meeting as a guest.
3. The Adriatic Trilateral Commission – Montenegro has taken part in the recent meetings of the Commission as an observer. The interest and intention of Montenegro is to become a full fledged member as well as that the initiative be enlarged to other Adriatic states (besides Montenegro to Bosnia and Herzegovina and Albania). In this regard, Montenegro received the support to join the Commission by Slovenia and Croatia and therefore submitted its request to Italy. The Italian response is that this issue should be discussed during the next plenary session of the Commission in May or June 2010. Montenegro is to officially send a request for membership to the three founding states of the Commission in order to properly inform their competent authorities on the wish of Montenegro to join the Commission.

4. The Black Sea Economic Cooperation Organisation (BSEC) – Montenegro received the status of partner for inter-sectorial dialogue with a renewable validity of two years on 1 November 2008. Montenegrin first participation in a BSEC Ministerial Council was in late April 2009 in Yerevan.

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The status of Montenegro has not been resolved in the following initiative according to the previously submitted request:

1. International Commission for the Protection of the Sava River Basin (ISRBC) – Montenegro received an invitation to participate in the guest status during the first meeting of the signatories of the Framework Agreement on the Sava River Basin, which was held in Zagreb 1 June 2007. During this meeting, the Slovene representative, as a depositary of the Agreement, invited Montenegro to become an associated member of this regional organisation. The Ministry of Foreign Affairs notified the Secretariat of the Commission that it looked into the possibilities of acceding to the ISRBC and asked for information on necessary steps in order to fulfil international-legal conditions on full-fledged membership (there was no back information). Montenegro received the invitation to take part in an observer status at the second meeting of the signatories of the Framework Agreement on the Sava River Basin which was held in Belgrade on 1 June 2009. The issue of the Montenegrin full-fledged membership was not discussed during this meeting.

15. What political dialogue takes place between your country and the following countries and specific areas?

Explained in following subquestions:

- Western Balkans (Croatia, Bosnia and Herzegovina, Serbia, Kosovo under UNSCR 1244, Albania, Former Yugoslav Republic of Macedonia);

Cooperation with the Western Balkan countries is explained in Chapter III – Political Criteria, Regional Questions and International Obligations under the answer to question 112.

- Turkey;

TURKEY

BILATERAL RELATIONS

Montenegro and Turkey have good and friendly relations, intensive political contacts with no outstanding issues. They are both connected by the common strategic goal – the European integration. There are numerous possibilities for intensification and further strengthening of bilateral relations. The two countries have good cooperation in the area of defence, security and transport. The cooperation in the field of tourism has been much improved as well as there are more and more Turkish investors and business partners in the field of tourism, construction industry, water management and energy.

The Turkish Agency for International Development and Cooperation provides significant assistance and contribution to the development of Montenegro through the implementation of numerous projects in the country.

BILATERAL AGREEMENTS

There are nine agreements between Montenegro and Turkey. Five more are in the pipeline: on economic cooperation, transport of passengers and cargo in international road traffic, cooperation in the area of culture, defence area and on the exchange of plots for the respective diplomatic and consular postings.

Montenegro and Turkey signed the Visa Liberalisation Agreement on 18 January 2008 which came into force on 19 May 2008.

ECONOMIC COOPERATION

The two states develop successful economic cooperation. Turkish businessmen delegations came to visit Montenegro and a Turkish-Montenegrin Business Council has been established in order to improve economic cooperation. The members of the Council are businessmen from both countries working on the improvement of collaboration in food industry, construction industry, trade and tourism. A successful example of Turkish investment is the Gintas Company (Mall of Montenegro project - the largest mall in Montenegro which has been funded by Gintas in the amount of EUR 15 million). There is further interest in cooperation in the area of energy and construction.

COOPERATION IN THE REGIONAL AND MULTILATERAL FRAMEWORK

Montenegro and Turkey have good cooperation in the frame of regional and wider multilateral organisations. When it comes to regional cooperation, the two states cooperate in the framework of the SEEC (South East Europe Cooperation Process) – Montenegro is taking over the chairmanship-in-office from Turkey in June 2010; the Union for the Mediterranean, Disaster Preparedness and Prevention in South East Europe, Council of Ministers of Culture of South East Europe, Regional Cooperation Council, Centre for Security Cooperation RACVIAC, SECI Centre and the Black Sea Economic Cooperation Organisation.

- The countries covered by the European Neighbourhood policy (ENP);

Countries that fall under the European Neighbourhood Policy (countries of the Eastern partnership and the Euro- Mediterranean Partnership) are explained through the next two points (i) the Eastern partnership and (ii) the Euro- Mediterranean Partnership.

- Eastern Partnership;

1.MOLDOVA

BILATERAL RELATIONS

The relations of Montenegro and the Republic of Moldova are characterised by the continuity of meetings on a high level, both bilateral and in multilateral forums; by the cooperation of national parliaments as well as the collaboration in the frame of a number of regional organisations. Scientific cooperation links are also developed.

BILATERAL AGREEMENTS

The process of treaty consolidation and the finalisation of the succession of the bilateral treaties that existed during the previous state arrangements within the Socialist Federal Republic of Yugoslavia; Federal Republic of Yugoslavia and Serbia and Montenegro and Moldova are under way. After Montenegro regained its independence the following treaties have been concluded: the Agreement on Mutual Cooperation in the Customs Area, the Agreement on Cooperation of the two Academies of Science; while the Agreement on Readmission and the Agreement on Mutual Promotion and Protection of Investments between the Government of Montenegro and the Government of the Republic of Moldova are in the pipeline.

ECONOMIC COOPERATION

Economic cooperation between the two states is negligible.

COOPERATION IN THE MULTILATERAL FRAMEWORK

Together with Moldova, Montenegro participates in the programmes of cooperation of Southeast Europe (SEES) – IPA II Component. Montenegro and Moldova have good cooperation in the framework of regional and international organisations: the South East Europe Cooperation Process (SEECF), Central European Initiative (CEI), Central European Free Trade Agreement (CEFTA), the Black Sea Economic Cooperation Organisation (BSEC), Disaster Preparedness and Prevention in South East Europe, the SECI Centre, Regional Cooperation Council, RACVIAC, International Commission for the Protection of the Danube River, Council of Europe, OSCE, UN and its specialised agencies.

2.GEORGIA

BILATERAL RELATIONS

There are no open issues between Montenegro and Georgia. Vice Prime Minister and the Minister for European and Euro-Atlantic integration of Georgia visited Montenegro on 2 September 2009.

ECONOMIC COOPERATION

Economic cooperation of the two countries is still of low intensity. There was no significant trade between Montenegro and Georgia in 2008.

MULTILATERAL COOPERATION

Montenegro and Georgia cooperate on the multilateral level primarily in the framework of the UN, Council of Europe and the OSCE.

3.AZERBAIJAN

BILATERAL RELATIONS

Montenegro and Azerbaijan have no open issues

ECONOMIC COOPERATION

There is no economic cooperation of Montenegro with Azerbaijan. There is interest for improvement of economic cooperation, especially in the energy sector, infrastructure and agriculture.

MULTILATERAL COOPERATION

Montenegro and the Republic of Azerbaijan cooperate on multilateral level primarily in the framework of the UN, Council of Europe and the OSCE.

3.ARMENIA

BILATERAL RELATIONS

Montenegro and Armenia have no open issues.

ECONOMIC COOPERATION

There is no economic cooperation between Montenegro and Armenia.

MULTILATERAL COOPERATION

Montenegro and Armenia cooperate multilaterally in the frame of: the Organisation for European Security and Cooperation, World Health Organisation, UNESCO, Food and Agriculture Organisation, International Maritime Organisation, International Labour Organisation, WIPO, WMO, WCU and through a number of other organisations.

4.BELARUS

BILATERAL RELATIONS

Montenegro and the Republic of Belarus have no outstanding issues. There have been no official political contacts.

BILATERAL AGREEMENTS

Montenegro and the Republic of Belarus have three bilateral agreements: Agreement on Economic Cooperation, Agreement on Promotion and Protection of Investments and Agreement on Dual Tax Evasion. There is also the Agreement on Mutual Travel of Citizens which enables the citizens of the two countries to stay of up to thirty days without visas. The Agreement has not entered into force yet and it is applied temporarily until the internal legal procedures are fulfilled.

ECONOMIC COOPERATION

Economic cooperation is of a very low intensity. Trade in goods between Montenegro and Belarus in 2008 was EUR 75,000.00 and was mainly Montenegro export. Foreign direct investment from Belarus to Montenegro in 2008 was EUR 1,064,581.00.

OTHER AREAS COOPERATION

Montenegro and Belarus cooperate in the field of tourism, although on a low level. There is also cooperation in the area of culture between the two countries. The delegation of the Montenegrin Academy of Science and Art visited Minsk in January 2009 on the invitation of the National Academy of Science and Art of Belarus.

MULTILATERAL COOPERATION

Being the members of the UN, Montenegro and Belarus cooperate in the framework of this organisation and through its specialised agencies. They also cooperate within the OSCE, CEI, ILO, UNESCO, WHO, UPU, IOM and others.

5.UKRAINE

BILATERAL RELATIONS

There are no outstanding issues between Montenegro and Ukraine. Currently the two countries are conducting very complicated bilateral negotiations on the process of accession of Montenegro to the World Trade Organisation.

BILATERAL AGREEMENTS

Fourteen bilateral agreements exist between Montenegro and Ukraine; four out of these 14 are implemented temporarily. Sixteen bilateral agreements are being negotiated.

ECONOMIC COOPERATION

Economic cooperation of Montenegro and Ukraine is of low intensity. However, there is an interest for further improving and developing this cooperation. Exchange of goods for 2008 was EUR 5.176 million, out of which the Montenegrin export was EUR 653 000 while the import was EUR 4.523 million. Foreign direct investment from Ukraine in 2008 was EUR 3.029 million out of which one million was invested into banks and enterprises while the rest EUR 2.029 million was invested in real estate in Montenegro.

COOPERATION IN OTHER AREAS

Montenegro and Ukraine cooperate in the field of tourism and culture although on a low level. There is also cooperation between local self-governments of Montenegro and Ukraine.

MULTILATERAL COOPERATION

Montenegro and Ukraine cooperate in the framework of the UN and its specialised agencies, the OSCE and other international organisations, Central European Initiative, ICPDR and the Black Sea Economic Cooperation Organisation.

- **Euro-Mediterranean Partnership;**

II EUROMEDITERRANEAN PARTNERSHIP

Montenegro significantly improved its relations with the countries of the Mediterranean through its membership in the Union for the Mediterranean (from 13 July 2008), especially when having in mind the fact that there is a number of joint project and programmes being developed by the Member States. Moreover, Montenegro has been actively involved through this initiative in the mechanisms that the EU develops in this region and thus it has shown to be able to build up its policy and contribute to the CFSP.

1.ISRAEL

BILATERAL RELATIONS

Montenegro and Israel have no outstanding issues. The first official visit of an Israeli foreign minister to Montenegro was organised in September 2009. Montenegro has a Honorary Consulate in Tel Aviv.

BILATERAL AGREEMENTS

The consolidation of the treaty obligations of Montenegro and Israel is under way. The Visa Liberalisation Agreement was signed during the visit of the Israeli foreign minister to Podgorica.

ECONOMIC COOPERATION

Economic relations between Montenegro and Israel are of relatively low intensity; the most important Israeli investments have been in the tourism sector at the coast of Montenegro. During 2009 an airline charter line was set up between Tel Aviv and Podgorica.

MULTILATERAL COOPERATION

Israel and Montenegro cooperate in the framework of the UN and other international organisations. Israel gave its support for the membership of Montenegro in the Euro- Mediterranean Partnership which provides opportunities for a more active multilateral cooperation.

2.PALESTINIAN SELF-GOVERNMENT

BILATERAL RELATIONS

Montenegro and Palestine have no open issues.

BILATERAL AGREEMENTS

The consolidation of the treaty obligations of Montenegro and Palestine is under way. Palestine covers Montenegro with a non-residential ambassador.

ECONOMIC COOPERATION

There is no economic cooperation between the two countries.

MULTILATERAL COOPERATION

There are possibilities for cooperation in the framework of international organisations and the Euro-Mediterranean Partnership.

3.LEBANON

The Lebanese Republic has not recognised the independence of Montenegro yet. The Ministry of Foreign Affairs of Montenegro sent a new letter to the Ministry of Foreign Affairs of Lebanon in July 2009 in this regard.

4.JORDAN

The Kingdom of Jordan has not recognised the independence of Montenegro yet. The Ministry of Foreign Affairs of Montenegro sent a new letter to the Ministry of Foreign Affairs of Lebanon in July 2009 in this regard.

5.ALGERIA

BILATERAL RELATIONS

There are no open issues between Montenegro and Algeria. The minister of energy and mining visited Montenegro in September 2009.

There is interest to improve cooperation and conclude treaties in the area of maritime transport, education, culture, science and sport.

BILATERAL AGREEMENTS

The basis for negotiations and conclusion of the Agreement on Visa Liberalisation for Diplomatic and Service Passports has been defined.

ECONOMIC COOPERATION

Economic cooperation is on a very low level.

MULTILATERAL COOPERATION

There are possibilities for cooperation of Montenegro and Algeria in the framework of international organisations, especially in the Union for the Mediterranean.

6.EGYPT

BILATERAL RELATIONS

Montenegro and Egypt have no open issues. There are political contacts on a high and the highest level.

BILATERAL AGREEMENTS

The process of treaty consolidation is under way – 7 bilateral agreements of the former Yugoslavia and the state union of Serbia and Montenegro with Egypt. The two ministries of foreign affairs signed the Cooperation Protocol

ECONOMIC COOPERATION

Exchange of goods in 2008 was EUR 1.5 million (Montenegrin export was EUR 997 000). Egyptian investments in Montenegro were EUR 11.2 million. Joud Real Estate Funds from Egypt is currently present in Montenegro – it plans to construct a tourist resort complex Royal Montenegro Grand Resort on the Skočičevojka location close to Budva by 2010. The Orascom Hotels and Development that won the tender for the privatisation of the firm Luštica Development, which owns 7 million square metres on the popular peninsula of Luštica, close to Tivat, is also present in Montenegro. The value of the investment is approximately one billion euro.

MULTILATERAL COOPERATION

There is potential for cooperation in the Union for the Mediterranean, where Egypt supported the membership of Montenegro in July 2008. There is an ongoing cooperation within the UN and other international organisations.

7.TUNISIA

BILATERAL RELATIONS

Montenegro and Tunisia have no open issues.

BILATERAL AGREEMENTS

The basis for negotiations and conclusion of the Agreement on Mutual Travel of Citizens has been laid.

ECCONOMIC COOPERATION

Exchange of goods is very small. There are possibilities to establish cooperation in the area of tourism, agriculture and maritime.

MULTILATERAL COOPERATION

The Union for the Mediterranean presents a good potential for cooperation.

8.LIBYA

Montenegro and Libya have no outstanding issues. There are contacts on the highest level. There is interest for strengthening economic cooperation.

9.MOROCCO

BILATERAL RELATIONS

Montenegro and the Kingdom of Morocco established diplomatic relations in September 2009. There are no open issues between the two countries.

ECONOMIC COOPERATION

Economic cooperation is of very low intensity

MULTILATERAL COOPERATION

The Union for the Mediterranean presents an opportunity for cooperation.

10.SYRIA

BILATERAL RELATIONS

There are no open issues between the two countries

ECONOMIC COOPERATION

Economic cooperation of Montenegro and Syria is not registered.

MULTILATERAL COOPERATION

There are possibilities to cooperate in the Union for the Mediterranean.

11.MAURITANIA

Mauritania has not recognised the independence of Montenegro yet.

- Russia;

III RUSIJA

BILATERAL RELATIONS

The relations of Montenegro and Russia are characterised by traditionally friendly relations as well as a successful bilateral cooperation in all areas, along with intensive political contacts. There is comprehensive cooperation of the two states in the area of culture and science, through

scholarships that the Russian side offers to Montenegrin students. The cooperation of Montenegro and Russian cities is significant. The number of Russian tourists visiting Montenegro is constantly on the rise. There are good relations when it comes to security issues as well as judiciary. The two ministries of foreign affairs have intensive and continued cooperation through bilateral, consular and multilateral consultations.

