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

No 820-2/2013

The Permanent Mission of Montenegro to the Organization for Security and Cooperation in Europe (OSCE) presents its compliments to all Permanent Missions and Delegations to the OSCE and to the Conflict Prevention Centre and has the honour to inform that the Government of Montenegro has adopted the Strategy for the Control and Reduction of Small Arms and Light Weapons and Ammunition and Action Plan for the period 2013-2018.

The Permanent Mission has the honour hereby to distribute the unofficial translation of the Strategy and the Action Plan in English language.

The Permanent Mission of Montenegro to the Organization for Security and Cooperation in Europe (OSCE) avails itself of this opportunity to renew to all Permanent Missions and Delegations to the OSCE and to the Conflict Prevention Centre assurances of its highest consideration.

Vienna, 17 December 2013

All Permanent Missions/Delegations to the OSCE
Conflict Prevention Centre
Vienna
1. INTRODUCTION

In line with the United Nations guidelines and decision, especially those given in the UN Programme for prevention, combat and eradication of illicit trade in small arms and light weapons and ammunition, and with the aim of preventing illicit trade, possession and proliferation of SALW, Montenegro is working on strengthening the legal framework and administrative capacities in regards to SALW control. These efforts are reflected, besides the continuous activities from the bodies in charge, in the adoption of the relevant laws and by-laws, as well as strategic documents with the aim of control and combat of proliferation and illicit trade in small arms and light weapons (SALW).

The Strategy is based on the principles and goals of small arms and light weapons and ammunition control, included in the European Union Strategy to Combat Illicit Accumulation and Trafficking of Small Arms and Light Weapons and their Ammunition, Council Joint Action on the European Union’s contribution to combating the accumulation and spread of small arms and light weapons, Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition which supplements the United Nations Convention against Trans-National Organized Crime, principles that are in agreement with those contained in the national documents Strategy for Prevention and Suppression of Terrorism, Money Laundering and Terrorist Financing and Strategy of Development and Functioning of the Montenegrin Police, and other international and national documents.

Recognizing the danger, and taking into consideration the recommendations and efforts of the international community directed against organized crime and terrorism, there is a need for undertaking effective and coordinated measures and activities with the aim of suppressing illicit manufacturing, procurement, possession, trade in and smuggling small arms and light weapons and ammunition, as well as the other misuses and negative phenomena. It is a very complex process which requires a continuous cooperation of all the Ministries and other state administration bodies, in order to achieve a maximum effect.

That is the purpose of adopting the Strategy as a strategic document which defines all the key goals and priorities of the national policy of small arms and light weapons and ammunition control, and the Action Plan contains the clearly defined measures for the improvements of the activities undertaken so far in this area.

The term »small arms and light weapons« (SALW) refers to two categories of weapons. Small arms are revolvers, pistols, guns, carbines, short machineguns, machineguns and crew served machineguns. Light weapons are machineguns (including heavy machineguns), grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles, man portable rocket systems, man portable air defence systems (MANPADS), and mortars of a calibre of less than 100 millimetres.¹ The definition itself shows that the category of small weapons includes weapons that can be used by one person alone, whereas the light weapons category requires two or more persons

¹ Definition according to the EU Council decision 2002/589/CFSP
to employ the weapon. In the meaning of this Strategy, the term “small arms and light weapons” covers their integral parts, components, appropriate ammunition and explosive devices.

2. SITUATION ANALYSIS

2.1. Legal Framework


Montenegro guarantees and protects the rights and freedoms which are realized on the basis of the Constitution and recognized international agreements. It cooperates and develops friendship relations with other countries, regional and international organizations on the principles and rules if the international law. It is involved in international and regional activities in fight against organized crime, as an important dimension in the control of small arms and weapons and ammunition. Montenegro has been the member of the United Nations since 28 June 2006, the Organization for the Prohibition of Chemical Weapons (OPCW), World Customs Organization (WCO), International Criminal Police Organization (INTERPOL), and World Trade Organization (WTO). Montenegro will implement all the necessary measures, as well as the international and regional cooperation, in particular with the largest regional security organization OSCE, whose aim is to improve the control in this area. It will actively work on the implementation of the UN Programme of Action for prevention, combat and eradication of illicit trade in small arms and weapons. Moreover, by implementing the Stabilization and Association Agreement between Montenegro and the Union and its member states, Montenegro is giving its contribution to organized crime suppression and security improvement.

2.2. Weapons and Ammunition Distribution in Montenegro

During the war in the area of former Yugoslavia, there were large quantities of fire arms, ammunition, mines and explosive devices in the territory of Montenegro. A significant part has remained in the military and police, but also as the illegal possessions among the citizens.

Montenegro has undertaken a number of activities and measures with the aim of reduction of illegal possession of weapons and ammunition. The Law on Weapons was adopted in 2004, which made it possible for the citizens who illegally possess weapons to turn them in willingly to the police within one year from the day the Law entered into force, or to legalize them within six months from the day the Law entered into force, which did not yield desired results.
The quantity of weapons and ammunition in the illegal possession by citizens, depending on the body or institution, ranges from 40,000 to 100,000. Those are mostly weapons whose procurement, registration and possession is prohibited to the citizens, as well as the weapons whose procurement and possession is allowed to the citizens with an appropriate permit.

There was total of 100,909 weapons registered in Montenegro (13 December 2012): 98,929 physical and 1,980 legal persons. There are 67,796 physical persons in possession of weapons (48,809 of them possess one weapon, 18,313 possess from two to five weapons, 610 from six to ten and 64 of them more than 10 weapons).

