

FSC.EMI/195/17
1 June 2017

ENGLISH only



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

No: 239 -1/2017

The Permanent Mission of Montenegro to the UN, OSCE and other International Organizations in Vienna presents its compliments to all Delegations and Permanent Missions to the OSCE and to the Conflict Prevention Centre and has the honour to enclose herewith the replay of Montenegro to the OSCE Questionnaire on Anti-Personnel Mines.

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



Vienna, 1st June 2017

**To: All Permanent Missions/Delegations to the OSCE
Conflict Prevention Centre
V i e n n a**



Montenegro
Ministry of Foreign Affairs and European Integration

OSCE QUESTIONNAIRE ON ANTI-PERSONNEL MINES

(May 2017)

OSCE QUESTIONNAIRE ON ANTI-PERSONNEL MINES

Part I

1. Is it your country a State Party to the 1996 Amended Protocol II of 1996 on Prohibitions or Restrictions on the use of mines, Booby-Traps and other devices annexed to the 1980 Convention on Conventional Weapons (CCW)?

Yes

If yes:

2. Please attach the most recent annual report submitted by your country in accordance with Article 13 of the Amended Protocol or give the appropriate electronic address for the report.

Please see the attached document.

3. Is your country considering ratification / accession to the Amended Protocol II?

Yes

4. What measures have been taken to prevent the indiscriminate use of mines, booby-traps and other devices?

There is no production of mines on the territory of Montenegro, there is no anti-personal mine fields and all anti-personal mines (treading and tensile) are not part of equipment of Army Force of Montenegro.

5. Would your country be interested in receiving assistance related to the implementation of this Protocol? If so, please describe.

Not at present time.

6. Does your country have the capacity to assist others related to this Protocol? If so, please describe.

Not at present time.

Part II

7. Has your country ratified or acceded to the 1997 Convention on the prohibition of the use, stockpiling, production, and transfer of antipersonnel mines and on their destruction?

Yes

8.a) If yes, please please attach the most recent report submitted by your country in accordance with the article 7 of Convention (Agreement) or give to us e-mail address of the report.

No changes

b) If no, is your country considering ratification/accession to the Convention?

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c) Has your country adopted legislation to address the humanitarian objectives of the convention, or taken any specific measures regarding the use, production, storage transfer and

destruction of antipersonnel land mines? In case a moratorium has been introduced, what is its scope and duration and when was it introduced?

Yes, through the Criminal Code of Montenegro adopted in 2004, articles 433, 434.

9. Does your country have any specific measures in place to provide assistance to victims?

There are no special measures other than assistance to wounded persons or invalids through regular medical procedures in hospitals or rehabilitation centers.

10. Does your country require assistance in mine clearance, stockpile destruction, mine awareness and /or victim assistance? If so, please describe.

The only assistance could be requested in the field of victim assistance.

11. Does your country have the capacity to assist others in mine action? If so, please describe.

Not at present time

Part III

OSCE QUESTIONNAIRE ON EXPLOSIVE REMNANTS OF WAR

To be submitted on a voluntary basis along with the OSCE Questionnaire on Anti-personnel Mines no later than 31 May each year.

1. Have your country notified the Depositary of its consent to be bound by the 2003 CCW Protocol V on Explosive Remnants of War (ERW) once it enters into force? Is your country considering doing so?

Montenegro ratified Protocol V, CCW, 22. March 2016.

2. If yes, at what stage is the process?

Montenegro is a member of CCW, Protocol V.

3. Would your country be interested in receiving assistance in clearing or otherwise minimizing the risk and effects of ERW? If so, please describe.

We are interested to receive an international assistance to upgrade and build up the capacities related to ERW in the following areas:

- Expert support on Implementation of International Mine Action Standards (IMAS),**
- Capacity buildings (training, equipment, regular vehicles, trucks for heavy ERW)**
- Clearance of ERW,**
- Victim assistance,**
- Mine risk education.**

4. Does your country have the capacity to assist others in clearing and minimizing the risks and effects of ERW? If so, please describe.

Montenegro has capacity to provide assistance to neighboring countries only on the short-term basis due to limited human resources and significant commitments in the country.

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: 30.12.2016

NATIONAL POINT(S) OF
CONTACT: VERIFICATION CENTER OF
MONTENEGRO

vfc@mod.gov.me; tel:00382/20-483-341;
fax: 00382/20-483-341

(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

AMENDED PROTOCOL II

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: 01.01.2016.

dd/mm/yyyy

to: 31.12.2016

dd/mm/yyyy

INFORMATION TO THE ARMED FORCES:

The Armed Forces of Montenegro are being informed on entry into force and on content of the amended Protocol II through the official acts of the Ministry of Defense, lectures delivered to the members of the Armed Forces by competent officials from the Ministry of Defense as well as through Protocol's content published in the Ministry of Defense's official magazine "PARTNER". The Armed Forces of Montenegro have implemented the Protocol's contents into its Plans and Programmes regarding training of military personnel and applies regulations, measures and procedures from the area pertaining the amended Protocol II.