BILATERAL AGREEMENTS

There are 20 agreements between Montenegro and the Russian Federation. Four more agreements are in the pipeline. It is expected that the Agreement on the Transport of Passengers and Cargo in the International Road Traffic is to be signed since its text has been finalised. Montenegro and Russia have a Visa Liberalisation Agreement, by which the citizens of Montenegro and Russia can visit the two countries in the duration of up to 30 days – this has been very significant for the intensification of the overall cooperation. The Government of Montenegro adopted the proposition for negotiations and conclusion of the bilateral Agreement on Readmission (return and admission) of persons illegally residing in Montenegro or Russia and notified the Russian side about it.

ECONOMIC RELATIONS

Montenegro and Russia have developed economic relations and there is mutual readiness for their intensification. In 2008 Russia was the second biggest investor in Montenegro with EUR 126 million. In order to improve cooperation in this area, a Joint Committee for Trade, Economic and Scientific and Technical Cooperation was established. There is investments of the Russian companies such as the Mirax Group (Montenegrin coastline projects valued EUR 200 million), the Korston Group (hotel investment), Lukoil etc. Chambers of commerce of the two states have good cooperation.

MULTILATERAL COOPERATION

Montenegro and Russia have good cooperation in international organisations.

- USA and Canada;

1. THE UNITED STATES OF AMERICA

BILATERAL RELATIONS

Montenegro and the USA have good partnership relations and political contacts with developed cooperation in a number of areas. The USA have been giving bilateral support in the amount of 200 million USD in the past ten years. This support is ongoing in many development projects throughout Montenegro. There is a state partnership between Montenegro and the State of Main in military and civilian area. The USA are especially supporting the process of the defence sector reform in Montenegro, which presents a very significant factor for the future progress of Montenegro in its Euro-Atlantic integration.

BILATERAL AGREEMENTS

Since the independence, Montenegro and the USA have concluded ten bilateral agreements in many areas, out of which the Agreement on Bilateral Cooperation with the Stated of Main and the Agreement on Security Cooperation are of special importance. In April 2007 Montenegro and the USA exchanged diplomatic notes and concluded the Agreement on the Article 98 in the Rome Statute, by which they undertook the obligation not to send the nationals of their countries to the International Court of Justice if being accused of war crimes, genocide and crimes against humanity. The work on consolidation of treaties and the finalisation of bilateral agreements succession of the SFRY, FRY and the state union of Serbia and Montenegro with the USA is under way.

ECONOMIC COOPERATION

Representative Offices of the American Chamber of Commerce and the American-Montenegrin Business Council were opened in 2008. The USA is the leading Montenegrin foreign trade partner outside of Europe when it comes to trade of goods. In early 2009 Montenegro and the USA signed the bilateral Agreement on the Access to the Goods and Service Market in the process of accession of Montenegro to the WTO. There is a continuity of high level meetings of the Montenegrin minister of finance and the Central Bank governor with the US Ministry of Finance and Treasury.

COOPERATION IN OTHER AREAS

The US is active in expert and finance support to Montenegro in a number of various areas, such as fight against trafficking in human beings, corruption and organised crime, drafting criminal legislation, the development of north, cultural and education cooperation etc. Special part of cooperation is the one in the defence sector since the US play an important role, especially in the training of Montenegro troops for ISAF. The Office for Bilateral Cooperation of the USA was opened in the Montenegrin Ministry of Defence in February 2009.

MULTILATERAL COOPERATION

The USA supported quick accession of Montenegro to the UN and the OSCE after it regained its independence. The cooperation of the two countries has been developing within these organisations as well as in the Partnership for peace and the Adriatic Charter.

2.CANADA

BILATERAL RELATIONS

Montenegro and Canada have good bilateral cooperation, which is especially manifested through CIDA (Canadian Agency for International Aid) programmes as well as through Canadian support to strengthening of the Montenegrin capacities in the defence area

BILATERAL AGREEMENTS

After Montenegro regained its independence it concluded two bilateral agreements: the Agreement on Bilateral Trade concluded in 2008 in the framework of the WTO accession negotiations and the Agreement on Cooperation of High Education Institutions concluded in 2006. The consolidation of treaty obligations and the finalisation of bilateral agreements succession of the previous state unions of the SFRY, FRY and Serbia and Montenegro with Canada is under way.

ECONOMIC COOPERATION

Although the volume of trade of goods between Montenegro and Canada is modest, Canada represents one of the leading investors in the Porto Montenegro project, which is of paramount importance for the development of the elite tourism.

COOPERATION IN OTHER AREAS

Apart from numerous programmes implemented with the help of CIDA (e. g. strengthening of the health system, education system development, ecological sustainability, women's rights etc), the cooperation between Montenegro and Canada is very significant in the area of defence policy which is developed on the basis of the Memorandum of Understanding between the Ministry of Defence of Montenegro and the Defence Ministry of Canada from March 2008. In the framework of this Memorandum, there are many programmes with the emphasis on language learning while many dozens of officers went through various courses in Canada. Moreover, Canada was the main donor of Montenegro in the NATO project of destroying land mines in Monenegro in 2007. The two countries cooperation in the area of education and a Faculty of tourism from Miločer is founded with the help of a similar Faculty from Ottawa.

COOPERATION IN THE REGIONAL AND MULTILATERAL FRAMEWORK

Montenegro and Canada regularly cooperate in the framework of UN agencies as well as in the framework of other international organisations.

- China, Japan, India, Pakistan.

1.CHINA

BILATERAL RELATIONS

Montenegro has intensive cooperation with China in many areas. There is also the continuity of visits on the highest level.

The cooperation of the two ministries of foreign affairs has been strengthened: political consultations were held on 18 March 2009 in Podgorica while the first consular consultations were organized in Beijing from 12 to 17 January 2009.

BILATERAL AGREEMENTS

There are three bilateral agreements in force between Montenegro and China while one is being negotiated.

ECONOMIC COOPERATION

The economic cooperation of Montenegro and China is regulated by the Agreement on the Evasion of Dual Tax on Income and Capital between the Federal Republic of Yugoslavia and China.

An agreement on economic and trade cooperation was signed during the first meeting of the Joint Committee on Trade and Economy on 10 June 2008.

Chinese companies are interested in investing in Montenegro: Poly Technologies is interested to open a facility for heavy trucks assembling in the Free Zone of the Port of Bar which would cover the market of South East Europe.; Dongfang Electric Corporation wants to invest and cooperate in the Montenegrin energy sector.

COOPERATION IN OTHER AREAS

The implementation of tourist arrangements in the framework of the Memorandum between the Ministry of Tourism of Montenegro and the National Tourist Authority of China on Simplification of Group Travels of Chinese Tourists to Montenegro (signed in September 2007) started two years later in September 2009.

The Agreement on Improvement of Telecommunication Equipment between the Montenegrin mobile phone company Pro Monte and the Chinese company ZTE was signed on 21 September 2009 in Podgorica.

The Government of Montenegro appointed its National Coordinator for the EXPO 2010 in Shanghai on 10 September 2009.

MULTILATERAL COOPERATION

Montenegro and China are members of the UN and have intensive cooperation within this organization as well as within a number of specialized UN agencies.

2.JAPAN

BILATERAL RELATIONS

The development of good relations and the enhancement of cooperation with Japan is one of the priorities of the Montenegrin foreign policy. Through its regular diplomatic contacts, Montenegro devotes full attention to the improvement of mostly economic, but also political and other forms of cooperation with Japan.

ECONOMIC COOPERATION

Economic cooperation of the two countries is of low intensity and there are many possibilities of cooperation that are not being used having in mind the world position of the Japanese economy and its orientation for cooperation with other states. The overall trade of goods for 2008 was 954,040 euro, out of which the Japanese export was 832,490 euro. The Japanese foreign direct investment in Montenegro for 2008 was 1,862,764 euro.

COOPERATION IN OTHER AREAS

Montenegrin and Japanese cooperation is good in the areas of health, culture and education, although there is possibility and mutual interest for its improvement. In the last ten years Japan has allocated more than EUR 10 million for various projects and donations in Montenegro. The most important ones have been those in the medical field worth EUR 2 million, which presents the biggest donation in the history of the Montenegrin health system. Japan provides very good development support to Montenegro through various trainings and courses for state administration as well as through numerous other projects.

MULTILATERAL COOPERATION

Montenegro and Japan are members of the UN and have intensive cooperation within this organization as well as within a number of specialized UN agencies.

3.INDIA

BILATERAL RELATIONS

Montenegro pays full attention to the improvement of cooperation with India through regular diplomatic contacts.

BILATERAL AGREEMENTS

7 bilateral agreements are in force between India and Montenegro.

ECONOMIC COOPERATION

Economic relations of the two countries are still of low intensity. In the area of the trade of goods, only import from India was registered – in 2008 it was 754,000 euro. There were no foreign direct investments from India to Montenegro in 2008, while the portfolio investments were worth 7,000 euro. Since there is great interest to improve the economic cooperation, the two states initiated the establishment of a Joint Commission on Economic Cooperation.

COOPERATION IN OTHER AREAS

There is cooperation in the field of culture. When it comes to development cooperation, India has secured 5 training courses for Montenegrin representatives in the area of economy, finance, tourism and environmental protection, information technologies and telecommunications which are to be organised in 2009 and 2010.

MULTILATERAL COOPERATION

The cooperation of Montenegro and India on the multilateral level is developed in the framework of the UN and its specialised agencies, as well as through the International Maritime Organisation and the Universal Postal Union.

4.PAKISTAN

BILATERAL RELATIONS

There are no open issues between Montenegro and Pakistan.

ECONOMIC COOPERATION

The economic cooperation of the two states is still of low intensity. Trade of goods of Montenegro with Pakistan for 2008 was only the Montenegrin import worth 67,191 euro.

MULTILATERAL COOPERATION

Montenegro and Pakistan cooperate in the framework of the UN and its specialized agencies.

C) CFSP and ESDP – political strategy

Restrictive measures

16. In view of the Union's capacity to implement restrictive measures and economic sanctions under a Joint Action or Common Position (see Articles 14-15 TEU and Articles 60 and 301 TEC), please provide an overview of your country's constitutional and legal arrangements for the implementation of restrictive measures and economic sanctions, the relevant administrative structures and monitoring mechanisms, and a list of unilateral and multilateral (in particular UN) restrictive measures currently applied by your country.

Constitutional and Legal Framework

On the basis of Article 9 of the Constitution of Montenegro according to which the ratified and published international treaties and the generally accepted rules of the international law are an integral part of the internal legal system, as well as having in mind the fact that Montenegro, as a member of the United Nations, accepted the UN Charter (Decision on the Proclamation of Independence of Montenegro Official Gazette of the Republic of Montenegro 36/06; UN Charter published in the Official Gazette of the Democratic Federal Yugoslavia 69/45), Montenegro is obliged to implement the measures which have been adopted on the basis of Chapter 7 of the UN Charter.

The bodies of the state administration in Montenegro act according to the following legal acts when it comes to the implementation of international restrictive measures towards third countries:

- the Law on Prevention of Money Laundering and Financing of Terrorism (Official Gazette of Montenegro 14/07 and 4/08)
- the Law on Foreigners (Official Gazette of Montenegro 82/08)
- the Law on Foreign Trade (Official Gazette of the Republic of Montenegro 28/04 and 37/07)
- the Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods (Official Gazette of Montenegro 80/08)
- the Criminal Code (Official Gazette of the Republic of Montenegro 70/03, 13/04, 47/06 and 40/08)
- the Criminal Procedure Code (Official Gazette of Montenegro 57/09)

The Law on Foreign Trade (Official Gazette of the Republic of Montenegro 28/04 and 37/07) regulates the implementation of general economic restrictive measures.

The Law on Foreign Trade in Article 2, paragraph 11 stipulates that a restrictive measure is any limitation, quantity limitation, special compensation (apart from customs, domestic tax or administrative compensation for services provided), condition, licence, approval or other measure of a state body whose consequence is the limitation of foreign trade, apart from technical acts. Pursuant to the same Law, the Government of Montenegro is responsible for the application of restrictive measures. The conditions for the application of restrictive measures are defined in Article 5 of the Law on Foreign Trade.

The basis for the implementation of restrictive measures that represent an embargo on arms and military equipment is found in the Law on Foreign Trade of Arms, Military Equipment and Dual Use Goods (which also relates to brokering activities, non-material transfers of technologies, technical assistance and the goods that fall under the so called catch all clause. The law is explicit in defining that in the case of giving consent for import of controlled goods, i. e. making a decision on issuing licences for a concrete foreign trade activity, the competent ministries are obliged to respect, among other things, the international obligations of Montenegro, especially the sanctions adopted by the Security Council of the UN, international treaties on non-proliferation of arms as

well as other international obligations. In the process of assessment of the criteria necessary for giving consent, i. e. issuing licences, the competent authorities are also obliged to especially take into consideration: international obligations of Montenegro and its obligations to impose arms embargo of the United Nations. OSCE and the EU; international obligations of Montenegro pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons, Convention on Biological and Toxicological Weapons and the Convention on Chemical Weapons; obligations of Montenegro not to export any kind of anti-personnel mines.

Montenegro has aligned with the implementation of the Common Position of the EU Council 2008/944/CFSP (Code of Conduct on Arms Export).

The area of entry, stay and movement (including transit) of foreigners on the territory of Montenegro is regulated by the Law on Foreigners. Article 8 of this law envisages the reasons for not allowing the entry, among which is the misdemeanour and criminal accountability, national security reasons and the fact that a certain person is kept in appropriate records as an international offender. Before issuing visa, diplomatic and consular posting of Montenegro is obliged to secure the consent from the Police Administration in specific cases. Namely, in the context of entry, stay or movement of foreigners on the territory of Montenegro, the Border Police Department is responsible for surveillance (securing) of the state border, prevention of all forms of cross-border criminal, prevention of international terrorism, control of legality of stay and movement of foreign citizens, cooperation and exchange of information of importance for suppression and disclosure of all forms of cross-border organised crime with other security services. Pursuant to article 97 the Police Administration keeps records of: foreigners whose stay was terminated, foreigners that are not allowed to enter or leave Montenegro, issued visas at border crossings, rejected requests for visa issuance, annulled or shortened visas, reported missing documents for identification of foreigners and temporarily seized travel documents.

In line with the National Programme for Integration of Montenegro in the European Union, the adoption of the law which should regulate the implementation and application of restrictive measures, the competences of specific state bodies as well as the manner of keeping records on natural and legal persons against which the restrictive measures are applied, i.e. establish the legal framework of unilateral restrictive measures is planned for the end of 2011. The Ministry of Foreign Affairs has started the process of comparative analysis of the regulations in the countries of the region, as well as the analysis of the Basic Principles of the EU in Applying Restrictive Measures, Guidelines for Implementation and Evaluation of Restrictive Measures adopted in the framework of the EU CFSP, analysis of legal, administrative and material measure needed in order to adopt and fully implement the mentioned law.

Administrative structures and mechanisms

Administrative framework for the implementation of the abovementioned laws and related bylaws is made of:

Ministry of Foreign Affairs, Ministry of Economy, Ministry of Defence, Ministry of Finance (Administration for Prevention of Money Laundering and Financing of Terrorism), Ministry of Interior and Public Administration, Police Administration, Customs Administration, Tax Administration, Central Bank and Security Commissions.

Table 1

Nature of restrictive measures	Competent authorities	Legal framework	Do the competent authorities apply sanctions introduced through common positions or joint actions of the CFSP	Note
Economic (trade) restrictive measures	the Government of Montenegro Ministry of Economy	Implementation of the UNSC sanctions on the basis of Article 9 of the Montenegrin Constitution	Although the Law on Foreign Trade does not explicitly foresee economic restrictive measures introduced through common	

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		Law on Foreign Trade	positions and joint actions of the CFSP, having in mind that the membership in the EU is the strategic foreign policy priority of Montenegro, these restrictions can be transposed into the national legal system in the form of a government decree taking Article 4 of this law as its legal basis	
Specific (trade) measures - Arms embargo	<p>Ministry of Economy</p> <p>Ministry of Foreign Affairs</p> <p>Ministry of Defence</p> <p>Ministry of Interior and Public Administration</p> <p>National Security Agency</p> <p>SUPERVISION CONTROL</p> <p>Ministry of Economy</p> <p>Police Administration</p> <p>Customs Administration</p>	Law on Foreign Trade of Arms, Military Equipment and the Dual Use Goods	<p>Law on Foreign Trade of Arms, Military Equipment and the Dual Use Goods explicitly foresees the respect of restrictive measures introduced through common positions and joint actions of the CFSP,</p>	<p>encompasses the following categories:</p> <p>Arms, Military Equipment and the Dual Use Goods</p> <p>(brokers activities, non-material transfers, technology, technical assistance for the goods that do not fall under the catch-all clause.</p> <p>Applied in regard to the:</p> <p>specific territory</p> <p>non-state actors (persons and entities)</p>

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<p>Financial sanctions</p>	<p>Ministry Of Finance (Administration For Prevention Of Money Laundering and Financing Terrorism)</p> <p>Police Administration</p> <p>Tax Administration</p> <p>Central Bank</p> <p>Securities Commission</p> <p>National Security Agency</p> <p>Public Prosecution Office</p>	<p>Law Prevention Of Money Laundering and Financing Terrorism</p> <p>Criminal Code</p> <p>Criminal Procedure Code</p>	<p>The laws that represent the basis for the application of financial sanctions do not explicitly foresee restrictive measures introduced through common positions and joint actions of the CFSP.</p>	
<p>Ban of entry or transit through territory</p>	<p>Ministry of Interior and Public Administration</p> <p>Police Administration</p> <p>National Security Agency</p>	<p>Law on Foreigners</p>	<p>The Law on Foreigners does not prescribe the ban of entry for persons kept in appropriate records as international felons and if the reasons of national security do not demand it. Having in mind that the membership in the EU is the strategic foreign policy priority of Montenegro, the competent authority (Police Administration) is especially mindful of restrictive measures introduced through common positions and joint actions of the CFSP when applying these two criteria.</p>	

The List of Unilateral and Multilateral Restrictive Measures

The Ministry of Foreign Affairs informs competent authorities on the application of new restrictive measures and economic sanctions which have to be respected on the basis of the abovementioned legislation framework.