3. GENERAL GOAL OF THE STRATEGY

General goal of the strategy is the overall development of the efficient system of control of small arms and light weapons and ammunition in all its segments, and primarily in regard to:

- reduction of the total quantity of weapons and ammunition in possession by the state authorities, legal entities and citizens;
- suppression of misuse of illegal possession of small arms and light weapons, as well as the illegal manufacturing of and trade in weapons and ammunition;
- full implementation of the obligations arising from membership in international and regional organizations such as the UN, OSCE and harmonization of national legislation with the UN and EU standards, as well as intensification in penal policy in this area;
- safer and more efficient management of weapons and ammunition stockpiles;
- implementation of the programme of general security increase by reducing the number of weapons illegally possessed, and the actions of collection and destruction of weapons and ammunition.

4. OPERATIONAL GOALS OF THE STRATEGY

With the aim of achieving the general goal, the Strategy lays down eleven operational goals which are elaborated further in the strategy text and action plan. The operational goals are the following:
OG1 – Raising public awareness about the issue of a large number of small arms and light weapons;
OG 2 - Reducing the number of weapons and ammunition in possession by the state authorities, legal entities and citizens, especially in illegal possession;
OG3 – Reducing the number of accidents caused by the use of weapons and ammunition;
OG4 – Reducing the visible presence of weapons and ammunition in the community, and fight against arming;
OG5 – Implementation of activities with the aim of suppressing illicit trade in weapons;
OG6 – More efficient implementation of international measures for prevention, fight against and eradication of illicit trade in small arms and light weapons;
OG7 – Establishment of an integrated information system;
OG8 – The implementation of the arms embargo of the UN Security Council, European Union, OSCE and other sanctions, which arise from the international obligations of Montenegro;
OG9 – Improving legislation which will establish the standards and procedures regarding stockpiling, managing and security of weapons and ammunition in possession by police and military;
OG10 – Continuation of activities of destruction and surpluses of small arms and light weapons and ammunition;
OG11 – Establishing cooperation with other states and international and regional organization for developing and strengthening partnerships and exchange of experience.

5. ACTIVITY AREAS AND THEIR BODIES IN CHARGE FOR STRATEGY IMPLEMENTATION

With the aim of achieving the established operational goals, improving control of small arms and light weapons in Montenegro, the Strategy has defined 15 activity areas and the Ministries in charge – bodies for their implementation.

<table>
<thead>
<tr>
<th>ACTIVITY AREA (AA)</th>
<th>OPERATIONAL GOAL MARK (OG)</th>
<th>BODIES IN CHARGE</th>
<th>COOPERATION WITH</th>
</tr>
</thead>
<tbody>
<tr>
<td>AA1</td>
<td>Establishment of Coordination Body for small arms and light weapons</td>
<td>MoI</td>
<td>MFAEI, MoD, MoE, MoJ, MoF, OSCE, UNDP</td>
</tr>
<tr>
<td>AA2</td>
<td>Coordination of activities foreseen by Action Plan</td>
<td>Mol (Coordination body)</td>
<td>Mol/Police, MFAEI, MoD, MoE, MoJ, MoF, CA, OSCE, UNDP</td>
</tr>
<tr>
<td>AA3</td>
<td>Suppression of misuses and illegal possession of small arms and light weapons</td>
<td>OG2, OG3, OG4</td>
<td>Mol Police</td>
</tr>
<tr>
<td>AA4</td>
<td>Control of procurement, possession and carrying.</td>
<td>OG5</td>
<td>Mol/Police</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>AA5</th>
<th>Border control</th>
<th>OG6</th>
<th>MoI/Police</th>
<th>CA</th>
</tr>
</thead>
<tbody>
<tr>
<td>AA6</td>
<td>Legislative and normative issues (harmonization of legal framework with European and international standards)</td>
<td>OG9</td>
<td>MoJ</td>
<td>MoJ, MoD, MoE, MFAEI</td>
</tr>
<tr>
<td>AA7</td>
<td>Prosecution of criminal acts and offenses (penal policy)</td>
<td>OG8</td>
<td>MoJ, Court and Prosecution</td>
<td>MoI/Police, MoE, CA</td>
</tr>
<tr>
<td>AA8</td>
<td>Establishment of integrated information system</td>
<td>OG7</td>
<td>MoI/MIST</td>
<td>CA, MoI, MoD, MoE</td>
</tr>
<tr>
<td>AA9</td>
<td>Research and risk assessment regarding small arms and light weapons and their impact on society</td>
<td>OG1</td>
<td>MoI/Police, MoD</td>
<td>When needed, include other Ministries, non-governmental organizations, international institutions, OSCE, UNDP, media</td>
</tr>
<tr>
<td>AA10</td>
<td>Public information and raising public awareness</td>
<td>OG10,</td>
<td>MoI/Police, Information Bureau of the Government of Montenegro</td>
<td>MoD, MoE, OSCE, UNDP, media, including electronic media</td>
</tr>
<tr>
<td>AA11</td>
<td>Collection and destruction of weapons and ammunition</td>
<td>OG10</td>
<td>MoI/Police, MoD</td>
<td>Media</td>
</tr>
<tr>
<td>AA12</td>
<td>Weapons and ammunition stockpile management</td>
<td>OG10</td>
<td>MoD, MoI/Police</td>
<td></td>
</tr>
<tr>
<td>AA13</td>
<td>Drafting and submitting reports on undertaken obligations</td>
<td>OG11</td>
<td>Coordination body</td>
<td>MFAEI, MoI/Police, MoD, MoE, MoJ, MoF, CA</td>
</tr>
<tr>
<td>AA14</td>
<td>Control of</td>
<td>OG7, OG8</td>
<td>MoE</td>
<td>CA</td>
</tr>
<tr>
<td>AA15</td>
<td>Regional and international cooperation</td>
<td>OG11</td>
<td>Coordination body</td>
<td>MoI/Police, MFAEI, MoD, MoE, MoJ, MoF, CA</td>
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</tbody>
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AA 1 and AA 2 Establishment of Coordination Body for small arms and light weapons and ammunition and coordination of activities foreseen by Action Plan

With the aim of efficient implementation of the Strategy for Control and Reduction of Small Arms and Light Weapons and the Action Plan, there will be a Coordination body established for small arms and light weapons, planning, coordination, implementation and control of activities for its implementation.

