AMENDED PROTOCOL II

PROTOCOL ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF MINES, BOOBY-TRAPS AND OTHER DEVICES, AS AMENDED ON 3 MAY 1996, ANNEXED TO THE CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF CERTAIN CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS
(Protocol II as amended on 3 May 1996)

REPORTING FORMATS
for Article 13 paragraph 4 and Article 11 paragraph 2

NAME OF THE HIGH CONTRACTING PARTY: MONTENEGRO

DATE OF SUBMISSION: March 9, 2020

NATIONAL POINT(S) OF CONTACT: DEFENCE POLICY AND PLANNING DIRECTORATE

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tel: +382 20 483 244
(Organization, telephones, fax, e-mail)

This information can be available to other interested parties and relevant organizations:

☑ YES
☐ NO
☐ Partially, only the following forms:
   A ☐ B ☐ C ☐ D ☐ E ☐ F ☐ G ☐
Form A  Dissemination of information

Article 13, paragraph 4 (a)  “The High Contracting Parties shall provide annual reports to the Depositary [...] on [...]:

(a) dissemination of information on this Protocol to their armed forces and to the civilian population;”

Remark: REPORT

High Contracting Party:  
MONTENEGRO

Reporting for time period
from:  January 1, 2019  to:  December 31, 2019
dd/mm/yyyy    dd/mm/yyyy

INFORMATION TO THE ARMED FORCES:
The Armed Forces of Montenegro are familiar with the entry into force and the content of the Amended Protocol II, through the official documents of the Ministry of Defence, lectures delivered to the members of the Armed Forces by competent persons from the Ministry of Defense, as well as through Protocol's content published in the official magazine of the Ministry of Defence called "PARTNER". The Armed Forces of Montenegro have inserted the Protocol's contents into its Plans and Programmes concerning training of military personnel, and we apply regulations, measures and procedures from the area pertaining the Amended Protocol II.

INFORMATION TO THE CIVILIAN POPULATION:
The Amended Protocol II has been ratified by the Parliament of Montenegro, and it has been published in the "Official Gazette of Montenegro" - international treaties, No. 14/11 from 11th November 2011. The content of the Amended Protocol II has been available to every citizen, at the official site of the Official Gazette of Montenegro.

Montenegro's accession to the Amended Protocol II with its basic content was also published in the monthly magazine "PARTNER" No. 47 in April 2012, by the Ministry of Defence, and is available to citizens as a free sample in the press at the official site of the Ministry of Defense.
Form B  
Mine clearance and rehabilitation programmes

Article 13, paragraph 4 (b)  
“The High Contracting Parties shall provide annual reports to the Depositary […] on […]:

(b) mine clearance and rehabilitation programmes;”

Remark: REPORT

High Contracting Party:  
MONTENEGRO

Reporting for time period from: January 1, 2019 to: December 31, 2019

MINE CLEARANCE PROGRAMMES:

REHABILITATION PROGRAMMES:
**Form C  Technical requirements and relevant information**

**Article 13, paragraph 4 (c)**

“The High Contracting Parties shall provide annual reports to the Depositary […] on […]:

(c) steps taken to meet technical requirements of this Protocol and any other relevant information pertaining thereto;”

**Remark:**  
*REPORT*

**High Contracting Party:**  
**MONTENEGRO**

**Reporting for time period**

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**TECHNICAL REQUIREMENTS:**

The number of anti-personnel mines (made in former Yugoslavia-MRUD) has been reduced by 110 (one hundred and ten) pieces, in 2019, through cooperation with the ITF Fund.

**ANY OTHER RELEVANT INFORMATION:**
Form D  Legislation

Article 13, paragraph 4 (d)  “The High Contracting Parties shall provide annual reports to the Depositary [...] on [...] :

(d) legislation related to this Protocol;”

Remark: REPORT

High Contracting Party: MONTENEGRO

Reporting for time period from: January 1, 2019 to: December 31, 2019

LEGISLATION:
The legislative framework concerning the implementation of CCW Convention is as follows:
The Article 432 of the Criminal Code of Montenegro, adopted on 17th December 2003 and published in the "Official Gazette of the Republic of Montenegro" no. 70/03,44/17 prescribes the following:
(1) Any person who, during the state of war or armed conflict, orders the use of means and methods of warfare which are prohibited by the rules of the international law, or uses them by him/herself, shall be punished by a prison sentence for a term from two to ten years;
(2) If commitment of the offence reffered to in paragraph 1 of the Article results in death of several persons, the perpetrator shall be punished by a prison sentence for a minimum term of five years or by a long-term prison sentence;
(3) Any person who calls for or prepares the use of the weapons reffered to in paragraph 1of the Article, shall be punished by a prison sentence for a term from six months to five years.