INFORMATION TO THE CIVILIAN POPULATION:

The amended Protocol II has been certified by the Parliament of Montenegro, and published in the "Official Gazette of Montenegro" - international treaties, no. 14/11 from November 11, 2011, thus making it available to every citizen of Montenegro at the official site of the Official Gazette of Montenegro. The accession to the amended Protocol II with its basic contents has been published in the monthly magazine "PARTNER" no. 47 from April 2012, issued by the Ministry of Defense, and is available to all citizens as a free sample in press points of sale and at the official site of the Ministry of Defense.

AMENDED PROTOCOL II

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: **01.01.2016**

dd/mm/yyyy

to: **31.12.2016**

dd/mm/yyyy

MINE CLEARANCE PROGRAMMES:

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REHABILITATION PROGRAMMES:

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AMENDED PROTOCOL II

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

from: 01.01.2016

dd/mm/yyyy

to:

31.12.2016

dd/mm/yyyy

TECHNICAL REQUIREMENTS:

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ANY OTHER RELEVANT INFORMATION:

<p>During 2016 the number of TMRP-6 mines has been reduced by 1.080 peaces, which are disassembled in the company named Polix Berane.</p>
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AMENDED PROTOCOL II

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: 01.01.2016

dd/mm/yyyy

to: 31.12.2016

dd/mm/yyyy

LEGISLATION:

Within the legislative framework concerning the implementation of CCW Convention, the situation regarding the law is as follows:

The Article 432 of the Criminal Code of Montenegro, which was adopted on December 17, 2003 and published in the "Official Gazette of the Republic of Montenegro" no. 70/03, 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 international law, or uses them by himself/herself, shall be punished with imprisonment ranging from 2 to 10 years. (2) If the commitment of the offence referred to in paragraph 1 of the Article results in death of several persons, the perpetrator shall be punished with imprisonment ranging from 5 to 30 years. (3) Any person who calls for or prepares the use of the weapons referred to in paragraph 1 of the Article, shall be punished with imprisonment ranging from 6 month to 5 years.

Any person who, against the law, manufactures, purchases, sells, imports, exports or in any other way obtains or provides others with weapons, keeps or transports weapons for which manufacture or usage is prohibited, as well as materials required for their manufacture, shall be punished with imprisonment ranging from 1 to 5 years, as prescribed by the Article 433 of the Code.

The Law on the Armed Forces ("Official Gazette of Montenegro" no. 88/09;75/10;40/11) stipulates that the Armed Forces shall defend independency, sovereignty and territorial integrity of Montenegro, as professional defense force, according to the principles of international Law on use of force (Article 3).

The Armed Forces shall be equipped with ammunition and military equipment in accordance with the law and ratified international conventions.

Law on foreign trade of armaments, military equipment and dual-use goods ("Official Gazette of Montenegro" no 80/08, 40/11 and 30/12) prescribes fines for offences regarding licenses and other documents necessary for trade of armaments, military equipment and dual-use items.

AMENDED PROTOCOL II

According to the Law, the following secondary legislation was adopted: Decision on Establishing the National Control List of Weapons and Military Equipment ("Official Gazette of Montenegro" no. 52/12); Decision on Establishing the National Control List of Dual-Use Goods ("Official Gazette of Montenegro" no. 44/11); Decision on Establishing List of Non-Military Ordnance; Regulation on Foreign Trade Funds for Specific Purposes ("Official Gazette of Montenegro" no. 66/10); Rulebook on Determining the Custom Authorities in Custom Procedures regarding Armaments, Military Equipment and Dual - Use Goods ("Official Gazette of Montenegro" no. 60/09).

AMENDED PROTOCOL II

Form E **International technical information exchange, cooperation on mine clearance, technical cooperation and assistance**

Article 13,
paragraph 4 (e)

“The High Contracting Parties shall provide annual reports to the Depository [...] 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: 01.01.2016

dd/mm/yyyy

to:

31.12.2016

dd/mm/yyyy

INTERNATIONAL TECHNICAL INFORMATION EXCHANGE:

INTERNATIONAL COOPERATION ON MINE CLEARANCE:

During 2016 the number of TMRP-6 mines was reduced by 1.080 peaces, which are disassembled in the company named Poliex Berane.

TECHNICAL COOPERATION AND ASSISTANCE:

AMENDED PROTOCOL II

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.”

Remark: REPORT

High Contracting Party:

MONTENEGRO

Reporting for time period

from: 01.01.2016

dd/mm/yyyy

to: 31.12.2016

dd/mm/yyyy

OTHER RELEVANT MATTERS:

In case of injuries inflicted by mine-explosive devices as a consequence of war, health care has been defined through regulations pertaining the area of health and social welfare, so that the injured persons entitled to disability pension have the right to: receive monthly disability pension determined in accordance with the degree of disability, receive help of another person and orthopedic and other aids depending on the degree of disability.

AMENDED PROTOCOL II

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: 01.01.2016

dd/mm/yyyy

to: 31.12.2016

dd/mm/yyyy

MEANS AND TECHNOLOGIES OF MINE CLEARANCE:

Manually, on land and at sea.