Coordination body will be presided over by an employee of the Ministry of Interior – national coordinator. The body will consist of representatives from the Ministry of Interior, Ministry of Foreign Affairs and European Integration, Ministry of Defence, Ministry of Justice, Ministry of Economy, Ministry of Finance and Customs Administration. Coordinating body submits to the Minister of Internal Affairs a report with the review of the condition, an evaluation and a proposition of measures, at least once a year, by July 1st of the current year for the previous year. The President and the members of the Coordination Body are responsible to the ministers according to the line of work. A copy of the adopted report shall be submitted, after the internal assessment, to OSCE, UNDP and other interested organizations. It is ensured that the citizens are acquainted with the contents thereof.

Funds for the work of the Coordinating Body shall be provided from the budget.

AA 3 Suppression of misuses and illegal possession of small arms and light weapons

The primary activities of the Ministry of Interior/ Police, and Criminal Police within the control of small arms and light weapons are directed toward the enhanced actions with the aim of suppression of misuses, smuggling, illicit manufacturing of and trade in weapons and ammunition. The above stated activities are implemented in line with the Action Plan of suppression of illegal possession, production, trade and smuggling of weapons and explosive devices.
In order to strengthen the administrative capacities for suppression of illicit trade and possession of small arms and light weapons and ammunition, the Ministry of Interior shall start drafting a new Law on Weapons which will regulate the examination and marking of firearms, which will be performed by professionals, and also the new equipment will be procured. The Ministry may authorize a legal entity to perform the engraving of weapons.

The Law on Control of Dual-Purpose Goods Export was adopted (“Official Gazette of Montenegro”, No. 30/12) and there are ongoing preparations for the adoption of the new Law on Foreign Trade in Weapons, Military Equipment, and Non-Military Deadly Devices. One of the problems which appeared and which was pointed by the European Union experts is that it is necessary to adopt a new – special Law on Manufacturing of Arms which will regulate in details the area of weapons production.

Regular trainings for employees on discovery of the seized firearms origin and expanding the knowledge on the smuggling methods will be organized. Also, there will be trainings for the employees who work on the jobs criminal acts detection and crime analysis, as well for execution of new laws and other regulations. Financial funds for the above mentioned activities will be used from the budget, donations and through projects.

AA 4 Control of procurement, possession and carrying, circulation, repair, refit and production of weapons and ammunition, control of shooting range

Law on Weapons regulates the procurement, possession, carrying, collection, production, repair and refit, circulation, transportation of weapons and ammunition, shooting range. The provisions of the Law do not refer to weapons for military, police and other state administration bodies’ use, which procure and possess weapons according to special regulations, Police academies, as well museum exhibits. The provisions of this Law also refer to foreign nationals with the approved permanent residence or temporary stay for longer than one year, unless an international agreement stipulates differently.

Ministry of Interior, Sector for Administrative Internal Affairs, is in charge of the implementation of the Law on Weapons, for procurement, possessions, collection issues, as well as registration of physical and legal persons’ weapons. The Ministry is in possession of weapons and ammunition which are seized in finalized criminal or misdemeanour procedures or administrative procedures. It issues permits for repair and refit of weapons, their circulation, production, transportation, and for sport and recreational shooting. The police controls the following: carrying weapons in public places, procurement, production, repair of weapons, carrying, circulation, transportation of weapons, as well as whether the weapon is being carried with an adequate permit; transportation of explosive materials, as well as bring the weapons and ammunition in the country, across the state border, or taking them out. When necessary, the police undertakes special security measures in transportation of weapons and ammunition, and receives the weapons whose procurement, possession and carrying is prohibited. While performing their duties, the police is filing misdemeanour charges. The Ministry keeps the records on the issued: permits for weapon procurement, weapon permits, permit for possession and collection of weapons, as well as on the weapons seizes, found and turned in. Police keeps the records on issued permits on taking the weapon in and out, across the state border, and on the temporarily seized weapons at the border crossing. Also, sports, shooting and hunting organizations and other commercial enterprises and entrepreneurs keep the records on: produced and delivered weapons, procured and sold weapons, repaired and refitted weapons, procured weapons, consigned weapons and on procured and spent ammunition, collected weapons. Police academy, shooting sports organizations and the Hunters
Association keep the records on trainings for handling weapons and on the knowledge of regulations on possession and carrying weapons for physical persons.

Ministry of Economy is in charge of issues regarding: industrial production and processing industry (production of basic metals and metal products), monitoring the situation in domestic and foreign trade, regime and control of foreign in weapons, military equipment and dual-purpose goods – controlled goods, supervision of the completed foreign in controlled goods, as well as international cooperation in the area of its competence.

Ministry of Defence is in charge of issues regarding: Partnership for Peace activities, as well as those within the regional and security organizations, military armament, activities arising from the international agreements on armament control or other international agreements, as well as the inspection in the defence area.

AA 5 Border control

Within the preparations for the full fledged membership in the European Union, Montenegro has undertaken the activities regarding the reform of Border Police and Customs Administration. A number of activities whose aim is to strengthen the administrative and technical capacities are being conducted on the basis of the Strategy on Integrated Border Management and the Action Plan for its implementation. Ministry of Interior and the inter-agency working group for integrated boarder management have the coordinated roles in the implementation of the above mentioned documents.

The information system for state border management is developed and installed within the information system of the Ministry of Interior, and it covers 28 border crossing (19 in road transport, 2 in air transport, 2 in rail transport, and 5 in maritime transport). There are two border crossings for trans-border transport – Krstac and Nudo, and one seasonal border crossing – Port Budva. The plan is to establish an integrated video surveillance system and other systems of technical protection at border crossings and devices for digital fingerprint scans at border crossings: Port Bar, Port Kotor, Dobrakovo and Dračenovac. The funds for training of employees are planned and allocated from the budget.