The Article 433 of the Criminal Code of Montenegro prescribes the folowing:
1) Any person who, against the law, manufactures, purchases, sells, imports, exports or in any other way obtains or provides others with, keeps or transports weapons which manufacture or usage is prohibited as well as materials required for their manufacture, shall be punished by a prison sentence for a term from one to five years;
2)An official or responsible person ordering or allowing a legal entity to perform the activities provided for in paragraph 1 of this Article shall be punished by a prison sentence for a term from one to eight years.
The Army is a professional defense force that defends the independence, sovereignty and state territory of Montenegro and performs other assigned missions and tasks in accordance with the Constitution of Montenegro, other laws, as well as ratified international treaties.

The Law on Foreign Trade in Weapons and Military Equipment ("Official Gazete of Montenegro", No.40/16) and the Law on Foreign Trade of Dual-Use Goods ("Official Gazette of Montenegro" No.30/12), prescribe fines for offences regarding licences and other documents necessary for trade in armaments, military equipment and dual-use goods.

Within its jurisdiction, the Customs Administration carries out control of arms and military equipment in accordance with relevant international conventions and positive regulations applied in Montenegro. Regarding the legislative framework, we are acting in accordance with the Law on Foreign Trade in Weapons and Military Equipment ("Official Gazete of Montenegro", No.40/16), the Law on Control of Exports of Dual-Use Goods ("Official Gazete of Montenegro", No. 30/12), the Law on Weapons ("Official Gazeta of Montenegro", No.10/15) and the Rulebook on the manner in which the customs authorities act in customs procedures with weapons and military equipment ("Official Gazete of Montenegro", No.82/16), in order to fulfill obligations regarding international agreements on arms control, disarmament and non-proliferation. These goods are controlled in a regular customs procedure, following the approval of the Ministry of Economy, or with the approval of another competent authority, depending on the type of transport.

The following by-laws (legislation) were also adopted: Decision on Establishing the National Control List of Weapons and Military Equipment ("Official Gazette of Montenegro" no. 33/17); Decision on Establishing the National Control List of Dual-Use Goods ("Official Gazette of Montenegro" no. 64/16). The Law on the Armed Forces ("Official Gazette of Montenegro" no. 051/17) stipulates that the Armed Forces shall defend the independency, sovereignty and state territory of Montenegro, as a professional defense force, according to the principles of the International Law on use of force (Article 2). An official or responsible person ordering or allowing a legal entity to perform the activities provided for in paragraph 1 of this Article shall be punished by a prison sentence for a term from one to eight years.
Article 13, paragraph 4 (e) “The High Contracting Parties shall provide annual reports to the Depositary [...] on [...]:

(e) measures taken on international technical information exchange, on international cooperation on mine clearance, and on technical cooperation and assistance;”

Remark:

REPORT

High Contracting Party: MONTENEGRO

Reporting for time period from: January 1, 2019 to: December 31, 2019

INTERNATIONAL TECHNICAL INFORMATION EXCHANGE:

INTERNATIONAL COOPERATION ON MINE CLEARANCE:

TECHNICAL COOPERATION AND ASSISTANCE:
**Form F**

**Other relevant matters**

| Article 13, paragraph 4 (f) | “The High Contracting Parties shall provide annual reports to the Depositary […] on […]:

(f) other relevant matters.” |
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**Remark:** REPORT

High Contracting Party: **MONTENEGRO**

Reporting for time period from: **January 1, 2019** to: **December 31, 2019**

**OTHER RELEVANT MATTERS:**

Injured persons who have been granted the status of a civil war invalid are entitled to a monthly disability allowance, with the amount of money depending on the degree of physical impairment. They can also exercise the right to a financial compensation, material security, family allowance, health care, free and privileged drive and funeral expenses. Civil war invalids who are not otherwise insured are entitled to health care and other rights related to health care stipulated by the relevant health regulations. The civil war invalids are also entitled to orthopedic and other devices, including spa and climatic treatments in accordance with the relevant health regulations. The victims or persons who have been harmed, injured or have suffered a psychosomatic disease related to military operations, explosions of residual war materials or hostile terrorist activities, can exercise these rights by submitting a request to the local administration in whose territory the claimant resides.
Form G

Information to the UN-database on mine clearance

Article 11, paragraph 2,

“2. Each High Contracting Party undertakes to provide information to the database on mine clearance established within the United Nations System, especially information concerning various means and technologies of mine clearance, and lists of experts, expert agencies or national points of contact on mine clearance.”

Remark:

REPORT

High Contracting Party: MONTENEGRO

Reporting for time period from: January 1, 2019 to: December 31, 2019

MEANS AND TECHNOLOGIES OF MINE CLEARANCE:

As mentioned in Form C, the number of anti-personnel mines was reduced by 110 pieces, in 2019, through cooperation with the ITF Fund. The mines were reduced by delaboration processes.

LISTS OF EXPERTS AND EXPERT AGENCIES:

Milovan Joksimovic, Vladan Buric, Valentina Babovic,
EOD department, Directorate for Emergency Management, Ministry of Interior

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CONVENTION ON CERTAIN CONVENTIONAL WEAPONS