On the basis of the United Nations Security Council resolutions, Montenegro applies restrictive measures towards the following countries: Somalia, Sierra Leone, Liberia, the Democratic Republic of Congo, Ivory Coast, Sudan, DPR of North Korea and the Islamic Republic of Iran.

In regard to the individuals and entities to which the United Nations Security Council (UNSC) has introduced restrictive measures, Montenegro applies:

- UNSC Resolution 1267 on Individuals and entities belonging to or associated with the Taliban and Al-Qaida organization.
- UNSC Resolution 1518 in line with amendments to the UNSC Resolution 1701 on Iraq.

- UNSC Resolution 1636 in line with amendments to the UNSC Resolution 1701 on Lebanon.

Specific categories of restrictive measures against states, individuals or entities introduced by common positions or joint actions of the CFSP are presented in Table 1 of this answer.

Montenegro does not apply unilateral measures or economic sanctions against any state.

It should be noted that in regard to the category of specific economic sanctions – arms embargo, pursuant to the Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods, the Ministry of Foreign Affairs is obliged to publish and update the list of states under embargo of the United Nations Security Council, OSCE and the European Commission. The mentioned list is available at the web page of the Ministry of Foreign Affairs of Montenegro.

17. To what extent has your country fully implemented the restrictive measures listed on the sanctions website http://ec.europa.eu/external_relations/cfsp/sanctions/measures.htm?

The national legislation of Montenegro (the Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods) explicitly specifies the application of restrictive measures introduced on the basis of common positions or joint actions in the framework of the Common Foreign and Security Policy when it comes to arms embargo. In regard to the other categories of restrictive measures (general economic restrictive measures, financial restrictive measures and ban of entry and transit through state border), although regulations do not explicitly specify the application of restrictive measures introduced on the basis of common positions or joint actions in the framework of the Common Foreign and Security Policy, having in mind the fact that the EU membership is the key foreign policy priority, in their duty of implementing laws from this area state bodies are especially mindful of the restrictive measures listed on the sanctions website http://ec.europa.eu/external_relations/cfsp/sanctions/measures.htm.

Additionally, if it is needed, general economic restrictive measures introduced on the basis of common positions or joint actions in the framework of the Common Foreign and Security Policy can be transposed into the Montenegro national legal system in the form of a government decree on the basis of Article 4 of the Law on Foreign Trade which stipulates that the Government of Montenegro is in charge for applying restrictive measures. The option of adopting a government decree in this area has not been considered up to now having in mind the fact that a general law on restrictive measures which should regulate the manner of application of all categories of sanctions as well as the competent bodies for their application has been planned for adoption in 2011. Moreover, the fact that general economic restrictive measures are less and less used and are being replaced by the so called targeted/intelligent sanctions should also be taken into account. Also, it should be noted that small systems such as the Montenegrin one mean that business organisations stay in permanent communication with state body in charge of internal and foreign trade which enables them to create responsible business policy. In this context, it should be emphasised that the practice of preliminary consultations on foreign trade in arms, military equipment and dual-use goods has already being institutionalised.

In regard to the ban of entry or transit through the territory, the Law on Foreigners prescribes the ban for persons that are kept in appropriate records as international offenders and if the reasons of national security demand so. The competent authority (Police Administration) is especially mindful of restrictive measures introduced through common positions and joint actions of the CFSP when applying these two criteria.

18. Regarding the implementation of sanctions decided by CFSP Common Position or Joint Action (i.e. arms embargo), which specific ministries/bodies and law enforcement agencies (Ministry of Defence, Customs Administration, Ministry of Foreign Affairs, security and intelligence services) or departments would be in charge of the monitoring, controlling and implementation, and what is their operational structure (staffing, budget, reporting)?

Specific ministries/bodies and law enforcement agencies or departments in charge of monitoring, controlling and implementation

See Table 1 in the answer to question No 16 of this Chapter

Staffing and budget

Having in mind the fact that there are no specific civil servants in charge of the procedure of application of economic (trade) sanctions of general character, financial sanctions and ban of entry or territory transit, the exact data on staffing and budget is possible only to give for the area of specific economic (trade) sanctions – arms embargo:

Table2:

<i>State administration body – Dept/Section</i>	<i>number of employees</i>	<i>Programmatic part of the budget together with personal incomes</i>
Ministry of Economy		
<i>Department for foreign economic relations</i>	23	€ 472,658.42
<i>Section for foreign trade policy and regime</i>	6	€ 118,164.50
Ministry of Foreign Affairs		
<i>Department for consular affairs and diaspora</i>	16	€ 294,864.46
<i>Directorate for consular affairs</i>	9	€ 176,914.71
<i>Multilateral department</i>	17	€ 462,295.04
<i>UN and other IO Directorate</i>	6	€ 117,954.78
Ministry of Defence		
<i>Material Resources Department</i>	46	€ 648 000.00
<i>Section for equipment and maintenance</i>	10	€ 107 174.00
Ministry of Interior and Public Administration	121	€ 2 032 270.04

Note:

It should be noted that when talking about financial means invested in administrative capacity building, including the procurement of equipment and training for its use, drafting and enforcement of law a large part of financial means has been secured through various donor projects. In the area of computer equipment and human resources training the Government of Montenegro has been assisted by the Support Programme of the US Government for export control and integrated border security (EXBS). The training of staff dealing with drafting as well as printing and translation costs of annual reports on foreign trade of controlled goods have been sponsored by the UNDP/SEESAC. Financial and expert support of BAFA (EU – Outreach Project), SIPRI and the

UNDP have been key for drafting new legislation on foreign trade of controlled goods which complies with the highest international standards and EU regulations.

Reporting

The Ministry of Economy has drafted and published two annual reports on foreign trade of controlled goods (for 2007 and 2008).

SEESAC¹ initiated, as a coordinator, a pilot project of regional reporting on arms and military equipment export in early 2009. The aim of this project is to prepare the Western Balkan countries to fulfil their obligations in the field of arms and military equipment export control which is a prerequisite for the membership in the EU.

The Western Balkan countries should present their success in improving regional cooperation and building of administrative capacities for transposition of the EU Acquis through the mentioned regional report. The report should also contribute to the standardisation of the process of drafting and the data used for national reports, i.e. best practice implementation. The regional report shall be made on the model of the European one and shall present the data for 2007. Also, modelled on the Working Group of the EU Council on Conventional Arms (COARM), the project envisages informal regional consultations on arms export. The project is currently in the phase of submission of national data.

19. Provide data on trade in used or new weapons with countries against which the EU maintains arms embargos.

Since its establishment in late 2006 the Ministry of Defence (Montenegro) has concluded no agreement with companies dealing with the trade of dual use goods, on export of used or new weapons into countries against which the EU maintains arms embargos. The Ministry of Defence is guided by the recommendations of the Ministry of Foreign Affairs in applying arms embargo.

The previous Ministry of Economic Development and now the Ministry of Economy is competent for the implementation of control of foreign trade in controlled goods. It has not issued any license for countries against which the EU maintains arms embargos since it would violate the provisions of Article 21 of the Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods (Official Gazette of the Republic of Montenegro 07/05, 08/05), the Decision on the Criteria for Issuing Licenses for Export of Arms, Military Equipment and Dual Use Goods (Official Gazette of the Republic of Montenegro 11/05) provisions of Articles 18,19 and 20 of the Montenegrin Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods (Official Gazette of Montenegro 80/08), as well as the EU Code of Conduct.

Conflict prevention

20. Does your country support all EU measures in this field?

Yes, Montenegro supports all EU measures in the field of conflict prevention particularly having in mind the fact that the European Union is based on the principles and values that make the Union a successful example of conflict prevention. Montenegro believes that the EU enlargement shall

¹ South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons was established in Belgrade on 8 May 2002. SEESAC presented a component of the Regional Implementation Plan for Combating Proliferation of Small Arms and Light Weapons (SALW) formulated and adopted by the Stability Pact in November 2001 (amended in 2006) in order to reduce the availability of SALW in the region, consolidation of the results achieved and support to the socio-economic conditions for peace and development of South Eastern and Eastern Europe)

contribute to the widening of this community of peace and progress to a wider circle of countries in the continent.

Montenegro is conscious of the fact that a comprehensive and holistic approach in the area of conflict prevention is necessary and that it is not just enough to act militarily and politically but also through timely development cooperation, conducting political dialogue and permanent development and promotion of cooperation in our neighbourhood (the Western Balkan region), Europe and the World. Moreover, Montenegro acts multilaterally in the framework of international organisations such as the UN or the OSCE; through ESDP operations and by providing support and aligning with joint actions of the EU.

21. Does your country support the EU Programme for the Prevention of Violent Conflicts (endorsed by the Göteborg European Council in June 2001) and the Communication from the Commission on Conflict Prevention (April 2001)?

Yes, Montenegro supports the EU Programme for the Prevention of Violent Conflicts (endorsed by the Göteborg European Council in June 2001) and the Communication from the Commission on Conflict Prevention (April 2001). Montenegro already develops cooperation and effective partnership including international organisations such as the UN, OSCE, Council of Europe, NATO etc in line with this Programme and the EC Communication.

Apart from this, Montenegro attaches great importance to the holistic approach and supports mechanisms of development cooperation and assistance. Moreover, Montenegro is read to permanently improve its regional role in the promotion of cooperation and good-neighbourly relations which is of paramount importance for the stability and integration of the Western Balkans.

Conscious of the fact that the EU is responsible to deal with a number of issues that are generating conflicts and to be the leading international actor in conflict prevention, Montenegro fully supports the EU policy in this area and is read to contribute after its accession to the Union.

Non-proliferation and WMD/SALW strategy

22. In view of EU's commitments in the areas of non-proliferation of weapons of mass destruction

The activities of Montenegro in the previous period have not been directed towards applying for membership in the internationally accepted regimes of control of goods including the WA, MTCR, NSG, AG and CWC having in mind the fact that the Law on Foreign Trade in Arms, Military Equipment and Goods of Dual Use complies with international standards in this area and that national lists of control of arms, military equipment and dual use goods practically fully correspond to EU lists incorporating the abovementioned regimes.

Montenegro shall particularly take into consideration to apply for membership in the Wassenaar Agreement through its MFA taking into consideration its industry and the existing volume of trade.

Membership in organisation/initiatives whose activity is related with combating the proliferation of Weapons of Mass Destruction

After regaining its independence on 3 June 2006 Montenegro acceded to the Convention on Chemical Weapons, by which it became the member of the Organisation for the Prohibition of Chemical Weapons (OPCW).

After regaining the Montenegrin independence, the procedure of accession of Montenegro to the International Atomic Energy Agency (IAEA) was finalized on 30 October 2006. Montenegro also acceded to the Convention on Physical Protection of Nuclear Materials through succession

procedure on 12 April 2007. The National Programme for Integration of Montenegro in the European Union envisages the ratification of the amendments to the Convention on Physical Protection of Nuclear Materials and the Joint Convention on the Safety of Spent Fuel Management and the Safety of Radioactive Waste Management by the end of 2009, while the ratification of the Agreement between Montenegro and the International Atomic Energy Agency pursuant to Nuclear Non-Proliferation Treaty is planned for 2010.

Montenegro is a member of the Proliferation Security Initiative – PSI.

Montenegro is a partner nation of the Global Initiative to Counter Nuclear Terrorism – GICNT.

Montenegro submitted the annual report (the so called zero report) to the Secretariat of the Hague Code of Conduct - HCOC against the proliferation of ballistic missiles, which confirms that Montenegro:

- has no ballistic missiles and does not participate in any bilateral or multilateral programme,
- does not possess launching facilities for ballistic missiles testing, it does not participate bilaterally or multilaterally in launching facilities for ballistic missiles testing,
- has never done any launching of ballistic missiles and
- shall continue with timely submission of Annual Declaration and participate in the HCOC plenary meetings.

The Police Administration has been actively involved in the project of setting up of the system of knowledge management in the area of illicit traffic of chemical, biological, radiological and nuclear substances in South East Europe and Caucasus, which was developed by the UN Interregional Institute for Crime and Justice Research (UNICRI). In this regard:

- a national liaison officer for UNICRI has been appointed,
- the national liaison officer and his deputies have taken part in the working meetings dealing with non-proliferation of WMD, in Turin (October 2008), the Hague (March 2009) and Dubrovnik (June 2009).
- The Police Administration, through its national liaison officer, organized and coordinated the activities on preparing and delivering the answers to the UNICRI Questionnaire on the issue of WMD non-proliferation in the period November 2008 – February 2009. The answering process included threat analysis and containment policy, detection and response to illicit traffic of CBR substances.

Four representatives of the Police Administration went through training on WMD non-proliferation and the management of crisis situation caused by WMD in 2008 and 2009.

Since 18 May 2004 Montenegro has access to the IAEA ITDB – Illicit Trafficking Database.

Membership in international multilateral treaties in the area of non proliferation of weapons of mass destruction

Title	Date and the manner of accession	Date of entry into force
Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction - BWC ¹	3 June 2006 Notification on succession is deposited with the Government of the Russian Federation	3 June 2006
Comprehensive Nuclear Test-Ban Treaty - CTBT	23 October 2006 succession	Pursuant to Article 14, the Treaty enters into force 180 days after the date all the countries in the annex 2 deposit their ratification instruments (up to now 35

¹ Official Gazette of the Socialist Federal Republic of Yugoslavia – International Agreements 43/74-671

		out of 45 countries in the Annex 2 have ratified the Treaty)
Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction - CWC ²	23 October 2006 succession	3 June 2006
Nuclear Non-Proliferation Treaty - NPT	3 June 2006 Notification on succession is deposited with the Government of the Russian Federation	3 June 2006
The Treaty banning Nuclear Weapon Tests In The Atmosphere, In Outer Space And Under Water - Partial Test Ban Treaty -	3 June 2006 Notification on succession is deposited with the Government of the Russian Federation	3 June 2006
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 - Sea – Bed Treaty	3 June 2006 Notification on succession is deposited with the Government of the Russian Federation	3 June 2006

23. Can you clarify the amount of trade in conventional weapons your country is involved in either directly or as a transit point? What would be the national mechanisms to enact the internal controls necessary to allow instruments such as the Wassenaar Arrangement, the Australia Group, the Nuclear Suppliers Group, the Zangger Committee and the MTCR regimes to function and which would be the relevant law-enforcement agencies for each of these export control regimes?

Global and particularly regional security is enhanced by the improvement of reliable control of export and transfer of arms. Therefore, in the spirit of transparency and good will, Montenegro has taken over the obligation report annually about its policy of control of export and import of controlled goods pursuant to Article 32 of the Law. The Ministry of Economy has prepared the Third Annual Report on foreign trade in arms, military equipment and dual use goods pursuant to the provisions of Article 32 of the Law.

The Report present an overview of issued and implemented licences for export and import of controlled goods in Montenegro, and at the same time presents the cooperation of the Ministry of Economy with the international institutions and organizations in the area of control of foreign trade in arms, military equipment and dual use goods.

After being adopted the report is delivered by the Government of Montenegro to the Parliament of Montenegro and then sent to all relevant international institutions and organizations. It is also published at the official web page of the Ministry of Economy and available at the web page of the UNDP which provides financial and technical support in translating and publishing of the Report.