Moreover, there is an access, at border crossings, to INTERPOL’s data basis on persons, vehicles and passports. There is an ongoing trial run of the mobile readers of passports which will be used at the rail border crossing Bijelo Polje. Besides these technical devices at border crossings, there are also devices for detecting forgeries (Docubox dragon/pia5/icao/ipi/pe – projektina I Entas Uvec pass/d i projectina), carbon monoxide detector (Multiwarm II SP CO2) and hand detector for identification of radioactive matters (Field SPEC – NBHe). At the airport border crossings, there is a video surveillance system, and also its ongoing installation and trial run at the road and port border crossings. Also, there is an ongoing trial run of the automatic licence plate reader at the road border crossing Dobrakovo. Ministry of Interior is in charge of equipping and maintaining border crossings and it is preparing a plan on equipping and upgrading the border crossings, together with Customs Administration, Phytosanitary and Veterinary Administrations, and the funds will be allocated from the budget. With the aim of suppressing smuggling of small arms and light weapons and ammunition, Customs Administration, in cooperation with the Police Academy and international organizations (OPCW) and SIPRI Institute, US Embassy (EXBS and other programmes), is conducting the trainings of the customs officers.
The plan is for Montenegro to access Interpol’s IARMS information system for identifying and tracing of illegal weapons, organized by the OSCE - INTERPOL – UNODA - UNODC. An agreement will be reached with OSCE and Interpol regarding the manner of accession.

AA 6 Legislative and normative issues (harmonization of legal framework with European and international standards)

In combating and eradicating the illicit trade in small arms and light weapons, Montenegro starts from the following international documents:

- the UN Convention against Transnational Organized Crime and the Protocol on the Prohibition of Illicit Manufacturing and Transfer of Firearms, all its components and ammunition;
- the UN Convention for Combating Cross-Border Organized Crime;
- UN Action Programme to prevent, combat and eradicate illicit trafficking in small arms and light weapons, in all its forms;
- EU strategy for the prevention of illicit accumulation and trafficking of SALW and its ammunition;
- OSCE Action Plan on SALW;
- Regional Regulation on Micro-Disarmament for South East Europe (RDES).

Law on Weapons regulates the issues of procurement, possession, carrying, collection, production, repair and refit, circulation and transport of weapons and ammunition, and shooting ranges. The Law prescribes the conditions for procurement of weapons and ammunition, the issue of carrying and transporting weapons, as well as taking weapons in and out of the country through state border crossings. The new law needs to prescribe the surrender and legalization of weapons, obligation of labeling weapons, as well as the European pass for weapons, according to the EU Council Decision 51/2008.

Law on Control of Export of Dual-Purpose Goods stipulates the conditions for export and transit of dual-purpose goods, provision of brokerage services and technical support regarding the dual-purpose goods, the competence of bodies in the implementation of this Law, as well as other issues important for export and transit of dual-purpose goods.

Law on Foreign Sale of Arms, Military Equipment, and Dual-Purpose Goods regulates the conditions for conducting a foreign trade in weapons and military equipment, conditions and procedure for issuing the permit, monitoring and administrative measures, including misdemeanour penalties. The above mentioned Law prescribes that the Government adopts and updates the national control list weapons and military equipment, as well as the national control list of dual-purpose goods and other lists for the purpose of harmonization with the European Union regulations, implementation of the international agreements in the area of foreign trade in weapons and ammunition and technology transfer, interests of defence and security of Montenegro, control of trade in weapons, ammunition or explosive devices and other goods for military needs. The Law prescribes also the cases when the Ministry will reject the request for issuing a permit for foreign trade in controlled goods if they determine that the issuance of such a permit would be in opposition to the interests of Montenegro, and to the EU Council Common Position 2008/944/CFSP which stipulates the criteria for control of foreign trade in military technology and equipment.

Law on Export Control of Dual-Use, the Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Goods, Decision on establishing national control lists of arms and military equipment ("Official Gazette of Montenegro", br.52/12), Decision on the Establishment of the National Control List of Dual-Use Goods (Off. Gazette of Montenegro, no. 44/11 from 29.08.2011) are harmonized with: the Council Regulation (EC) no. 428/2009 from May 5th 2009 establishing
Community's regime for the control of exports, transfer, brokering and transit of dual-use goods; Council Joint Action from June 22nd 2000 regarding the control of technical assistance related to certain military final beneficiaries (2000/401/CFSP); Council Common Position 2003/468/CFSP from June 23rd 2003 in the field of arms brokering control; Common position of the Council 2008/944 / CFSP from December 8th 2008 defining the common rules for the control of exports of military technology and equipment; Common Military List of the EU (CFSP) (2012 / C 85/01 from February 27th 2012).


In order to harmonize national control lists for weapons and military equipment as well as dual-use goods, their adoption is in procedure as well as harmonization with: Council Regulation (EC) No. 388/2012.of 19.April 2012 i Common Military List of the European Union (CFSP)(2013/C 90/01).

Law on Domestic Trade regulates the domestic trade, conditions and forms of conducting the trade, protection from unfair competition and supervision and administrative measures, including misdemeanour penalties.

Law on Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction prescribes the prohibitions and limitations to development, production, stockpiling and use of chemical weapons and chemical substances in line with the ratified Convention on Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons and in their Destruction.

Law on Flammable and Combustible Liquids and Gasses prescribes preventive and protective security measures implemented in this area, as well as control and misdemeanour penalties, with the aim of protection of life, health and safety of people, animals and plants, environment and property.

Training of officers is planned in order to familiarize them with the relevant EU legislation in this field, which will be implemented through national legislation.