LISTS OF EXPERTS AND EXPERT AGENCIES:

Milovan Joksimović, Independent Advisor in the Ministry of Interior Affairs-
Department for Emergency situations, Podgorica
phone:00382-67-9112-017; email: milovanmjoksimovic@gmail.com;

NATIONAL POINTS OF CONTACT ON MINE CLEARANCE:

-Verifikacion center of Montenegro; phone:00382-20-483-341; fax: 00382-20-483-341;
email: vfc@mod.gov.me

**CONVENTION ON THE PROHIBITION OF THE USE, STOCKPILING, PRODUCTION AND TRANSFER OF
ANTI-PERSONNEL MINES AND ON THEIR DESTRUCTION**

Reporting Formats for Article 7

STATE [PARTY]:

MONTENEGRO

POINT OF CONTACT:

**MINISTRY OF DEFENCE, VERIFIKACION CENTER OF MONTENEGRO,
+382 20 483- 328; FAX +382 20 483 341; EMAIL: vfc@mod.gov.me**

(Name, organization, telephone, fax, email)

(ONLY FOR THE PURPOSES OF CLARIFICATION)

COVER PAGE OF THE ANNUAL ARTICLE 7 REPORT

NAME OF STATE [PARTY]: MONTENEGRO

REPORTING PERIOD: 01.01.2016 to 31.12.2016
(dd/mm/yyyy) (dd/mm/yyyy)

<p>Form A: National implementation measures:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr><td style="width: 20px;"></td><td>changed</td></tr> <tr><td>X</td><td>unchanged (last reporting: 2013)</td></tr> <tr><td></td><td>non applicable</td></tr> </tbody> </table>		changed	X	unchanged (last reporting: 2013)		non applicable	<p>Form F: Program of APM destruction:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr><td style="width: 20px;"></td><td>changed</td></tr> <tr><td>X</td><td>unchanged (last reporting: 2007)</td></tr> <tr><td></td><td>non applicable</td></tr> </tbody> </table>		changed	X	unchanged (last reporting: 2007)		non applicable
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<p>Form B: Stockpiled anti-personnel mines:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr><td style="width: 20px;"></td><td>changed</td></tr> <tr><td>X</td><td>unchanged (last reporting: 2007)</td></tr> <tr><td></td><td>non applicable</td></tr> </tbody> </table>		changed	X	unchanged (last reporting: 2007)		non applicable	<p>Form G: APM destroyed:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr><td style="width: 20px;"></td><td>changed</td></tr> <tr><td>X</td><td>unchanged (last reporting: 2007)</td></tr> <tr><td></td><td>non applicable</td></tr> </tbody> </table>		changed	X	unchanged (last reporting: 2007)		non applicable
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<p>Form C: Location of mined areas:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr><td style="width: 20px;"></td><td>changed</td></tr> <tr><td>X</td><td>unchanged (last reporting: 2008)</td></tr> <tr><td></td><td>non applicable</td></tr> </tbody> </table>		changed	X	unchanged (last reporting: 2008)		non applicable	<p>Form H: Technical characteristics:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr><td style="width: 20px;"></td><td>changed</td></tr> <tr><td>X</td><td>unchanged (last reporting: 2007)</td></tr> <tr><td></td><td>non applicable</td></tr> </tbody> </table>		changed	X	unchanged (last reporting: 2007)		non applicable
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<p>Form D: APMs retained or transferred:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr><td style="width: 20px;"></td><td>changed</td></tr> <tr><td>X</td><td>unchanged (last reporting: 2008)</td></tr> <tr><td></td><td>non applicable</td></tr> </tbody> </table>		changed	X	unchanged (last reporting: 2008)		non applicable	<p>Form I: Warning measures:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr><td style="width: 20px;"></td><td>changed</td></tr> <tr><td>X</td><td>unchanged (last reporting: 2008)</td></tr> <tr><td></td><td>non applicable</td></tr> </tbody> </table>		changed	X	unchanged (last reporting: 2008)		non applicable
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<p>Form E: Status of conversion programs:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr><td style="width: 20px;"></td><td>changed</td></tr> <tr><td>X</td><td>unchanged (last reporting: 2008)</td></tr> <tr><td></td><td>non applicable</td></tr> </tbody> </table>		changed	X	unchanged (last reporting: 2008)		non applicable	<p>Form J: Other Relevant Matters</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr><td style="width: 20px;"></td><td>changed</td></tr> <tr><td>X</td><td>unchanged (last reporting: 2008)</td></tr> <tr><td></td><td>non applicable</td></tr> </tbody> </table>		changed	X	unchanged (last reporting: 2008)		non applicable
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Notes on using the cover page:

1. The cover page can be used as a **complement** to submitting detailed forms adopted at the First and Second Meetings of the States Parties in instances when the information to be provided in some of the forms in an annual report is the same as it would be in past reports. That is, when using the cover page, only forms within which there is new information needs to be submitted.
2. The cover page can be used as a **substitute** for submitting detailed forms adopted at the First and Second Meetings of the States Parties only if all of the information to be provided in an annual report is the same as in past reports.
3. If an indication is made on the cover sheet that the information to be provided with respect to a particular form is **unchanged** in relationship to a previous year's form, the **date of submission** of the previous form should be clearly indicated