The recommendations of the EU on the form and content of national reports have been respected in the drafting process so that they be compatible with the EU reports and used for comparison with national reports of the countries in the region and wider.

The reports represent national mechanisms for the implementation of internal controls necessary for functioning of specific arrangements and provide analytical presentation of the volume of trade in conventional arms.

² Official Gazette of the Socialist Federal Republic of Yugoslavia- – International Agreements 2/2000-3

The Ministry of Defence regularly delivers Annual Reports on Trade in Specific Sorts of Conventional Arms to the Ministry of Foreign Affairs of Montenegro on the basis of the obligations towards the UN and the OSCE (the UNSC Resolution 63/69 and 46/36L and the Decision of the OSCE Forum for security cooperation FCS.DEC 13/97 and 08/08).

The review of export of specific types of conventional arms after Montenegro regained its independence (May 2006 – July 2009) is given in the following table:

Table 1 – Report on international transfers of Specific Types of Conventional Arms, period 2006 – 2009 1

A	B	C	D	E	Notes	
Category (I-VII)	final destination of import state	number of units	Country of origin (if not an importer)	Intermediate location (if it exists)	description of items	comment
I battle tanks						
II armoured combat vehicles						
III heavy artillery system						
IV Combat planes						
V Attack Helicopters	Kyrgyzstan	4	USSR		Helicopter HT-40	
VI warships	Egypt	5	USSR		Fast Attack missile craft "OSA"	
	Turkey	1	USSR		Submarine type 823	Exported to Turkey in order to be destroyed by cutting
VII missiles and missile launchers	Egypt	2	USSR		Coastal missile anti-ship launcher SOPL, track-mounted BROM/P-20 RUBEZ, NATO code SS-N-2C Styx	
	Egypt	8	USSR		Anti ship missile P-21 SS-N-2C Styx	
	Egypt	8	USSR		Anti ship missile P-22 SS-N-2C Styx	

Period 2006 – 2009 (Source – Ministry of Defence)

Foreign trade in controlled goods can be performed by the individuals in possession of a licence for foreign trade in controlled goods (the Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods Official Gazette of Montenegro 80/08 see the annex to answer to question 12 in Chapter 30 Foreign Relations).

Pursuant to the Law, before starting a foreign trade activity, an individual is obliged to register for performing foreign trade in arms, military equipment and dual use goods (the provisions of Article

¹ *Data source – Ministry of Defence*

11 of the Law defines the manner of registration of individuals in the Register as well as other procedures related to registration and refusal of requests for registration into the Register).

Articles 14, 15 and 16 of the Law stipulate an individual has to submit to the Ministry of Economy along with the request for licence issuing. Article 23 of the Law prescribes the conditions which serve as the basis for the Ministry to refuse a licence issuance request.

Before deciding upon the request for licence issuing the Ministry has to attain the approval of ministries competent for foreign affairs, defence affairs and interior affairs, and when needed and depending on the type and the purpose of controlled goods, the Ministry collects opinions from other competent authorities (Article 117).

Articles 18, 19 and 20 are based on the criteria of the EU Code of Conduct in the process of arms export which is dealt by the competent authorities that give or restrain from giving consent for a specific foreign trade activity.

In case any of the ministries does not provide a written consent, the Ministry of Economy shall not issue the licence. A Joint Commission for Registration Requests and Solving Licence Requests has been established in the Ministry of Economy in the abovementioned procedure.

The supervision over the implementation of the Law and the bylaws adopted on the basis of this law is done by the Ministry in cooperation with ministries competent for defence affairs, interior affairs and foreign affairs, and when needed and depending on the type and the purpose of controlled goods, with other competent authorities (Article 33 of the Law).

The approval for the transport and transit of arms and military equipment by land and sea is given by the Ministry of Interior and Public Administration, while the transport and transit by air is approved by the Ministry of Maritime, Transport and Telecommunications on the basis of the issued licence by the ministry competent for a particular foreign trade activity and the consent of the Ministry of Foreign Affairs and the Ministry of Defence (Article 28 of the Law).

The schematic review of the system of control of the controlled goods is presented in the answer to question 12 of Chapter 30 Foreign Relations.

The activities of Montenegro in the previous period have not been directed towards applying for membership in the internationally accepted regimes of control of goods including the WA, AG, NSG, ZG and MTCR having in mind the fact that the Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods (Official Gazette of Montenegro 80/08) complies with international standards in this area and that the National Control List of arms and military equipment (Official Gazette of Montenegro 41/09) and the National List of Dual Use Goods (Official Gazette of Montenegro 42/09) represent transposed EU lists incorporating the abovementioned agreements.

Having in mind the fact that the goal of the international control regimes of the identification of goods and technologies that should be the subject of export control, exchange of information on the risk of proliferation and promotion of non-proliferation of WMD, Montenegro shall do its best to apply for the membership in specific arrangements according to its obligations, needs and capabilities.

Membership in specific control regimes is conditioned by fulfilment of particular criteria (e. g. in order to attain membership in the Wassenaar Agreement the applicant should have the status of producer or exporter of conventional arms or industrial equipment, it should thoroughly implement the policy of non-proliferation and hold to appropriate national principles, including the existing non-proliferation regimes and agreements, as well as to have an efficient system of export control), which shall guide Montenegro (having in mind its production capacities in this area) in the process of accession to specific regimes.

24. Does your country comply with the Council Joint Action 2006/419/CFSP of 12 June 2006 in support of the implementation of the United Nations Security Council Resolution 1540 (2004) and in the framework of the implementation of the EU Strategy against the Proliferation of Weapons of Mass Destruction?

Montenegrin Strategy of National Security categorises challenges, risks and threats into all forms of organised crime, i. e. illicit traffic in narcotics, arms, chemical, biological, radioactive and nuclear substances (CBRN) illicit traffic and proliferation of weapons of mass destruction etc. It also specifies that one of its interests and goals is to contribute to the stability and world peace through international solidarity and active participation in combating terrorism and proliferation of weapons of mass destruction.

In line with the United Nations Security Council Resolution 1540 Montenegro refrains from providing any form of assistance to non-state actors that try to develop, come into possession, produce, own, transport, transmit or use nuclear, chemical and biological weapons and means for their launching. Furthermore, competent authorities of Montenegro take the operational paragraphs of the Resolution 1540 as the starting point in formulating the basis for drafting regulations and strategic documents in the area of illicit traffic of CBRN substances.

In regard to the compliance with the Council Joint Action 2006/419/CFSP in support of the role, significance and the very implementation of the United Nations Security Council Resolution 1540 by third states, it should be noted that Montenegro is a beneficiary of a number of donor projects in the field of disarmament, arms control and non-proliferation. Competent authorities to a certain extent use financial support of other states and international organisation when drafting regulations and implementing them (see part of the answer to question 18 of this chapter - **Employees and budget**).

The Permanent Mission of Montenegro to the UN submitted the first report of Montenegro on the implementation of the United Nations Security Council Resolution 1540 on 19 February 2009. This report is available at the official web page of the United Nations Security Council Resolution 1540 Committee.

A number of new regulations have been adopted and many existing ones have been amended since the submission of the first national report. The most important changes can be seen in the adoption of the new Law on Foreign Trade in Arms, Military Equipment and the Dual Use Goods (Official Gazette of Montenegro 80/08) and amendments of the Law on Prevention of Money Laundering and Financing of Terrorism (Official Gazette of Montenegro 14/07 and 4/08).

25. Does your country comply with the Council Common Position 2008/944/CFSP of 8 Dec 2008 defining common rules governing control of exports of military technology and equipment?

The Ministry of Foreign Affairs of Montenegro notified the European Council in May 2008 that it was to fully comply with the criteria of the EU Code of Conduct on Arms Export in the procedures of control of export of arms and military equipment.

The Ministry of Economic Development of Montenegro officially notified the European Council in February 2009 that Montenegro was to comply with the Council Common Position 2008/944/CFSP.

Additionally, the criteria of the EU Code of Conduct have been transposed into the Law on Foreign Trade of Arms, Military Equipment and the Dual Use of Goods (Articles 18, 19 and 20).

26. In view of the Union's current efforts to establish a European armaments policy, please provide information on your country's defence industry and provide information about any obstacles to compliance with the above policy.

Manufacturing and trade of arms and military equipment is regulated by the Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods (Official Gazette of Montenegro 80/08), while the very export is regulated by the mentioned law and the Rulebook on the form of request for licence issuance, the form of licence and other forms of documents necessary for foreign trade of controlled goods (Official Gazette of Montenegro 45/09).

The Ministry of Defence of Montenegro does not possess its own production capacities.

Montenegro has one business society TARA Aerospace and Defence Products which manufactures goods for military industry. The manufacturing programme is completely export oriented and is made of the manufacturing of pyro-patrons of drive fill and rocket engines for catapulting pilot seats on battle planes.

Since December 2007 Swiss firm BTI owns 32 percent of state shares in this society with the possibility to buy up to 49 percent of shares which is the maximum limit for this type of manufacture allowed by the Law on Foreign Investment.

The export of arms and military equipment manufactured in Montenegro is regulated by the quoted Law and Rulebook and is done through the Ministry of Economy with the consent of the Ministry of Defence, Ministry of Foreign Affairs and Ministry of Interior and Public Administration. The Ministry of Economy keeps a centralised data base on imported and exported arms and military equipment.

Having in mind the fact that the EU and NATO integration are the strategic foreign and security goals of Montenegro, there are no obstacles for harmonisation of defence industry capacities with the European arms policy. This is further confirmed by the participation of the representatives of the Ministry of Defence of Montenegro in the work of many bodies and committees of NATO (e. g. Conference of National Arms Directors, NATO Committee for consultations, command and control and others).

27. What is your country's position and what measures are being taken with regard to the Council Decision 2009/42/CFSP of 19/01/2009 on support for EU activities in order to promote among third countries the process leading towards an Arms Trade Treaty, in the framework of the European Security Strategy?

In its activities and practice Montenegro actively supports the Council Decision 2009/42/CFSP of 19 January 2009 on support for EU activities in order to promote among third countries the process leading towards an Arms Trade Treaty, in the framework of the European Security Strategy. In this regard, Montenegro is one of 139 countries that voted in the General Assembly of the UN in 2006 to start the conclusion of an international treaty for prevention of illicit and irresponsible traffic of arms, which causes conflicts, poverty and serious violation of human rights.

Furthermore, Montenegro was among the first Member States of the UN that sent the response to the Secretary General of the UN. This response is in line with the General Assembly of the United Nations Resolution 61/89 („Towards an ATT") and in relation to the start of negotiations on the adoption of an ATT.

28. What is your country's position and what measures are being taken with regard to the Council Joint Action 2008/487/CFSP of 23/06/2008 in support of the universalisation and implementation of the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, in the framework of the European Security Strategy?

Montenegro thoroughly applies the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (the Ottawa

Convention). Since its ratification in November 2006, Montenegro regularly submits annual reports on the application of the convention. There have been three annual reports (for 2007, 2008 and 2009).

The Armed Forces of Montenegro do not possess anti-personnel mines prohibited under the Ottawa Convention (all anti-personnel mines prohibited by the mentioned convention and that had been present in Montenegro were destroyed by 3 June 2006).

There are no anti-personnel mine fields in Montenegro. The Regional Centre for Underwater Demining (RCUD) issued a certificate No 342/07-702/2 of 12 November 2007 which states that Montenegro is free of anti-personnel mines¹ according to the standards of humanitarian demining in the suspected territories. The RCUD demined the land borders of Montenegro with Croatia, Albania, Serbia and Kosovo with the assistance of the Government of Montenegro and the US².

In late 2008 Montenegro was declared the first Balkan state without anti-personnel mines.

Montenegro does not have military facilities producing anti-personnel mines and there is no intention to open them or to start production.

Since there are no specialised medical centres for treating the persons wounded by anti-personnel mines, the existing medical and rehabilitation capacities are used for this purpose.

LEGISLATION

The Criminal Code of Montenegro and the Law on the Armed Forces of Montenegro regulate the following:

- the Criminal Code of Montenegro adopted on 17 December 2003 (Official Gazette of the Republic of Montenegro 70/03) in the Article 432 stipulates

(1) Anyone who during a war or armed conflict orders the use of combat means or combat method forbidden under the rules of international law, or uses them him/herself, shall be punished by an imprisonment sentence of two to ten years.

(2) Where through offences referred to in paragraph 1 of this Article several persons have died, the offender shall be punished by an imprisonment sentence for a minimum term of five years or to an imprisonment sentence of forty years.

(3) Anyone who calls for or prepares the use of weapons referred to in paragraph 1 of this Article shall be punished by an imprisonment sentence of six months to five years.

Article 433 of the Criminal Code stipulates:

(1) Anyone who in breach of law, other regulations or rules of international law, manufactures, purchases, sells, imports, exports or in some other manner obtains and provides another with, keeps or transports weapons the manufacture or use of which is forbidden or materials required for their manufacture, shall be punished by an imprisonment sentence of one to five years.

(2) An official or responsible person who orders or enables a legal person to engage in activities referred to in paragraph 1 of this Article shall be punished by an imprisonment sentence of one to eight years.

- the Law on the Armed Forces of Montenegro (Article 25, paragraph 4) stipulates that the armed forces, as the professional defence force, performs its function in line with the principles of international law (Article 2), as well as that the equipping of the armed

¹ "UXB Balkans" and LTD „AMPHIBIA“ , both from Sarajevo, as well as the records on professional control-supervision over the performed demining and takeover of demined area, have been stated as quality guarantee.

² The United States Government donated certain demining projects at the territory of Montenegro, through the International Trust Fund.

forces with arms and military equipment is done according to the law and ratified international conventions (Official Gazette of Montenegro 47/07).

INTERNATIONAL COOPERATION

Montenegro has good cooperation in the implementation of the convention particularly with neighbouring countries. The very fact that there are no anti-personnel mines in the border areas is a clear indicator of the quality of cooperation in this field.

The RCUD is a member of SEEMAC (South-Eastern Europe Mine Action Coordination Council).

38 police and military divers from Slovenia, Macedonia, Albania, Bosnia and Herzegovina, Serbia, Russia and Croatia have been trained in the RCUD in the area of underwater demining and destroying of mines and landmines on land.

The Armed Forces of Montenegro currently possess no capacities to assist in human resources or technique demining abroad.

Montenegro fully supports the Council Joint Action 2008/487/CFSP.

29. Has your country undertaken national implementation measures necessary to comply with its obligations under the Chemical Weapons Convention? Do you have in place legislation and administrative measures prohibiting activities proscribed under the CWC? Please provide details. Have you established a functioning National Authority serving as a focal point for the CWC-related matters? What measures have been undertaken to regulate and monitor trade in scheduled chemicals?

After regaining independence, on 3 June 2006, on the basis of succession notification, Montenegro acceded to the Chemical Weapons Convention, by which it became a full-fledged member of the Organisation for Prohibition of Chemical Weapons (OPCW).

Permanent Representative of Montenegro to the EU presented her credentials to the Director General of the OPCW on 12 November 2007.

Representatives of the state administration bodies competent for the implementation of the WC and related laws and bylaws have been appointed as members of the National Team for the Prohibition of Chemical Weapons:

- Ministry of Foreign Affairs (communication with the OPCW);
- Ministry of Interior and Public Administration (competent for production, trade and transport of explosive materials; trade and transport and stockpiling of inflammable liquids and gases; transport of non-inflammable dangerous liquids and gases, transport of explosives; transport of arms, military equipment and Dual Use Goods by land and water, risk management, management of protection and rescue in emergency situations and management of response to emergency situations; civil protection; as a part of integral system of management of emergency situations; state border security, integrated border management);
- Ministry of Justice (administrative work related to criminal legislation);
- Ministry of Health (giving consent for transport across state border and internal transport of toxins, manufacturing and trade of toxins, manufacturing and trade of narcotics and precursors);
- Ministry of Spatial Planning and Environmental Protection (administrative competences over chemicals, control of industrial pollution and risk management);
- Ministry of Defence (defence policy implementation, defence system planning; organisation, equipping, armament, development and use of the Armed Forces of Montenegro; international treaties on arms control);

- Customs Administration (administrative competences over customs; control of goods with specially regulated import or export; processing and monitoring of statistical data on import and export);
- Centre for Eco-toxicological Research (making specific toxicological and expert studies, analysis and programmes for the needs of state and research institutions, analysis in accidental situations).