**AA 7 Prosecution of criminal acts and offenses (penal policy)**

Criminal and misdemeanour sanctions for weapons not returned, or for the illegal possession of fire arms and explosive materials, have been stipulated in the Criminal Code (“Official Gazette of Montenegro”, No. 70/03, 13/04, 47/08, 25/10) and the Law on Weapons. In line with the Criminal Code, any person who illegally possesses, carries, manufactures, repairs, refits, sells, procures, exchanges, transports or distributes in any other way fire arms, ammunition, explosive substances, exploding or gas weapons whose possession is prohibited, will be punished with prison sentence of six months up to five years, and if it is a criminal case of a larger number of weapons or devices or if it is the case of weapons or other devices of large blast power, that person will be punished with the prison sentence of one to eight years. Misdemeanour sanctions are stipulated in Articles 72 to 75 of the Law on Weapons. Criminal prosecution is regulated in line with the provision of the Criminal Procedure Code (“Official Gazette of Montenegro”, No. 57/09 and 49/10), providing for a
just conducting of criminal procedure so that no innocent persons are convicted, and for the perpetrator of criminal act to be sanctioned based on the legally conducted proceeding.

Criminal police sector – Division for fight against organized crime is in charge of processing criminal acts of illegal possession of weapons and explosive materials, when they are committed within a group or other association or criminal organization.

**AA 8 Establishment of integrated information system**

Information system requires a constant update and improvement. Its maintenance and improvement is made possible through the funds from the budget.

Data collected, managed, maintained, stored, electronically handled, are used by the Ministry of Interior for activities undertaken by law, but also by the other state administration and other bodies. A full control and conditions for a quality data base and a more efficient work are being achieved by electronically connecting all agents in this area, which, at the same time, requires certain funds. Management and maintenance of state administration bodies’ computer network in under the competence of the Ministry for Information Society and Telecommunications.

It is necessary to improve the database in electronic form on the armament and equipment of the military, the police and the Police Academy, who acquire and hold weapons and ammunition under special regulations, as well as surrendered prohibited weapons and ammunition, and destroyed weapons and ammunition.

**AA 9 Informing the public about the risks associated with small arms and light weapons and ammunition, and their impact on society**

Research was initiated in order to get precise and reliable data on total number of small arms and light weapons and ammunition in illegal possession by citizens. This research is an important prerequisite for providing risk assessment and real and potential impact of small arms and light weapons and ammunition on the situation in the country, so that it can be determined what can stimulate a citizen who illegally possesses a weapon to turn it in.

Coordinating body established by the Minister of Interior, organizes and coordinates activities of the competent authorities in the implementation of this strategy, and is responsible for starting an initiative for the research and risk assessment in this area.

**AA 10 Public information and raising public awareness**

An activity for a voluntary turn in of weapons and ammunition should be conducted in Montenegro. The Ministry does not have funds in its budget to carry out such an activity.

Surrender of weapons will be conducted pursuant to the new Law on Weapons, and the public will be informed about this. Coordinating body, in accordance with its responsibilities, will initiate with the relevant authorities the measures and actions for the collection and public destruction of weapons and ammunition.

**AA 11 Collection and destruction of weapons and ammunition**
Law on Weapons entered into force on 30 July 2004. The owners of weapons whose procurement, possession and carrying is prohibited had an obligation to turn them in to the Ministry within one year from the day the Law on Weapons entered into force. No proceedings, criminal or misdemeanour, were conducted against those persons. With this deadline weapon owners, who did not have a weapon permit, had an obligation to submit a request for weapon permit issuance within six months from the day the Law entered into force, or to turn them in to the Ministry, and did not have to prove the origin of their weapon, unless it was acquired through a criminal act. There were 526 requests for legalization submitted within this period. Misdemeanour proceedings were not conducted against these persons.

Destruction of surplus small arms and light weapons and ammunition set aside to be destroyed, was conducted by the Ministry of Interior and the Ministry of Defence. Weapons seized in the finalized criminal, misdemeanour or administrative proceedings are submitted to the Ministry of Interior for their disposal. These weapons can be used for the Ministry’s official needs, be given to a museum or be destroyed.

Ministry of Interior has started a programme “Old for New” in the context of its efforts to resolve the issue of surplus weapons and ammunition.

Ministry of Defence has resolved the issues of surplus small arms and light weapons in the following ways:

- Capacity Development Programme for SAWL Demilitarization and Safe Storage for Montenegro – MONDEM Programme, financed by OSCE and UNDP, 825 of weapons and 1,142.27 tons of deadly devices were destroyed;
- Technical Agreement on Destruction of Small Arms and Light Weapons and Ammunition, financed by the United States of America, 200 weapons and 1,073.72 tons if deadly devices were destroyed;
- Ministry of Defence destroyed 267 tons of deadly devices, with its own capacities;
- based on the “Old for New” principle, 495 small arms and light weapons were destroyed with the support from the German Embassy.

AA12 Weapons and ammunition stockpile management

Since the number of military personnel is being reduced, there is an ongoing reorganization and reduction of the number of storage units for stockpiling weapons and ammunition. Since 2006, the armament has been stored in 2 storages, and deadly devices in 10 storages. There are three storages planned for stockpiling reserves of armament and deadly devices: Brezovik, Taraš and Pljevlja. Other storages will be closed down after the surpluses are disposed of. Taraš storage has been reconstructed according to internationally accepted standards, while the reconstruction of the other two storages will be done when the funds become available.

Inventory management of weapons and ammunition will be carried out through MONDEM program, joint programs MoD, MoI, OSCE, UNDP.

AA13 Drafting and submitting reports on undertaken obligations

Montenegro submits annual reports in line with the UN Action Programme on Prevention, Suppression and Eradication of Illicit Trade in Small Arms and Light Weapons, OSCE’s Document on Stockpiles of Conventional Ammunition or other international and regional initiatives, with the
aim of preventing the spread of illicit trade in small arms and light weapons. Montenegro submits other reports relating to SALW, in accordance with its international obligations.

**AA 14 Control of foreign trade in small arms and light weapons (SALW)**

Acceptance of standards in the field of foreign trade flows of weapons, military equipment and dual use goods, standards which are adhered by all countries that are united in the fight against international terrorism and proliferation of weapons of mass destruction is of utmost importance for the integration of Montenegro into the international export control system and accession to international control regimes and agreements in this area.