National measures for the implementation that have to be aligned with the obligations stemming from the CWC

1. Legislation framework and administrative measures prohibiting the activities enumerated in the Chemical Weapons Convention (Article 7, para 1(a), (b) and (c))

Article 9 of the Constitution of Montenegro stipulates that ratified and published international treaties (the Law on the Ratification of the Chemical Weapons Convention Official Gazette of the Federal Republic of Yugoslavia 2/2000-3) and generally accepted rules of international law represent an integral part of the internal legal system, that they have primacy over the national legislation and are directly applied when they regulate relations differently than the national legislation. Having in mind that the CWC does not represent the so called self-executing international treaty, during the state union of Serbia and Montenegro the implementation law i.e. the Law on the Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons and their Destruction (Chemical Weapons Law) (Official Gazette of Serbia and Montenegro 44/2005). Through the adoption of the Chemical Weapons Law the obligations related to definitions (Article 2 of the Law) and general obligations stipulated by Article 1 of the CWC (Article 3 of the Law) and Article 6, paragraph 3 (Article 5 and 11 of the Law) have been fulfilled. Furthermore, the prohibitions stipulated by the CWC are regulated by the Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods (Article 5, 7, 18 and 19).

The Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods introduces the so called catch-all clause. This provision stipulates the possibility of control of goods that have not been included in the already existing national control lists and that can be regarded as controlled goods in case when an individual, who intends to perform foreign trade, is informed by competent authorities or has reason to believe that the goods in question are or can, partly or fully, be used for development, production, manipulation, disposal, maintenance, stockpiling, discovery, detection, identification or spread of chemical, biological or nuclear arms, or other nuclear-explosive device, or for development, production, maintenance or stockpiling of missiles able to carry this type of armament. The provision of this article fully complies with Article 4 of the Council Regulation (EC) 1334/2000 which talks about "catch-all control".

The control of foreign trade in chemical substances listed in CWC lists is regulated by the Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods and the National Control list of Dual Use Goods. It should be noted that the National Control list of Dual Use Goods complies with the Council Regulation 1167/2008 of 24 October 2008 i. e. the lists of chemical substances as listed in the CWC comply with the Combined Nomenclature of the EU (CN 2009) and are categorised into three categories, I category 950, II category 300 and III category 15.

The Criminal Code stipulates criminal sanctions for the following offences:

Article 303 environmental pollution

Article 304 Lack of environmental protection measures

Article 305 Illicit construction and opening of facilities polluting the environment

Article 306 Damaging environmental protection facilities and device

Article 307 Environmental damage

Article 310 Destroying and damaging of the protected natural wealth

Article 313 Introduction of dangerous substances into Montenegro

Article 314 Illicit recycling, disposal and stockpiling of dangerous substances

Article 316 Lack of implementation of environmental protection measures

Article 327 Causing general threat

Article 328 Destroying or damaging public device

Article 332 Destroying, damaging or removing danger signs

Article 334 Lack of dealing with danger,

Article 335 Illicit use of explosive and flammable substances

Article 338 Serious acts against general security

Article 432 Use of illicit combat means

Article 433 Illicit production of prohibited weapons

Administrative sanctions are envisaged by the following laws:

The Law on the Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons and their Destruction.

The Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods, and

The Law on the Transport of Dangerous Substances (Official Gazette of Montenegro 5/2008-6).

In the area of activities not prohibited by the CWC (Article 6), the Ministry of Economic Development organised a seminar for the Montenegro business sector dealing with production and trade in arms, military equipment and Dual Use Goods in Budva 9/10 June 2009. This seminar was organised in the framework of the long-term project of the EU and BAFA (German Federal Office for Economy and Export Control).

Representatives of the Ministry of Economic Development, Ministry of Interior and Public Administration, enterprises registered for foreign trade in controlled goods as well as the manufacturers of Dual Use Goods attended the seminar. BAFA and SIPRI (Stockholm Institute for Peace and Security Research) as well as representatives of certain firms from the EU (Siemens AG, Germany, Diehl BGT GmbH & Co. KG Germany, abb ab Sweden) were also present.

The main aim of the seminar was to inform and raise the awareness of enterprises on the rights and obligations stemming from the Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods (Official Gazette of Montenegro 80/08). Special attention has been paid to the content of the control list of Dual Use Goods and identification of this type of goods.

When it comes to the obligations for assistance and protection from chemical conventions (Article 10 of the CWC), it should be noted that in the period after regaining independence of Montenegro competent authorities have been focused on building national capacities and primarily drafting strategic documents in this area. The National Emergency Strategy which is being drafted represents the most important document in the area of protection and rescue. Its aim is to set up an adequate state relation towards emergency situations and organising state and other institutions for efficient action in emergency situations caused by all forms of natural and technical-technological disasters, epidemics in order to prevent them, ease their effects and achieve the preparedness of specific state capacities and the society as a whole in case they happen.

The Law on Protection and Rescue (Official Gazette of Montenegro 13/07) regulates the area of protection and rescue for the first time in a comprehensive manner: the area of accountability, rights and obligations of all elements of protection and rescue (citizens, physical persons, local self-government units and state administration bodies), in prevention, emergency preparedness, expert and professional protection and rescue of civilians, material and cultural goods and recovery from emergency situations.

On the basis of this law the following bylaws were adopted in 2008:

- The Rulebook on Methodology for Drafting Elaborates on the Assessment of Natural, Technical-Technological and other Accidents Risk (Official Gazette of Montenegro 41/08).
- The Rulebook on Methodology for Drafting Protection and Rescue Plans (Official Gazette of Montenegro 44/08).

After the rulebooks entered into force risk assessments on natural, technical-technological and other accidents on the national level have been made, i. e.: earthquakes, fires, chemical, biological and nuclear/radiation accident.

Also, national plans for protection and rescue for earthquakes, fires, chemical and biological accidents have been made. They present important papers for the security of citizens and the protection of material goods an environment.

The Ministry of Interior and Public Administration, under auspices of the Disaster Preparedness and Prevention in South East Europe Initiative (DPPI), organised the annual international exercise of protection and rescue Budva 2009 in Budva, 8/12 June 2009. Representatives of Slovenia, Croatia, Serbia, Bosnia and Herzegovina, Macedonia, Montenegro, Rumania, Greece, Turkey, Denmark and the European Commission participated in this exercise. The exercise consisted of five thematic parts: rescue from ruins, rescue in chemical accident circumstances, rescue in traffic accidents; rescue from fires in open space as well as care and assistance to people.

When it comes to the institutional framework for the application of protection from chemical weapons it should be noted that the Armed Forces of Montenegro have an Atomic-biological and Chemical Defence squad.

2.Functional National Body Acting as a Focal Point for CWC Issues

The Ministry of Foreign Affairs of Montenegro coordinated the activities of inter-ministerial working group for the establishment of the National Team for the Prohibition of Chemical Weapons. On the basis of the proposal of this working group, the Government of Montenegro adopted the Decision to Establish the National Team for the Prohibition of Chemical Weapons and appointed its members.

According to the conclusions of the Government, the task of the National team is to:

- coordinate activities of competent state institutions in order to adequately apply the CWC,
- establish cooperation with CWC bodies, and
- inform the Government on its activities.

The Government of Montenegro obliged the Ministry of Foreign Affairs to monitor the activities of the National Team, and the competent authorities to continue the activities in order to apply the CWC. The obligatory annual contribution, i. e. fulfilment of financial obligations according to the participation of Montenegro in the annual OPCW budget, is allocated from the budget of the Ministry of Defence.

The National Team for the Prohibition of Chemical Weapons took part in the drafting of the Initial Declaration. The Ministry of Foreign Affairs of Montenegro submitted the Report on the state of the Montenegrin criminal legislation which ensures thorough application of the CWC and the Report on the Valid Trade Measures in line with the CWC to the Technical Secretariat of the OPCW on 28 December 2007. Moreover, the Report on the National Programmes of Protection from Chemical Weapons, in line with Article 10, para 4 of the CWC, was submitted on 11 October 2007.

The National Team for the Prohibition of Chemical Weapons coordinated the drafting of the Report on the Application of the UNSC Resolution 1540 (see answer to question 24 of this chapter).

The members of the National Team were included in the work of the inter-ministerial working group for drafting the proposal of law on foreign trade in arms, military equipment and Dual Use Goods.

Representatives of competent authorities have taken part in the following courses and meetings with the assistance of the National Team:

- Eighth Regional Meeting of the National Authorities of the States Parties in Eastern Europe, Sofia, Bulgaria, 26-28 May 2009,
- Regional Sensitisation Workshop for Customs and Border Authorities in Eastern Europe on the Technical Aspects of the Transfers Regime), Grodno, Belarus, 6-8 May 2009,
- Regional Workshop on Implementation of Article X in the region for Central and South East European States Parties, Bratislava, Slovakia, 29 September - 1 October 2008,

- Regional Meeting of the OPCW Member States within the Association and Stabilisation Pact, Sarajevo, Bosnia and Herzegovina, 18-19 October 2007,
- Sub-regional workshop for customs authorities in South-Eastern Europe on the technical aspects of the Chemical Weapons Convention's (CWC) transfers Regime, Cavtat, Croatia, 14-15 April 2007,
- International Seminar on National Implementation of Non-Proliferation Obligations: the OPCW as an Example of Effective Assistance in National Implementation of the Chemical Weapons Convention), Jahorina, Bosnia and Herzegovina, 22-23 June 2009

It should be noted that the National Team of Montenegro organised the Second meeting of the SAP countries involved in the application of the CWC, Podgorica Montenegro 13-14 February 2008.

30. Do you have a national control strategy for small arms and light weapons (SALW)? If so, please provide a copy.

The Government of Montenegro adopted the Strategy for Control and Reduction of Small Arms and Light Weapons in 2005 ([Annex 259](#)). The Strategy was made in cooperation with the United Nations Development Programme. It made necessary preconditions to create a unified national system of organised control and reduction of small arms and light weapons which contributed to a higher level of general security.

Illegal possession and trade of small arms and light weapons (SALW) suits the organized crime and terrorism, promotes conflicts and violence and contributes to the lack of security of citizens. Illicit trade and over-possession of SALW can present an obstacle to sustainable social and economic development, which can have negative influence on the security of Montenegro and the region.

The long-term goal of this strategy is the creation of the unified national system of control and reduction of small arms and light weapons (SALW) in possession of citizens, the police, the armed forces and other bodies, and thus the creation of conditions for sustainable development. Cooperation among international organizations, inter-agency cooperation in Montenegro and collaboration with the civil society is of special importance for defining parameters in suppression and eradication of illegal and smuggled arms and weapons.

The general aim is to establish a unified national system of control and reduction of small arms and light weapons (SALW) in possession of citizens, the police, the armed forces and other bodies in order to improve and enhance overall security in Montenegro, and thus achieving one of the most important preconditions for the sustainable development of the country.

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

- Control of legal arms through ensuring full implementation of laws related to small arms and light weapons in Montenegro as well as international treaties on SALW;
- Gathering of SALW in citizens' possession and exchange of information;
- Fast and efficient gathering of SALW from individuals that illegally possess arms and weapons;
- Development of mechanisms and systems (quantitative and qualitative) for SALW control.
- Diminishing of SALW misuse;
- Strengthening cooperation of the police with security regional and international organisations etc.
- Establishment of partnership with civil society and the work on raising awareness on the problem of misuse of SALW.

- Secure and safe stockpiling and management of SALW;
- Destroying SALW surpluses;
- Setting up of partnership, with a multidisciplinary approach, with all SALW stakeholders,
- Setting up of transparent procedures of control, possession and handling with SALW in the security sector.

By adopting the National Strategy on SALW Montenegro created necessary preconditions for an organised control and reduction of SALW and thus contributed to reaching a higher level of security.

31. Do you have a national registration system and database for small arms and light weapons? If so, please provide recent weapons registration statistics.

Montenegro has a national registration system and database of small arms and light weapons.

The Ministry of Interior and Public Administration keeps record on issued: permits for purchase of arms and ammunition, firearms certificates and permits for holding arms; permits for collecting arms, as well as: seized, found and submitted arms (Article 69 of the Law on Arms). Sport, firing and hunting organisation and other business societies and registered entrepreneurs are obliged to keep records on purchased arms as well as arms that are lent for use. Furthermore, business societies and entrepreneurs keep records on: manufactures and shipped arms; purchased and sold arms and ammunition; repaired and altered arms; purchased arms; arms lent for use and on purchased and spent ammunition, as well as collected arms. The forms for record-keeping are regulated by Articles 70 and 71 of the Law on Arms.

The database of the Ministry of Interior and Public Administration of Montenegro shows that there are 107,687 pieces of fire arms in Montenegro. Out of these, 106,867 have been registered (105,213 to physical and 1,654 to legal persons). 584 arms have been seized, 169 are missing and 67 are registered as old arms.

32. Do you have a national commission or authority to monitor the production, import and export of small arms and light weapons? If so, who are its members and what are its terms of reference?

The Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods (Official Gazette of Montenegro 80/08) regulates conditions for: foreign trade in arms, military equipment and Dual Use Goods; services related to controlled goods; conditions and procedures for issuing permits; competence of authorities as well as other questions of importance for foreign trade in control goods. Only a person who has a permit for foreign trade in controlled goods, which is issued according to this law, can perform this activity.

The Government of Montenegro, on the proposal of the ministry responsible for foreign trade (the Ministry of Economy of Montenegro), adopts and updates the National Control List of arms and military equipment and the National Control List of the Dual Use Goods, as well as other list in order to:

- align the Montenegrin legislation with the EU acquis;
- apply sanctions against certain states, entities and individuals or conventions on the control of arms and the control of technology transfer;
- defend the defence and security interest of Montenegro;
- control the trade of goods that are or can, partly or fully, used for development, production, handling, work, maintenance or second servicing, stockpiling, storage, identification, testing

or spread of chemical, biological or nuclear arms, or other nuclear-heads, or for development, production, maintenance or second servicing, testing, stockpiling or spread of missiles or other carriers of this type of armament.

- Control the trade in arms, ammunition or explosive device and other goods made or intended for military purposes.

Foreign trade in controlled goods can be performed by an individual registered in the Registry of Individuals for Foreign Trade in Controlled Goods. The Registry is in the Ministry of Economy.

The foreign trade in controlled goods permit is an act of the Ministry of Economy, by which an individual is allowed to perform a single foreign trade in known quantity and type of controlled goods under the conditions defined by a contract.

Before deciding on the request for a permit, the Ministry of Economy obtains the consent of the Ministry of Foreign Affairs, Ministry of Defence and the Ministry of Interior and Public Administration.

In case any of the abovementioned ministries does not provide its consent, the Ministry of Economy shall not issue the permit.

The Ministry of Economy can obtain opinions of other competent authorities according to the need and depending on the type and the purpose of the controlled goods.

When other ministries give their consent and when the Ministry of Economy decides on the issuance of the permit for export of controlled goods, and shall respect the following criteria in the limits of their competences:

- 1. Respect of international obligations of Montenegro, particularly sanctions endorsed by the Security Council of the United Nations, international treaties on the non-proliferation of arms and other international obligations;
- 2. Respect of human rights in the final destination country;
- 3. Assessment of internal situation, i.e. tense situation or armed conflict in the final destination country;
- 4. Preservation of regional peace, security and stability;
- 5. National Security of Montenegro as well as the security of those states with which Montenegro is in partner relations;
- 6. Behaviour of the purchasing state in relation to the international community, particularly its position on terrorism, the nature of its alliances and the respect of international law;
- 7. Existence of risk that the goods which is being exported can be redirected inside the final destination country or be re-exported under non-desired circumstances;
- 8. Compatibility of the export of arms with technical and economic capability of the recipient country having in mind the needs of the country to realise its legitimate security and defence activities with as less possible of redirecting of human and economic resource in order to purchase arms.

The Ministry of Foreign Affairs, Ministry of Defence and the Ministry of Interior and Public Administration are obliged to submit its position in relation to the request for the issuance of a permit in 30 day from the day when the request was submitted, i.e. 60 days if it is necessary to make additional checks.

The transport of controlled goods by land and water is approved by the Ministry of Interior and Public Administration on the basis of the permit issued by the Ministry competent for the concrete foreign trade in controlled goods.

The transport of controlled goods by air is approved by the state administration body competent for civil aviation on the basis of the permit issued by the Ministry competent for the concrete foreign trade in controlled goods.

The transit of controlled goods by land and water is made on the basis of the approval of the Ministry of Interior and Public Administration.

The transit of controlled goods by air is made on the basis of the approval of the state administration body competent for civil aviation.

No national commission or special authority to monitor the production, import or export of small arms and light weapons has been set up in order to perform the abovementioned activities.