Law on Foreign Trade in Weapons, Military Equipment and Dual Use Goods, Law on Export Control of Dual-Use Goods, and by-laws adopted based on these laws represent the basis of the state control of weapons, military equipment and dual-use goods.

Ministry of Economy of Montenegro as a key link in the system of control of weapons, military equipment and dual-use goods, prepares the National annual reports on foreign trade in controlled goods outlining the import-export controls of Controlled goods in accordance with the recommendations of the international community. Following the submission of the report to the Government and its adoption, in order to achieve greater transparency in the field of control of foreign trade in controlled goods, as well as strengthening the credibility of Montenegro in the world and improving international cooperation in this area, the Ministry of Economy will publish this report and post it on its official website www.mek.gov.me.

Further activities in the field of control of foreign trade in controlled goods

For the purpose of improving the control system in the field of foreign trade in controlled goods, as one of the priorities of the Ministry of Economy, it is necessary to continue to support the international community and intensify the inter-agency co-operation of all institutions in the implementation of regulations in this field, as well as to educate the business representatives.

Consequently, improving the export-import control will continue through the following:

- Continuation of the development process and full implementation legal regulations and the current system of export control of weapons, military equipment and dual-use goods;
- Strengthening of regional cooperation in the field of export control;
- Establishment of new National Control Lists, i.e. harmonization with the EU lists;
- The execution of all obligations arising from the membership of Montenegro in the United Nations, as well as numerous international resolutions, recommendations and other documents in the field of prevention of proliferation of weapons of mass destruction and terrorism;
- Holding seminars and continuing education for representatives of the national economy and state institutions on the control of foreign trade in controlled goods;
- Improvement of technical basics and education of the customs authorities for their better qualification in the prevention of smuggling of controlled goods;
- Setting up and implementation of the TRACKER software;
-Continuation of participation in the long-term EU project (EU Council Decision 2012/711/CFSP).

The planned activities are focused on the regulation of marking of weapons and the introduction of a European pass for weapons, as well as the creation of reliable electronic database that would be used by various subjects within the jurisdiction, in order to follow the transfer of weapons.
AA 15 Regional and international cooperation

As regards trainings and exchange of experiences, there are numerous international seminars and workshops held with the aim of exchanging experiences and agreeing about future cooperation and common projects. The need for future cooperation with the South Easter Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) should be particularly emphasized, as well as the common initiative of UNDP and Stability Pact for South Eastern Europe. Montenegro has an intensive cooperation and exchange of information with the countries from the region, and even wider. Montenegro has concluded agreements – Protocols on Cooperation, with the countries from the region, on suppression of organized crime, which also includes the illicit trade in weapons.

6. ACTION PLAN FROM CONTROL OF SMALL ARMS AND LIGHT WEAPONS AND AMMUNITION

Action Plan gives a more detailed manner in which certain Strategy goals are to be achieved, with specific measures and tasks, the bodies in charge and the deadlines for their implementation.

AA 1 and AA 2 Establishment of Coordination Body for small arms and light weapons and ammunition and coordination of activities foreseen by Action Plan

Immediately upon the adoption of the Strategy, the Ministry of Interior will prepare the Decision on the establishment of the coordination body for small arms and light weapons.

Upon the establishment of the Coordination body, at the invitation of the Ministry of Interior as the presiding, regular meetings will be held with the aim of following and analyzing the implementation of the Strategy and Action Plan, and proposing measures for improving their implementation. The meetings will be held at least once a year and as needed.

AA 3 Suppression of misuses and illegal possession of small arms and light weapons

Regular trainings for prosecutors and judges, as well as employees in the Criminal Police Division will continue, as well as the investigation of the origin of seized fire arms and ammunition and the building up of knowledge on smuggling methods, etc. Criminal Police activities will be directed towards an enhanced action for suppression of smuggling weapons, illicit production of and trade in weapons. Those activities will be conducted in line with the Action Plan for suppressing illegal possession, production, trade and smuggling of weapons and explosive substances. Funds for those activities cannot be allocated within the budget.

Training of officers will be conducted in the Centre for Training of holders of judicial functions, the Human Resources Administration and the Police Academy, as well as through the presence in international seminars and workshops.

AA 4 Control of procurement, possession and carrying, circulation, repair, refit and production of weapons and ammunition, control of shooting range

Procurement, possession and carrying, circulation, repair, refit and production of weapons and ammunition, as well as the shooting ranges, will be under constant inspection in the upcoming period. Ministry of Interior will make efforts to strengthen the data base on small arms and light weapons. Funds will be allocated from the regular budget.
With the aim of improving the control over the production of weapons and ammunition, a regulation for examination and marking of civilian firearms will be passed which will determine what parts of firearms are under obligation to be examined and marked after refit. The form of mark and signs for marking, as well as the content of certificates and labels will also be prescribed. All of the above mentioned will be regulated in the new Law on Weapons which is planned to be adopted by the end of 2013.

**AA 5 Border control**

Border police will continue to work on strengthening the capacities in the area of border control, in line with the Strategy on Integrated Border Management.

It is necessary to draft a plan for special technical equipment, based on the analysis of the operational needs, and define the priorities and the plan for further equipment of police stations and border crossings in the upcoming period, with the aim of a more quality border control.

State border control will continue in an intensive way, in cooperation with the Customs Administration, in the part of state border with neighbouring countries, with the aim of strengthening security.

Regular training of customs officers, the border police and other state authorities will continue. Funds from the budget will be allocated for training Customs Administration officers for preventing creation of surpluses and trade in small arms and light weapons.

**AA 6 Legislative and normative issues (harmonization of legal framework with European and international standards)**

Consistent enforcement of laws and other regulations will be ensured in the upcoming period, and there are plans for work on the new Law on Weapons by the end of 2013. It is also necessary to plan and adopt the Law on Weapons Production.