33. Do you have legislation in place for the internal control of small arms and light weapons, including possession, use, carriage and registration of weapons?

Yes, Montenegro has legislation in place for the internal control of small arms and light weapons, including possession, use, carriage and registration of weapons.

This area is regulated by the Law on Arms (Official Gazette of Montenegro 49/04 and 49/08) which, among other things, stipulates: purchase, holding, carriage of weapons and ammunition and collection of weapons; the manner of handling with weapons and ammunition; surveillance and record keeping; submission and legalisation of weapons; the Rulebook on Forms of Licences for Weapons and Ammunition (Official Gazette of Montenegro 28/08 and 35/08); the Rulebook on Spatial and Technical Conditions for Safe Production and Storage of Weapons and Ammunition (Official Gazette of the Republic of Montenegro 21/05); the Rulebook on Forms and the Manner of Record Keeping of Weapons and Ammunition (Official Gazette of the Republic of Montenegro 21/05); the Rulebook on the Programme and the Manner of Training for Holding and Carriage and Proper Use of Fire Arms (Official Gazette of the Republic of Montenegro 05/05); the Programme of Training for Holding and Carriage and Proper Use of Fire Arms (Official Gazette of the Republic of Montenegro 05/05) and the Law on Testing Hand Fire Arms, Devices and Ammunition (Official Gazette of the Republic of Montenegro 31/04)

34. Do you have legislation in place for external transfers (import, export, transit etc.) of such weapons, in line with the Council Common Position 2008/944/CFSP of 8 Dec 2008 defining common rules governing control of exports of military technology and equipment?

In the process of drafting the Law on foreign trade in controlled goods the inter-ministerial working group decided to take into account the proposal of EU experts (BAFA and SIPRI) and to incorporate the criteria of common rules of the EU for control of export of military technology and equipment in the Draft Proposal of the Law.

These criteria are systematised in Articles 18, 19 and 20 of the Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods (Official Gazette of Montenegro 80/08). For the procedure of alignment of the abovementioned provisions of the Law with the Council Common Position 2008/944/CFSP of 8 December 2008 see answer to question 25 of this chapter.

The EU Code of Conduct on arms export encompasses 8 criteria according to which the competent authorities of Montenegro (Ministry of Foreign Affairs, Ministry of Interior and Public Administration, Ministry of Defence and Ministry of Economy) shall control the export of military technology and equipment as listed in the national control lists (the lists are given in the annex of the answer to question 12 in the Chapter 30 Foreign Relations).

35. Please provide information and figures on import and export of SALW.

On the basis of the UN and the OSCE obligation, the Ministry of Defence regularly delivers Annual Reports on Export and Import of SALW to the Ministry of Foreign Affairs of Montenegro in order to promote the openness and transparency and to develop security measures.

The review of export and import of small arms and light weapons, realized by the Ministry of Defence of Montenegro from the independence until July 2009 is given in the two tables that follow:

Table No 2 - Report on Import of SALW

Period 2006-20091

SALW IMPORT

Category and Sub-Category (Names and / or Models)	Final importer State	IMPORT				TOTAL	State of Origin (if not exporter)	Remark
		2006	2007	2008	2009			
1. Small arms		0	0	180	657	837		
1. Revolvers and self-loading pistols								
Pistol GLOCH 17, 9x19 mm	Montenegro			180	317	497	Austria	
2) Rifles and carbines								
3) Sub-machine guns								
Sniper MSG90A1, set	Montenegro						Germany	non delivered 30 pcs.
4) Assault rifles								
Assault rifles HK416A2, mod. D10B C.5,56 mm	Montenegro				110	110	Germany	
Auto rifle MP5A5	Montenegro				230	230	Germany	
5) Light machine guns								
2. Light weapons		0	0	0	40	40		
1) Heavy machine guns								
2) Hand –held under – barrel and mounted grenade launchers								
Hand –held under – barrel and mounted grenade launchers AG-HK416MV	Montenegro				40	40	Germany	
3) Portable anti-tank guns								

¹ Data source: Ministry of Defence

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4) Recoilless rifles								
5) Portable launchers of anti-tank missile and rocket systems								
6) Portable launchers of anti-aircraft missiles								
7) Mortars of calibers less than 100 mm								
8) Minobacači kalibra manjeg od 100 mm								

Table No 3 - Report on Export of SALW

Period 2006-2009²

SALW EXPORT

Category and Sub-Category (Names and / or Models)	Final importer	Export				TOTAL	State of Origin (if not exporter)	Remark
	State	2006	2007	2008	2009			
1. Small arms		18,425	3,936	17,258	3,423	43,042		
1. Revolvers and self-loading pistols								
Pistol 7,62 mm, M57	USA			4,096		4,096	YUG	
Pistol 7,62 mm, M30/33	Italy, Germany			20	329	349	USSR	
Pistol 7,62 mm, M42	Germany				714	714	USSR	
Pistol 7,65 mm, automatic M61	Germany			300		300	Czechoslovakia	
2) Rifles and carbines								
Rifle 7,62 mm, M70	Iraq, Afghanistan	17,650	3,720	10,385	1,592	33,347	USSR	
3) Sub-machine guns								
semi automatic sniper gun 7,9 mm, M76	Italy, Israel			200	42	242	YUG	
4) Assault rifles								
5) Light machine guns								
Light machine gun 7,62 mm, M72	Iraq, Afghanistan	600		2,257	746	3,603	YUG	

² Data source: Ministry of Defence

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machine gun 7,62 mm, M84	Iraq, Afghanistan	175	216			391	YUG	
2. Light weapons		0	0	11	0	11		
1) Heavy machine guns								
2) 2. Hand –held under – barrel and mounted grenade launchers								
3) Portable anti-aircraft guns								
AA Gun 20/1, M75	Serbia			5		5	YUG	
AA Gun 20/3, M55 A3	Serbia			5		5	YUG	
AA Gun 20/3, M55, BOV-3	Serbia			1		1	YUG	
4) Portable anti-tank guns								
5) Recoilless rifles								
6) Portable launchers of anti-tank missile and rocket systems								
7) Portable launchers of anti-aircraft missiles								
8) Mortars of calibres less than 100 mm								

Addendum - see the answer to question 23 of this chapter.

36. Provide information on the type of sanctions (administrative and penal) as provided for in national laws for not surrendering illegally possessed firearms.

Owners who possessed firearms whose purchase, holding and carrying is illegal according to the Law on Arms were obliged to surrender this arms and ammunition one year after the Law on Arms entered into force at the latest. There was no misdemeanour or criminal procedure against these individuals, while the surrendered arms became the property of Montenegro (Article 75).

Owners of arms who did not possess the arms certificate, were obliged to submit requests for arms certificate six months after the Law on Arms entered into force at the latest. At the same time, they were not obliged to prove the origin of arms unless it comes from criminal proceeds. There was no criminal procedure against these individuals. The Ministry can refuse to issue the arms certificate on the reasons defined in Article 17, paragraph 1 of the Law on Arms (if his/her age is 21; if he/she has not been convicted or accused for the criminal offence against the constitutional order and security of Montenegro, humanity and other goods, against life and body, property or for offences with elements of violence, greed or base intentions if he/she has not been sanctioned in the last three years or if no misdemeanour procedures /against public order and peace, done with the use of arms or prescribed by the Law on Arms/ have been started; if there is no evidence that the arms can be misused - alcohol addiction, heavily disturbed family, neighbourly or work relationships; if the individual has a justified reason to purchase arms; if he/she is healthy; if he/she is trained to use arms and knows the regulations). If a request for arms certificate or for holding trophy arms has been rejected, the arms are seized from the owner. Two months before the decision on the

seizure becomes valid, the owner has the possibility to find a buyer or to sell the arms to an authorised arms dealer. If the owner does not do this in two months, the arms are given to an authorised arms dealer in order to be sold (in the period three months after being given to the dealer at most). The owner gets the compensation in the amount which was agreed with the dealer. If arms and ammunition do not get sold, they are returned to the Ministry.

Arms and ammunition that are not sold or given become the property of the Ministry six months after the final decision on the seizure was given or if they were seized in the final and binding decision of the misdemeanour and criminal procedure. They are used for official purposes, given to museums or destroyed.

Business societies and entrepreneurs who, for the sake of physical security and protection of facilities, property and goods, possessed the arms which cannot be possessed according to the Law on Arms, are obliged to surrender them three months at the latest after the quoted law entered into force. Arms that were not sold in the prescribed time are taken away without compensation (Articles: 72, 73 and 74). Article 430 of the Criminal Code of Montenegro (Official Gazette of the Republic of Montenegro 70/03 and 47/06), chapter on criminal offences against public order and peace, prescribes the criminal offence – illegal possession of arms and explosive substances.

Namely, anyone who without authorisation manufactures, sells, procures, exchanges, carries or keeps firearms, ammunition or explosive substances, shall be punished by an imprisonment sentence of up to three years. If the object of an offence are weapons whose manufacture, selling, procurement, carriage or keeping are prohibited to the citizens, the offender shall be punished by imprisonment of six months to five years. If the object of offence represents a larger quantity of weapons or means or it is a weapon or other means of large destructive power, the offender shall be punished by an imprisonment sentence of one to eight years. Article 432 regulates the criminal offence of use of forbidden means of combat, and Article 433 unlawful manufacture of weapons.

Misdemeanours which are prescribed for not respecting the Law on Arms (Article 72, 72 and 74) have the following fines in the amount of: from one to ten times the minimal salary for physical persons; and from ten times to 200 times the minimal salary for legal persons. Measure of seizure of arms and ammunition is used for heavier misdemeanours. In performing its duty, the police submit submits misdemeanour charges (Article 68) after the control of: carriage of arms in public places (Article 11 paragraph 1); purchase, production, repair and alteration of arms (Article 12); to see if the personal security of an individual is in danger; to see whether there is a justified reason to purchase arms (article 18 paragraph 1); issuance of certificate on training for using and handling guns (article 20, paragraph 1, point 3); borrowing of hunting arms by a business society or an entrepreneur which manages hunting grounds, i.e. borrowing arms to foreign hunting organisations (Article 21); use of trophy arms and purchase of ammunition (Article 29, paragraph 1); to see whether business society or an entrepreneur borrows arms to individuals who directly performs the activity of physical protection and security of facilities and goods, which the Law on Arms finds unauthorised or if it is done out of the time of official duty, and if arms are taken out of the facility, as well as for issuance of permit for carriage of transmission of arms (Article 31); to see whether an individual purchases, collects or holds old arms without authorisation or whether it is carried and ammunition is purchased for it (Article 32); automatic and semi-automatic arms which are permanently disabled for use (Article 34); to see whether arms are carried with its documentation as well as whether hunting arms are used outside hunting grounds, shooting grounds or other places; to see whether sport arms are used outside shooting grounds (Article 37); if shooter organisations keep records on issued permits for arms and ammunition transmission (Article 38); to see whether the owner who possess arms according to the arms certificate carries them outside his/her living or work space (Article 39); to see whether arms and ammunition are kept locked in order to be secured from misuse (Article 41); whether arms and ammunition are kept in living or work premises which is in the residence or the seat (Article 41); whether the transport of arms and ammunition is done with no authorisation (Article 62); permit given to business societies and entrepreneurs for performing the activity of sport and recreational shooting, (Article 62): transport of explosive substances. The police also take in arms and ammunition whose purchase, possession and carrying is forbidden (Article 75 and 77); take in seized and surrendered arms and ammunition (Article 54); determine and check, on the request of its units, whether the conditions from Article 17, paragraph 1 of the Law on Arms have been fulfilled – whether an individual has

been convicted or accused for criminal offence; or not sanctioned not accused for the mentioned misdemeanours; whether there is evidence that arms can be misused; whether he/she has a justified reason to purchase arms.

37. Does your country comply with the Council Joint Action of 12.7.2002 on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons (2002/589/CFSP)?

Montenegrin legal regulations and concrete activities in the area of combating the destabilising accumulation and spread of small arms and light weapons comply with the principles of the Council Joint Action of 12 July 2002 on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons (2002/589/CFSP).

Namely, the strategic commitment of the Government of Montenegro is to ensure a higher level of security for the Montenegrin citizens as well as to implement international obligations and accomplish a more thorough and adequate control of fire arms.

Montenegro is particularly committed to activities aiming at prohibition of spread of illegal small arms and light weapons. The Law on Arms was adopted in 2004 and administrative procedures have been prescribed in order to ensure a more efficient control of small arms and light weapons.

This Law prohibits carrying of arms in public places, defines the deadline for legalisation and return of arms that cannot be registered and specifies other rights and obligations in line with European standards in order to achieve a more comprehensive realisation of the strategic goal of reduction of small arms and light weapons in Montenegro.

The Government of Montenegro adopted the Strategy for Control and Reduction of Small Arms and Light Weapons in 2005. The Strategy was made in cooperation with the United Nations Development Programme. It made necessary preconditions to create a unified national system of organised control and reduction of small arms and light weapons which contributed to a higher level of general security. Moreover, the following operational aims have been achieved:

- A more comprehensive control of legal arms has been secured through ensuring full implementation of laws related to small arms and light weapons as well as international treaties dealing with SALW;
- A more efficient gathering of SALW possessed by the citizens (voluntary action of return of SALW) was implemented;
- Mechanisms and systems (quantitative and qualitative) for control of SALW have been developed.
- Misuse of SALW has been diminished;
- Partnership with civil society has been set up. The public has become more conscious of the problem of misuse of SALW.
- Seized and gathered SALW as well as surpluses have been destroyed on several occasions.
- Transparent procedures of control, possession and handling with SALW have been set up in the security sector.
- Activities on the creation of conditions for safe and secure storage of arms are being made.

Apart from the Council Joint Action of 12 July 2002 on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons (2002/589/CFSP) Montenegro has taken into account the following international documents in the process of suppression and eradication of misuse of SALW:

- 2001 UN Programme of Action against the spread of illicit small arms and light weapons and its protocol.

- UN Convention against Trans-national Organised Crime;
- UN Convention on Suppression of Cross-border Organised Crime.
- Regional Micro-Disarmament Rulebook for SEE

38. Does your country comply with the EU Strategy to combat illicit accumulation and trafficking of SALW and their ammunition?

Montenegrin has aligned its legislation with the EU Strategy to combat illicit accumulation and trafficking of SALW and their ammunition as well as the United Nations Security Council 1540 on non-proliferation of weapons of mass destruction in order to fight in a more efficient manner the illicit trafficking and brokering of chemical, biological, nuclear and related weapons.

The Law on Arms in its article 12 stipulates general prohibition of procurement, possession, holding, production, repair and alteration, trade and transport of arms and ammunition of: automatic arms, semi-automatic arms with the capacity of more than five bullets (apart from 22LR guns); arms with integral silencer, silencers and its parts; telescopic sight with light beam or with the device for electronic magnification of light or infrared devices; explosive projectiles launching weapons; arm that in the form of other scope; burst arms; ammunition whose primary purpose is to penetrate armour, ammunition with explosive, inflammable or poisonous projectiles; ammunition without trade licence according to special regulations; daggers and similar arms.

The goal of Montenegro is to suppress any aspect of illicit trafficking and brokering of nuclear, biological and chemical weapons through international assistance and cooperation on the national, international and global level. These activities are performed by competent authorities of the Montenegrin state administration.

39. Does your country comply with the Council Common Position 2003/468/CFSP of 23 June 2003 on the control of arms brokering?

Article 8 of the Law on the Foreign Trade of Controlled Goods (Official Gazette of Montenegro 80/08) defines the control of broker activities.

Widening of the control to brokering and brokering activities enabled the alignment with the Common Position of the Council of the EU (2003/468/CDSP) in the area of arms brokering control. It envisages the need of acquiring licence for the brokering activities from competent authorities where these activities take place i. e. the country where a broker stays or resides.

Paragraph 1 of this article stipulates that a licence has to be acquired for all armaments or military equipment broker activities for all goods in the national control lists.

40. Does your country comply with the 2001 UN Programme of Action against the spread of illicit small arms and light weapons (SALW) and its protocol?

Montenegro complies with the 2001 UN Programme of Action against the spread of illicit small arms and light weapons (SALW) and its Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition.

The Law on Arms and the Criminal Code contain misdemeanours and crimes in the area of arms and ammunition and they stipulate sanctions for perpetrators. Pursuant to the Law on Arms, records and the manner of keeping records are prescribed for fire weapons and their owners. These records are kept on a permanent basis so that precise information may be given immediately. Moreover, there are constant controls of all subjects. Law on Hand-Held Firearms,

Devices and Ammunition Testing has been adopted in order to mark fire arms. Arms rendered inoperative cannot be illegally rendered operative.