**AA 7 Prosecution of criminal acts and offenses (penal policy)**

Processing of criminal acts and offenses will be continual. Special attention will be paid to a consistent application of the Law on Weapons, Law on Internal Trade, Criminal Code, Criminal Procedure Code, Law on Misdemeanours, Customs Law, and Law on Foreign Trade in Weapons, Military Equipment and Dual-Purpose Goods, as well as the Law on Control of Dual-Purpose Goods Export.

The mentioned activities will be an integral part of the report submitted to the Government by the Coordinating Body, as well as the annual work report.

**AA 8 Establishment of integrated information system**

The work on information system improvement and strengthening will continue, in line with the observed need. Conditions for a more quality data base and more efficient work will be created by connecting all the competent bodies.

**AA 9 Informing the public about the risks associated with small arms and light weapons and ammunition, and their impact on society**
In the upcoming period, Montenegro will ask for financial support from the international institutions and their funds for control of small arms and light weapons and ammunition, so it could initiate a comprehensive research which would result in a more precise assessment of the quantities of illegal weapons, and analyze the impact of such conditions on society.

AA 10 Public information and raising public awareness

With the aim of strengthening transparency, in line with Article 32 of the Law on Foreign Trade in Weapons, Military Equipment and Dual-Purpose Goods which started to be implemented from 1 July 2009, the Ministry of Economy drafts and submits to the Government the annual report on the realization of the foreign trade in controlled goods for the previous year.

AA 11 Collection and destruction of weapons and ammunition

New Law on Weapons will prescribe provision which foresee the possibility of voluntary turning in of weapons and ammunition without sanctions, while the Law is in force. Public destruction will be organized for the collected weapons.

Ministry of Interior/ Police and Ministry of Defence will continue with the destruction of surplus weapons and ammunition, independently or in cooperation with the international organizations and partners. Surplus of weapons and ammunition will be sold, donated or destroyed in their own capacities.

There are no funds allocated for the above stated activities. While destroying small arms and light weapons and their ammunition, we will observe the international environmental standards.

AA 12 Weapons and ammunition stockpile management

Measures for improving the system of weapons and ammunition stockpile management will continue even in the upcoming period, which includes securing and equipping ammunition storages, installing appropriate technical protection measures and persons who work in the storages. With that aim, the technical protection measures will improve in line with NATO standards. The funds for all those activities will be provided from the budget of the Ministry of Interior/ Police and Ministry of Defence and foreign donations.

Security level and protection of dedicated facilities for weapons stockpiling will also improve. Funds for those purposes will be allocated from the budget and from foreign donations.

AA 13 Drafting and submitting reports on undertaken obligations

Ministry of Interior – Coordination body, will submit reports on measures and activities in line with the obligations undertaken on international and domestic level.

Data will be gathered and annual reports will be drafted for the United Nations, OSCE and other organizations which deal with the SALW issues.

AA 14 Control of foreign trade in small arms and light weapons

Coordination body will regularly follow the trends in the area of import and export of small arms and light weapons and related ammunition, by collection and exchange of data with the Ministry of
Economy. The collected data will make a part of the annual report on the implementation of the Strategy and the Action Plan.

**AA 15 Regional and international cooperation**

Cooperation needs to be strengthened at all levels.

At the international level, in cooperation with UNDP and other international organizations, activities will be conducted on destruction of illegal small arms and light weapons and ammunition, as well as the surplus of small arms and light weapons in possession by the military and police. International cooperation will intensify in the upcoming period with the purpose of exchange of information about the achievements in the area of export control of weapons, military equipment and dual-purpose goods.

**Funds**

Funds for the implementation of the Strategy and Action Plan will be allocated from the budget of certain line ministries. Funds from the international organization and other institutions will be used as an additional financial source (UN, OSCE, NATO, EU, etc.).

**7. TABLE OVERVIEW OF ACTION PLAN FOR SMALL ARMS AND LIGHT WEAPONS AND AMMUNITION CONTROL**

With the aim of easier following of Action Plan implementation, the following table shows clearly the specific tasks and measures in each activity area, bodies in charge of their implementation, as well as deadlines.

Coordination body for small arms and light weapons has an obligation to submit to the Minister of Internal Affairs, by 1 July every current year, the report on the implementation of the Action Plan for the previous year, based on which, the Action Plan can be revised if necessary.