Furthermore, pursuant to Article 54 of the Law on Arms, arms and ammunition confiscated in line with the legal decision of confiscation, i. e. arms confiscated during criminal or misdemeanour procedures, are to be delivered to the Ministry of Interior and Public Administration, which is responsible for them and can use them for its official needs, give them to museums or destroy them.

Cooperation with international organisations

41. In view of the provision for Member States to co-ordinate action in international organisations (Art. 19 and 20 TEU) please provide a list of the relevant international organisations of which your country is a member (with date of joining) or is negotiating membership, such as the UN, the OSCE, the Council of Europe etc.

The United Nations

Montenegro became a member of the United Nations on 28 June 2006. The basic admission document: Resolution 1691 (2006) of the Security Council on 22 June 2006.

Montenegrin participation in the work of the bodies of the United Nations and its specialised agencies:

Current participation:

- Executive Committee of the Programme of the High Commissioner of the UN for Refugees (UNHCR)
- Montenegro became a member of the Executive Committee of the UNHCR by the Decision of the Economic and Social Council of the UN on 29 April 2008.
- The Bureau of the Committee for Environment of the UN Economic Commission for Europe (UNECE)
- Montenegrin membership was confirmed at the 15th session of the UNECE Committee for Environment on 21/23 April 2008. Deputy Minister for Environment of Montenegro and advisor for environment in the same Ministry participate in the work of this Committee.
- Standing Committee of the Regional Committee of the World Health Organisation for Europe

Director of the Public Health Institute of Montenegro was selected for the member of the Standing Committee of the Regional Committee of the World Health Organisation for Europe during its 58th session 15-18 September 2008. The membership covers the period of 2008-2011.

- Commission for Europe of the World Tourist Organisation of the United Nations (UNWTO)

Montenegro was elected to be vice-chairman of the Commission for Europe during the 18 Meeting of the General Assembly of the World Tourist Organisation of the United Nations in Astana 5-8 October 2009. The membership covers the period 2009-2011.

Future participation:

- Montenegro submitted application for a non-permanent member of the Security Council of the United Nations for the period 2026-2027 (the elections to be held in 2025).
- Montenegro submitted application for membership in the Human Rights Council of the United Nations for the period 2012-2015 (the elections to be held in 2012).
- Montenegro submitted application for membership in the United Nations Commission for Sustainable Development for the period 2011-2014.

- Montenegro submitted application for membership in the Executive Committee of the United Nations Development Programme/Population Fund the period 2014-2015.

The Organisation for Security and Cooperation in Europe (OSCE)

Montenegro was admitted into membership of the OSCE during the Session of the Permanent Council on 22 June 2006, which was the first membership of Montenegro in any international organisation. After this positive decision, Prime Minister Milo Đukanović signed the Final Act of the Conference on Security and Cooperation in Europe (the Helsinki Final Act of 1975) in Helsinki on 1 September 2006. In this way, Montenegro finished the process of attaining a full-fledged membership in the OSCE.

The Council of Europe

On 11 May 2007, Montenegro became a full fledged member of the Council of Europe¹. During the official ceremony in the CoE Seat in Strasbourg, the Minister of Foreign Affairs of Montenegro Mr Milan Ročen signed the CoE Statute and the Convention on the Avoidance of Statelessness. On the basis of the Statement on Assuming the Obligations and having in mind a certain number of treaties open for membership, Montenegro was recognised as a successor to 49 conventions and protocols of the Council of Europe.

North Atlantic Treaty Organisation (NATO) – Partnership for Peace (PfP)

Montenegro signed the Framework Document of the Partnership for Peace on 14 December 2006. Consequently it submitted the Presentation Document in the NATO Headquarters on 25 April 2007.

The next step in Montenegrin accession to NATO happened in March 2008 when the Presentation Document for the Individual Partnership Action Plan (IPAP) was presented after which NATO approved the start of IPAP for Montenegro. The IPAP document was delivered to NATO on 24 June 2008. After the Initial Document for Discussion in the framework of the Intensified Dialogue was finalised, the process of Intensified Dialogue of Montenegro with NATO started on 24 June 2008 which was the third important step of Montenegro in the process of joining NATO. The first cycle of the ID was finished in January 2009.

The Adriatic Charter

In order to enhance the process of accession to NATO Montenegro joined the Adriatic Charter on 4 December 2008.

SEDM (Ministers of Defence of South East Europe)

Montenegro received the observer status in the SEDM process on 26 September 2006 at the Ministerial meeting in Tirana.

The minister of defence of Montenegro Mr Boro Vučinić sent a letter on 22 February 2009 asking for a full-fledged membership status. This status was given to Montenegro on 21 October 2009 at the SEDM ministerial meeting in Sofia.

REGIONAL ORGANISATIONS AND INITIATIVES

- 1)The Central European Initiative (CEI) – Montenegro became member on 1 August 2006. Montenegro takes over the chairmanship-in-office of the CEI on 1 January 2010.
- 2)The South East Europe Cooperation Process (SEECPP) – Montenegro became member on 11 May 2007. Montenegro takes over the chairmanship-in-office in June 2010.
- 3)The Regional Cooperation Council (RCC) – Montenegro has been a member since the RCC inauguration on 29 February 2008.

¹ Montenegro applied for membership in the Council of Europe on 6 June 2006, three days after the Parliament of Montenegro adopted the Declaration on Independence. The Committee of Ministers sent the application to the Parliamentary Assembly of the CoE for its opinion on 14 June 2006. Finally, in May 2007, the Parliamentary Assembly recommended that the Committee of Ministers of the Council of Europe should invite Montenegro to accede the organisation.

- 4)The Migration, Asylum, Refugees Regional Initiative (MARRI) – Montenegro became member in April 2007 and took over the chairmanship-in-office in May 2009.
- 5)The Adriatic-Ionian Initiative (AAI) – Montenegro became member on 1 June 2007. Montenegro takes over the chairmanship-in-office in May 2010.
- 6)The Union for the Mediterranean (UfM) – Montenegro became member on 13 July 2008.
- 7)The Central European Agreement on Free Trade (CEFTA 2006) – the Agreement entered into force in Montenegro on 26 July 2007. Montenegro took over the one year chairmanship-in-office on 1 January 2009.
- 8)The Initiative on Cooperation of Local Communities at the Triple-Border of Bosnia and Herzegovina, Montenegro and Croatia. Montenegro became member on 27 April 2007 and it chaired the Initiative from 5 May 2008 until 8 July 2009.
- 9)Regional Centre for Fight against Cross-Border Criminal (SECI Centre in Bucharest). Montenegro became a full-fledged member on 6 June 2008.
- 10)South East Europe Energy Community. Montenegro ratified the Agreement of the Creation of the SEE Energy Community on 26 October 2006. It presided over the Community in the period 1 January – 1 July 2007.
- 11)South East Europe Health Network (SEEHN) – Montenegro became member on 2 September 2001 and presided over the initiative in the period 30 June – 31 December 2008.
- 12)Centre for Security Cooperation (RACVIAC) – Montenegro became member on 21 March 2007.
- 13)The Disaster Preparedness and Prevention Initiative (DPPI) – Montenegro has been a member of the Initiative since its inception. Montenegro signed the Memorandum of Understanding of the Institutional Framework of the Initiative on 24 September 2007 – the ratification process is ongoing.
- 14)The Regional Anti-Corruption Initiative (RAI) – Montenegro became member in February 2000. It took the two year presidency-in-office on 9 October 2007.
- 15)The Council of Ministers of Culture of South East Europe. Montenegro became member on 31 March 2005 and is currently presiding over the initiative (April 2009 – 2010).
- 16)The Electronic South East Europe Initiative (eSEE) – Montenegro has been a member since 4 June 2002.
- 17)The Police Cooperation in South East Europe – Montenegro signed the Convention on Police Cooperation in South East Europe on 5 May 2006 and ratified it on 26 December 2007 by which it became eligible for full membership in the initiative.
- 18)The International Commission for the Protection of the Danube River (ICPDR) –The official accession of Montenegro to the ICPDR happened at the ICPDR Conference in Vienna on 10-11 December 2008.
- 19)The Regional School for Public Administration (ReSPA) – The International Agreement on the Establishment of ReSPA was signed in Podgorica on 21 November 2008. Its seat is in Danilovgrad, Montenegro, while the school became operational on 1 January 2009.
- 20)The South Adriatic Eurodistrict – Montenegro is one of the founders of this initiative. The official signing ceremony of the Convention of Accession was held in Italy in March 2008.
- 21)The Danube Commission – Montenegro became observer on 6 November 2006.
- 22)The Danube Cooperation Process (DCP) – during the ex state union with Serbia Montenegro had been a full-fledged member of the Process. On the invitation of the Republic of Serbia, Montenegro participated at the latest DCP meeting as a guest.

- 23) The Adriatic Trilateral Commission – Montenegro has taken part in the recent meetings of the Commission as an observer. Montenegro received the support to join the Commission by Slovenia and Croatia, submitted its request to Italy and is waiting for response.
- 24) The Black Sea Economic Cooperation Organisation (BSEC) – Montenegro received the status of partner for inter-sectorial dialogue with a renewable validity of two years on 1 November 2008. Montenegrin first participation in a BSEC Ministerial Council was in late April 2009 in Yerevan.
- 25) The International Commission for the Protection of the Sava River Basin (ISRBC) – Montenegro participated as a guest at the second meeting of the signatories of the Framework Agreement on the Sava River Basin, held in Belgrade on 1 June 2009.

42. Does your country engage with international organisations on e.g. elections monitoring, training activities?

Montenegro is actively involved in observer missions of the OSCE/ODIHR. By sending its representatives to these missions it shows its commitment to the goals and standards of the OSCE. Montenegro believes that an open and continuous cooperation with the OSCE/ODIHR is in its best interest.

Parliamentary elections in Kazakhstan	August 2007
Presidential elections in Georgia	January 2008
Parliamentary elections in Georgia	May 2008
Parliamentary elections in Belarus	September 2008
Second round of presidential elections in Macedonia	April 2009
Parliamentary elections in Albania	June 2009

Representatives of Montenegrin state administration and NGOs jointly participated in the mentioned missions (two nongovernmental organisations whose work is closely related with election processes and their monitoring have been involved – the Centre for Democratic Transition and the Monitoring Centre).

Apart from that, Montenegro has been a full-fledged member of the Venice Commission since 6 June 2006. Prof. Dr Srđan Darmanović is Montenegrin representative in this body of the Council of Europe. In this capacity Mr Darmanović took part in the Observer Mission of the Parliamentary Assembly of the Council of Europe during the parliamentary elections in Albania in June 2009.

Montenegro is also actively involved in seminars, workshops and trainings that focus on the organisation and monitoring of elections such as: the OSCE school for short-term observers attended by 5 Montenegrin state administration representatives and five NGO representatives; the seminar on electronic voting in Helsinki 26/27 October 2008; the annual meeting on human dimension of the OSCE in Warsaw; the expert seminar on election administration in Vienna 16/17 July 2009; the Forum for the future of democracy of the Council of Europe with the topic of elections systems in Kiev 21/23 October 2009.

Security measures (classified information)**43. Is the legal framework on security procedures for the exchange of classified information which enables secure communication between Member States' Foreign Ministries in place?**

The legal framework on security procedures for the exchange of classified information is regulated by the Law on Classified Information and the bylaws for its implementation (decrees of the Government of Montenegro and other regulations). This Law defines the unified system of definition of classified information, access to classified information, the keeping, use, record keeping and protection of classified information. The bylaws regulates in a more detailed way the conditions and the manner the implementation of measures of protection of classified information, the manner and procedures of marking classified information, the content and the manner of keeping record of classified information, the manner of implementation and the content of internal control over the implementation of the measures of classified information protection, special measures of protection of classified information which are of importance for the defence of the country, as well as the content and the form of the permit for access to classified information.

On the basis of its national legislation and regulations in the area of classified information, Montenegro created conditions for exchange of classified information with other states and international organisations which is done through the Central Register of the Directorate for the Protection of Classified Information, unless it is otherwise specified by specific law or ratified international treaties.

Montenegro has started to conclude bilateral agreements on mutual protection and exchange of classified information with EU Member States. These agreements define the conditions for exchange in order protect the classified information which are being transmitted or received in line with the conditions of the transmitting and the receiving party. The Government of Montenegro concluded the Agreement on Mutual Protection of Classified Information with the Government of Slovakia, while the activities on the conclusion of these agreements with Germany, the Czech Republic and Bulgaria are under way.

44. Does your country comply with the EU security policy requirements?

Montenegrin classified information regulations comply with the security policy requirements of the EU (Decision of the EU Council 2001/264/EC) in the field of administrative, physical, industrial and the protection of persons with access to classified information. The activities on the adoption of regulations in the area of information security of classified information (INFOSEC) are under way and their adoption is expected by the end of 2009. In this way Montenegro shall finalise its regulatory framework on classified information in order to fully comply with the security policy requirements of the EU.

45. Does your country have an agreement with the EU on security procedures for the exchange of classified information and has it been ratified?

Montenegro has not signed an agreement with the EU on security procedures for the exchange of classified information yet.

Montenegro is conscious of the fact that the access to and exchange of classified information demand strong security measures as well as the need to strengthen cooperation in the area of mutual interest when it comes to security. It is also conscious of the need to establish a legal framework for this cooperation. Therefore, Montenegro started the procedure for signing the security agreement with the EU.

Minister of Foreign Affairs of Montenegro Mr Milan Roćen sent a letter to High Representative for Common Foreign and Security Policy and Secretary General of the Council of the EU Mr Javier Solana on 30 July 2009. In its letter Minister Roćen suggested the signing of the agreement. Currently, Montenegro is expecting a response in order to start the necessary procedure. It is expected that the Council of the EU adopts the negotiating mandate for the conclusion of the agreement with Montenegro (after adopting it at the Committee of the Security Council). After this, technical negotiations on the agreement can be started and the process could be finalised throughout 2010.

The signing the agreement on security procedures for the exchange of classified information would create a firm legal framework necessary for the exchange according to the European security standards.

46. What specific legislation is in place to regulate the field of information security fully in accordance with EU standards?

The area of classified information in Montenegro is regulated by the Law on Classified Information (Official Gazette of Montenegro 14/08) in a unifying manner. The following implementation bylaws have been adopted on the basis of this law:

- The Decree on the manner and procedures of marking classified information (Official Gazette of Montenegro 67/08) which defines the manner and procedures for marking of classified information in a more detailed way.
- The Decree on the record keeping of classified information (Official Gazette of Montenegro 67/08) which prescribes the content and manner of keeping records on classified information, submitted requests for issuing permits for access to classified information as well as issued and seized classified information access permits.
- The Decree on more detailed conditions and the manner of implementation of the measures of classified information protection (Official Gazette of Montenegro 72/08) which defines the more detailed conditions and the manner of implementation of the measures of classified information protection in a more comprehensive way.
- The Rulebook on content and the form of the classified information access permit (Official Gazette of Montenegro 71/08) which prescribes the content and the form of the classified information access permit to legal and physical persons.
- The Decree on the manner of implementation and the content of internal control over the implementation of the measures of classified information protection (Official Gazette of Montenegro 48/09), which stipulates the manner of implementation and the content of internal control over the implementation of the measures of classified information protection.
- The Decree on special measures of protection of classified information which are of importance for the defence of the country (Official Gazette of Montenegro 48/09), which lays down necessary protection measures for classified information of importance for the defence of the country that secure the protection of means and military equipment, facilities for the need of defence of the country and the performance of activities of special importance for the defence of the country.

47. Does your country comply with the Council Decision of 19.3.2001 adopting the Council's security measures (2001/264/EC) as amended by the Council Decision 2004/194/EC and 2005/571/EC?

Having provided the regulations from the area of classified data, Montenegro has implemented the EU security standards (Council Decision (2001/264/EC)) which are related to: security measures, security checks, records of licenses and classified data, briefings, physical security, plans in case of danger, establishing the Directorate for Protection of Classified Data (NSA), inspection control, classification levels and marking, change of the degree of confidentiality and abolishing confidentiality, the Central Register of the Directorate and registers in other bodies, misdemeanour and criminal sanctions in the cases of violation of security measures, unauthorised disclosure and disappearance of data.

INFOSEC

Decree which will regulate more detailed conditions and the manner of implementation of informatic measures of protection of classified data will be adopted by the end of this year. The Decree will be harmonized with the Section XI of the Council Decision (2001/264/EC) which refers to the protection of information processed via information technologies and communication systems.