<table>
<thead>
<tr>
<th>ACTIVITY AREA (AA)</th>
<th>TASK</th>
<th>BODY IN CHARGE</th>
<th>DEADLINE</th>
<th>REMARKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>MARK</td>
<td>NAME</td>
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</tr>
<tr>
<td>AA1</td>
<td>Establishment of Coordination body for small arms and light weapons</td>
<td>Making Decision on Coordination body establishment</td>
<td>Government of Montenegro 31 July 2013</td>
<td>MoI will prepare the Decision</td>
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<tr>
<td>AA2</td>
<td>Coordination of activities foreseen by Action Plan</td>
<td>Having meetings with the aim of conditions analysis, drafting plans for improvement of the implementation of measures contained in the Action Plan</td>
<td>Coordination body</td>
<td>Meetings are held at least once a year and in line with needs</td>
</tr>
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<td></td>
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<td>Meetings will be convened by MoI whose representative will preside over the Coordination body</td>
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<tr>
<td></td>
<td>Submission of annual</td>
<td>National</td>
<td>Once a year</td>
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<tr>
<td>AA3</td>
<td>Suppression of misuses of illegal possession of small arms and light weapons and ammunition</td>
<td>Measure implementation</td>
<td>MoI/ Police</td>
<td>Continuous</td>
</tr>
<tr>
<td>AA3</td>
<td>Continuous training of employees on investigating origin of seized weapons and ammunition and smuggling methods, crime analysis, etc.</td>
<td></td>
<td>MoI/ Police, CA, prosecutors, judges</td>
<td>Continuous</td>
</tr>
<tr>
<td>AA3</td>
<td>Realization of ‘voluntary’ turning in of weapons and ammunition in line with the new Law on Weapons</td>
<td></td>
<td>MoI/ Police</td>
<td>2014 and further until the deadline established by the law</td>
</tr>
<tr>
<td>AA4</td>
<td>Control of procurement, possession and carrying, circulation, repair, refit and production of weapons and ammunition, and control of shooting ranges</td>
<td>Improvement of data base on small arms and light weapons</td>
<td>MoI/ Police, MoE, MoIS</td>
<td>Continuous</td>
</tr>
<tr>
<td>AA5</td>
<td>Border control</td>
<td>Implementation of the Strategy on Integrated Border Management and the related Action Plan</td>
<td>MoI/ Police</td>
<td>Continuous</td>
</tr>
<tr>
<td>AA5</td>
<td>Improvement of the information system for state border management, on all border crossings</td>
<td></td>
<td>MoI/ Police</td>
<td>Continuous</td>
</tr>
<tr>
<td>AA5</td>
<td>Filling capacities and equipping border crossings on outside borders in line with the Plan of border police recruitment and Plan of equipping police and border crossings</td>
<td></td>
<td>MoI/ Police</td>
<td>Continuous</td>
</tr>
<tr>
<td>AA5</td>
<td>Introduction of the risk analysis of smuggling</td>
<td></td>
<td>MoI/ Police, CA</td>
<td>2013/2014.</td>
</tr>
<tr>
<td><strong>AA6</strong></td>
<td><strong>Intensification of penal policy</strong></td>
<td><strong>Adoption of the Law on Weapons</strong></td>
<td><strong>MoI/ Police</strong></td>
<td><strong>IV quarter of 2013</strong></td>
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<td><strong>AA7</strong></td>
<td><strong>Information system improvement</strong></td>
<td><strong>Information system and data base improvement</strong></td>
<td><strong>MIST, MoI, ME</strong></td>
<td><strong>Continuous</strong></td>
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<tr>
<td><strong>Co-agents: ME, CA</strong></td>
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<tr>
<td><strong>AA8</strong></td>
<td><strong>Research and risk assessment regarding small arms and light weapons and their impact on society</strong></td>
<td><strong>Drafting project proposal for investigation implementation with the aim of assessing the amount of illegal weapons possessed by citizens and legal persons and their impact on society</strong></td>
<td><strong>Coordination body</strong></td>
<td><strong>2014</strong></td>
</tr>
<tr>
<td><strong>OSCE UNDP</strong></td>
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<tr>
<td><strong>AA9</strong></td>
<td><strong>Public information and raising public awareness</strong></td>
<td><strong>Drafting information plan</strong></td>
<td><strong>Coordination body</strong></td>
<td><strong>Annual activity – 1 July for ever current year</strong></td>
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<tr>
<td><strong>OSCE UNDP</strong></td>
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<tr>
<td><strong>AA10</strong></td>
<td><strong>Implementation of activity for turning in weapons and ammunition illegally possessed by citizens</strong></td>
<td><strong>MoI/ Police</strong></td>
<td><strong>Upon Law adoption</strong></td>
<td><strong>Provide funds for 2014 and further on , until the deadline established by the law</strong></td>
</tr>
<tr>
<td><strong>AA11</strong></td>
<td><strong>Collection and keeping</strong></td>
<td><strong>Collecting and keeping</strong></td>
<td><strong>MoI/ Police</strong></td>
<td><strong>Annual</strong></td>
</tr>
<tr>
<td><strong>Legal obligation since 2009, in cooperation with the Coordination body after the adoption of the strategy</strong></td>
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<tr>
<td>AA12</td>
<td>Managing weapons and ammunition stockpiles</td>
<td>Improve security measures and technical protection of weapons and ammunition storage</td>
<td>MoI/ Police, MoD</td>
<td>Continuous</td>
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<td></td>
<td>Improvement of secure storage in line with NATO standards</td>
<td>MoI/ Police, MoD</td>
<td>During 2013 and 2014</td>
<td>Provide funds from MoI and MoD budgets and donations</td>
</tr>
<tr>
<td></td>
<td>Reduction of number of storages</td>
<td>MoI/ Police, MoD</td>
<td>2013 and further</td>
<td></td>
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<tr>
<td></td>
<td>Improvement of security and protection in storages</td>
<td>MoI/ Police, MoD</td>
<td>Continuous</td>
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<tr>
<td></td>
<td>Securing storage facilities</td>
<td>MoI/ Police, MoD</td>
<td>During 2014 and further</td>
<td>Provide funds from the budget and donations</td>
</tr>
<tr>
<td></td>
<td>Strengthening the system of physical and technical protection of facilities (video surveillance, anti-burglary systems, etc.)</td>
<td>MoI/ Police, MoD</td>
<td>2013 and further</td>
<td>Provide funds from MoI and MoD budgets and donations</td>
</tr>
<tr>
<td>AA13</td>
<td>Drafting and submitting reports on undertaken obligations</td>
<td>Timely preparation of reports</td>
<td>National Coordinator</td>
<td>Depending on periods established by certain documents</td>
</tr>
<tr>
<td>AA14</td>
<td>Control of foreign trade in small arms and light weapons</td>
<td>Ensure the electronic way of issuing export/import permits</td>
<td>ME</td>
<td>2013</td>
</tr>
<tr>
<td></td>
<td>Preparation of annual reports on export and import of weapons and</td>
<td>ME</td>
<td>Annual activity – up to 1 March for</td>
<td>Legal obligation since 2009</td>
</tr>
<tr>
<td>AA15</td>
<td>Regional and international cooperation</td>
<td>Continuation of successful regional and international cooperation</td>
<td>Coordination body</td>
<td>Continuous</td>
</tr>
</tbody>
</table>

8. FINAL PROVISION

The Strategy for Control of Small Arms and Light Weapons and Ammunition with the Action Plan shall contribute to security of citizens, state, region and international community.