D) ESDP – contributing capacities

Civil crisis management and military crisis management

48. Is your country committed to the development of the ESDP and does your country subscribe to the EU's goal to be active, capable and effective in the area of civil and military crisis management?

Montenegro shares the position of the European foreign, security and defence policy that the security of Europe is closely connected to the security in faraway regions. Globalisation and the development of new technologies have allowed for swift movement of threats no matter where their source is. Since the ESDP is an integral part of the CFSP, Montenegro supports the main goals of the CFSP:

- protection of common values, fundamental interests and the independence of the EU
- strengthening of security of the EU and its Member States
- peace keeping and strengthening of international security
- promotion of international cooperation
- development and strengthening of democracy, rule of law, respect of human rights and fundamental freedoms.

Montenegro supports EU military capacities strengthening, i.e. fulfilment of the goals from Helsinki of 1999 by establishing the Rapid Reaction Force of up to 60,000 troops and the Headline Goal 2010 which enlarged the Helsinki Goal by introducing the concept of battle groups. When it comes to the establishment of cooperation, Montenegro supports the development of the ESDP and is politically ready to fully engage in all structures and activities related to the development and implementation of the ESDP. As its contribution to the Headline Goal 2010, Montenegro shall plan force already declared for NATO led operations.

Apart from military capacity development, Montenegro supports the enhancement of civilian capacities for crisis management: police force, strengthening of rule of law, civilian administration

and civil protection. Montenegro intends to contribute to this component by offering its capacities according to its own capabilities and the needs of the EU.

Montenegro accepts the goal of the EU to be active, capable and effective in the area of civil and military crisis management. In this way the EU shall contribute to crisis management which reflects its capabilities and goals on the global level.

Montenegro holds that through its crisis management the ESDP has achieved high results in the global security field. In this way it has strengthened its role in global security. The EU will enhance its global security role through complete structuring and development of the ESDP, strengthening of its military and civil capacities and policy of cooperation and partnership. According to its own capacities, Montenegro shall fully contribute to the affirmation of the EU globally since this is in the interest of its own security. By increasing its civil and military capacities this contribution shall also in time become augmented.

Experience shows that it is necessary to connect states in order to jointly plan measures and procedures in disaster prevention, joint training of rescue teams and creation of international intervention teams in order to remove consequences and recover from natural, technical and technological as well as other kinds of disasters.

By signing bilateral agreements as well as through regional cooperation and collaboration with various international organisations Montenegro has gained an opportunity for a better cooperation in the field of protection and rescue. At the same time it has taken the duty to become actively involved in the global preparations to create conditions for rapid reactions in cases of natural and man-made disasters.

Montenegro is actively involved in the following initiatives:

- Disaster Preparedness and Prevention Initiative (DPPI)
- Civil – military emergency planning SEE (CMEP SEE)
- Protecting the Adriatic Seaway (PRO-ADRIAS) – Adriatic-Ionian Initiative
- Barcelona Process – Union for the Mediterranean
- Regional Cooperation Council
- SEESIM
- RACVIAC;
- OPCW
- BSEC
- PPRD SOUTH – the EUROMED programme for prevention, preparedness and response to natural and man-made disasters.

Bilateral agreements on cooperation in protection and rescue from natural and man-made disasters that have been signed represent a very important part of response to all sorts of natural, technical-technological and other disasters.

The countries with which Montenegro signed agreements are: Republic of Macedonia, Republic of Croatia, Bosnia and Herzegovina and Greece. The procedure of harmonising draft agreements is under way with Serbia, Italy and Slovenia – these agreements are expected to be signed in the next future. Montenegro signed a Memorandum of Understanding with Russia.

International cooperation is also developed through participation of units and teams of Civil Protection in actions of protection and rescue in the territory of another state pursuant to the Law on the Deployment of the Armed Forces of Montenegro Units in the International Forces and the participation of the Civil Protection, the Police and State Administration Employees in Peace Missions and other Activities Abroad (Official Gazette of Montenegro 61/08).

49. Is your country supporting the Headline Goal 2010?

Montenegro is of a view that EU military operations present a part of an integral approach of achieving security and stability, and therefore supports the need of the EU to establish its own forces. In this context, Montenegro fully supports the Headline Goal 2010.

Montenegro has professional armed forces, which is in line with its strategic concept of defence as well as realistic financial, material and demographical possibilities. Montenegrin troops can be deployed within international forces on the basis of the decision of the Parliament of Montenegro. The decision on the deployment of Montenegrin troops is made individually for each mission.

The Armed Forces of Montenegro are in the process of reform. Its goal is to create modern and sustainable military force and to attain standards and interoperability for active participation in peace operations of the EU and NATO. Montenegro intends to contribute to the Headline Goal 2010 with its military force once it achieves necessary operational capabilities and capacities.

Montenegro fully supports and monitors the progress of European security forces as defined by the Headline Goal 2010.

50. Does your country support ESDP missions in the Western Balkans and elsewhere?

After the end of conflicts in the region of the former Yugoslavia, the EU has had a crucial influence on the stabilisation of the Western Balkans through its missions. The military operations of the EU, Concordia in Macedonia and Althea in Bosnia and Herzegovina, the police mission Proxima in Macedonia and the rule of law mission of the EU in Kosovo Eulex have confirmed the security and defence credibility of the European Union. Without a strong presence and active participation of the EU, the Western Balkans could not be able to enter the current phase of its integration into the EU.

Moreover, the role of the EU as one of the key global actors in crisis prevention and management is of essential importance for world peace. Therefore, Montenegro is conscious of the remarkable significance of ESDP missions not only in the Balkans but elsewhere and it fully supports this policy of the Union.

One of the indicators showing that Montenegro supports ESDP missions in the Western Balkans and elsewhere can be seen in the adoption of the Declaration on European Integration of 2005 and especially in the Decision of the Parliament of Montenegro on the Deployment of the Armed Forces of Montenegro Troops in the Peace Operation of the EU Navfor Atalanta in Somalia of July 2009. By this Montenegro clearly showed its commitment to ESDP missions.

Montenegro shall take part in EU led peace missions and operations in the future in line with the development of operational capabilities of its forces. As it has already been underlined, Montenegro has a special focus on the CFSP and the ESDP of the EU in the Western Balkans since it belongs to this region. In this context, Montenegro is to develop both its military and its judicial, police and customs capacities in order to successfully participate and contribute to EU operations in the Western Balkans.

51. In view of the Union's policy to strengthen and develop its capabilities in international crisis management, please explain if your country is contributing or is ready to contribute personnel to EU a) civilian and b) military crisis management operations and if your country has the relevant operational training capacities and facilities for such civilian and military personnel.

Montenegro believes that the European Security and Defence Policy has significant mechanisms to efficient counteract modern security challenges on the global level. Therefore, Montenegro wants to adapt its security system to the positions and needs of the ESDP. Being a country with

limited resources, Montenegro is firmly convinced that in the phase of preparations for the EU membership it will provide its own contribution to strengthening of the role of the EU in the international scene in this way.

The legal basis for the participation of Montenegro in crisis management operations is found in: the Constitution of Montenegro, Law on Defence, Law on the Armed Forces, Law on the Police and the Law on the Deployment of the Armed Forces of Montenegro Units in the International Forces and the participation of the Civil Protection, the Police and State Administration Employees in Peace Missions and other Activities Abroad.

Montenegro still does not have a developed cooperation when it comes to the development and implementation of the ESDP. It still has not taken part in the EU led crisis management operations.

Concerning the establishment of cooperation, Montenegro is politically ready to fully integrate within all the structures and activities related to the development and implementation of the ESDP. In the next immediate period, Montenegro intends to define a proper agreement with the EU on its participation in the EU crisis management operations. From the military point of view, Montenegro does not possess military capacities ready to perform the full spectre of the Petersberg tasks. Montenegro is planning to provide the forces that it has already declared for the NATO led operations in order to contribute to the fulfilment of the 2010 Headline Goal. In the next future Montenegro plans to train, upgrade its capacities and achieve progress in the area of policy, planning and preparations for the EU led crisis management operations. Montenegrin active role in security initiatives shows a clear political will and is to result with contribution to the ESDP, primarily through participation and improvement in regional initiatives.

On 28 July 2009 upon the proposal of the Defence and Security Council of Montenegro the Parliament of Montenegro adopted the Decision on Participation of the Armed Forces of Montenegro troops in the EU military operation EU NAVFOR – ATALANTA. Three troops of the Armed Forces of Montenegro are planned to take part in the EU NAVFOR – ATALANTA, with the rotation option.

The Ministry of Defence shall define the duration of rotation, implement the preparation, training and equipping of troops as well as coordinate their participation in the operation.

It is planned that the Montenegrin troops board one of the ships in the operation as staff officers and as non-commission officers with special duties. Montenegro is currently negotiating with Italy, Norway and France on its concrete involvement in the mission.

After the Parliament of Montenegro had adopted the decision on taking part in this mission, Montenegro started the procedure towards the EU on the approval of its participation. The letter of intention for participation in the operation was sent to the Commander of the Operation and the Chairman of the Military Committee of the EU.

In this way, by being included in an EU operation, Montenegro wants to develop a part of its capacities needed for counteracting modern challenges, risks and threats, such as sea piracy.

Being a country with a limited military potential, Montenegro has not assigned large-scale forces to contribute exclusively to the EU forces composition. However, in line with its commitment to Euro-Atlantic and European integration, Montenegro has political will to actively participate in civilian and military crisis management operations in order to increase its capacities and operational capacities.

Having in mind the causes for crises, Montenegro believes that both civilian and military components are needed for the success of a mission. Montenegro intends to contribute its police, judicial and customs personnel to the civilian mission of the EU. In the case of need for humanitarian missions, Montenegro intends to engage a part of Rapid Reaction Forces in Emergency Situations (Civil Protection) in tasks of providing assistance and care to refugees and displaced persons (particularly medical assistance), delivery of material means in the framework of humanitarian assistance and protection and rescue of persons and material goods. In order to contribute to water demining and safety of navigation at sea, Montenegro intends to offer its regional Centre for Underwater Demining in Bijela and its training instructors.

Montenegro develops the following capacities for emergency situations management: Department for emergency situations and civil security (administrative body), civil protection and airplane-

helicopter unit. The civil protection is made of units of civil protection, protection and rescue equipment, objects and devices.

In cooperation with the Republic of Croatia and Bosnia and Herzegovina, Montenegro established an emergency unit for fire-fighting which is made of 36 personnel and 6 special vehicles for fire extinguishing.

The airplane-helicopter unit patrols and fights fires from the air. It has 4 helicopters (3 Agusta Bells and 1 Gazelle), out of which one Agusta Bell 212 is equipped for rescue from air.

Two fire-fighting Air Tractor airplanes have been purchased. Furthermore, a contract for purchase of 59 specialised vehicles for municipal services for protection and rescue has been signed. The vehicles shall be consecutively delivered to Montenegro until January 2011.

Montenegro declared its military forces in PARP and is in the final stages of their preparation to be deployed in the ISAF mission in Afghanistan. Montenegro is preparing an infantry squad, a medical team and staff officers for the mentioned mission. The decision on the deployment of the Armed Forces of Montenegro troops in the ISAF mission in Afghanistan was adopted in the Parliament of Montenegro on 28 July 2009. In order to realise this important activity, i. e. the first ever participation in a NATO led operation, Montenegro plans to conclude strategic partnership with the Armed Forces of Germany, as the leader of the regional command North and the Armed Forces of Hungary where the Montenegrin troops are to be deployed.

The deployment of the unit in Afghanistan is expected in the period February-March 2010.

Having in mind the strategic partnership of the EU and NATO in crisis management and permanent agreements, particularly the Berlin plus, the mentioned engagement of Montenegro troops shall provide a valuable experience for future operations, whether NATO or the EU led ones, since Montenegro is permanently committed to them in line with its capacities.

Military capacities:

Montenegro does not possess all the needed capacities for the operational training of troops that are to participate in the EU led crisis management military operations.

The operational training in the Armed Forces of Montenegro is done through the Training Centre which is rapidly building up its material and human resources. There are basic experiences and training plans for NATO led operations, as well as experiences for the training of UN military observers, which could be used as a basis for further development of capabilities for the EU led operations with an additional assistance.

Montenegro possesses capacities for general military training and a part of specialist training for all categories of troops, while in order to organise tactical training for carrying out a specific task of an EU operation Montenegro needs the capacities of other European countries.

Montenegro possesses the following capacities for the implementation of the military operational training:

- 15 trained instructors of military training,
- Training Centre with accommodation facilities and classrooms for up to 40 persons (military base Milovan Šaranović in Danilovgrad),
- Newly built sport facilities (military base Milovan Šaranović in Danilovgrad and military base Golubovci),
- One stationary automatic rifle range (Milovan Šaranović military base in Danilovgrad) and
- One training facility for handling mines and explosive devices (Milovan Šaranović military base in Danilovgrad)

Montenegro is currently developing a project of training facility of dimensioning for mountain units as well as mountain search and rescue capability development in cooperation with the Armed Forces of Austria.

Having in mind suitable climate, topographic and geographic conditions, Montenegro intends to establish a Regional Centre for Training of Helicopter Pilots at Golubovci Airport. The intention is to

make this centre, once it is fully established, a regional training centre for helicopter pilots in the framework of the Partnership for Peace, and then a NATO centre. Some EU and countries of the region have expressed their interest and support for this project.

Montenegro believes that the EU has significant means to counteract modern security challenges and threats. A number of successes of previous and current EU operation in various crisis regions have contributed to the strengthening of security in the World. Therefore, Montenegro wants to take part in operations of the EU and to contribute to the affirmation of the EU globally. The scope and the start of the Montenegrin involvement in it shall depend on the development of civil and military capacities and capabilities for which it will need the assistance of EU Member States.

52. Provide information on your country's engagement in international activities such as the UN peacekeeping missions?

Montenegro has clearly defined its participation in the UN, NATO and the EU led international peace missions within its strategic papers.

In line with its strategic commitment to contribute to peace building and peace keeping on regional and global level Montenegro adopted the Law on the Deployment of the Armed Forces of Montenegro Units in the International Forces and the participation of the Civil Protection, the Police and State Administration Employees in Peace Missions and other Activities Abroad. Units of the Armed Forces of Montenegro, Civil Protection, the Police and State Administration Employees can voluntarily participate in peace missions and other activities abroad.

The Constitution of Montenegro stipulates that the decision on the participation in international activities and peace missions of Montenegrin troops is adopted in the Parliament of Montenegro on the proposal of the Defence and Security Council of Montenegro, while the decision on the participation of the Civil Protection, the Police and State Administration Employees is adopted by the Government of Montenegro. In line with this, the Parliament of Montenegro in July 2009 adopted the decision on deployment of Montenegrin troops in:

- The Peace Mission of the United Nations in Liberia (UNMIL). Two Montenegro troops shall take part with the option of rotation. This decision continues the participation of Montenegro in this mission which actually started on 10 December 2003 during the state union of Serbia and Montenegro. Five troops of the Montenegrin Armed Forces have taken part up to now, two officers are currently involved in the mission as military observers;
- The Peace Mission of the United Nations International Security Assistance Force (ISAF) in Afghanistan. 40 troops of the Armed Forces of Montenegro shall take part in it. They shall be composed of infantry, a medical team, staff officers and the national information cell (NIC) with the rotation option. The deployment of Montenegrin troops in this mission is expected in the last week of February or the first week of March 2010.
- The Peace Operation of the European Union Naval Force (EU NAVFOR) – Atalanta in Somalia. Three troops of the Armed Forces of Montenegro shall take part in it with the rotation option. The deployment of the Montenegrin troops in this operation shall be implemented once the negotiations with the Atalanta Operation Command in Northwood, Great Britain, are finalised.

The Government of Montenegro adopted the Decision (Official Gazette of Montenegro 54/09) on Deployment of Police Officers in the Peace Mission of the United Nations Force in Cyprus (UNFICYP). One police officer has been deployed to this mission from 14 August 2009. On the other hand, six police officers have finalised their training for participation in peace missions and are ready to be deployed in the future rotations. By this, Montenegro starts its civilian participation in peace operations which shall allow for gathering knowledge and skills necessary for possible future participation within the police missions of the EU.

Apart from deploying military and police troops, Montenegro is resolute to pay special attention to training and deploying employees of the Civil Protection and the bodies of state administration into

peace mission and other activities abroad in the future. Special focus shall be put on police, judicial and customs capacities.

Montenegro shall continue to contribute to peace building and peace keeping in the World through its participation in the UN, NATO and the EU led peace missions according to its own capabilities.

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