



UN Programme of Action

National Reporting Tool

Montenegro

2016

SECTION 1: POINTS OF CONTACT

Sources National Coordination Agency

PoA II.4 1. Has your country established a National Coordination Agency or other body responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in SALW in all its aspects? Yes

- a) Name of agency : Commission for the implementation of the Strategy for the control of SALW
 b) Address :
 c) Contact details :
 i) Contact person : Mladen Marković
 ii) Telephone number(s) : +382 20 241-964
 iv) Email : mmmladen7@gmail.com

Sources National Point of Contact

PoA II.5, 24 2. Does your country have a National Point of Contact designated to act as a liaison on matters relating to the implementation of the UN Programme of Action on Small Arms (PoA)? Yes

2.1. Details:

- a) Name : Dragan Krivokapić
 b) Organization or agency : Ministry of Foreign Affairs and European Integration
 c) Address : Stanka Dragojevic 2, 81000 Podgorica
 d) Telephone number(s) : + 382 20 416 330
 f) Email : dragan.krivokapic@mfa.gov.me

ITI 25 2.2 Is the National Point of Contact identified above also responsible for exchanging information and liaising on matters relating to the International Tracing Instrument (ITI)? No

ITI 25 2.3 If the answer to Question 2.2 is 'no', does your country have a National Point of Contact for purposes of exchanging information and liaising on all matters relating to the ITI? Developing

SECTION 2: MANUFACTURE

Sources Laws, regulations and administrative procedures

PoA II.2 3. Are there any SALW manufactured in your country? Yes

3.1. Does your country have laws, regulations and/or administrative procedures to exercise effective control over the manufacture of SALW? Yes

3.1.1 List laws, regulations and/or administrative procedures regulating the manufacture of SALW in your country

Law on Weapons and regulations for its implementation, Law on Transport of Dangerous Goods, Law on Explosive Substances, Criminal Procedure Code, The Criminal Code.

3.1.2. Does your country license the manufacture of SALW? Yes

PoA II.3 3.1.3. Is illegal manufacture of SALW considered a criminal offence in your country? Yes

Sources Marking at manufacture

PoA II.7; ITI 8a 3.2. Does your country require that SALW be marked at the time of manufacture? Yes

ITI 8a 3.2.1. What information is included in the marking (check relevant boxes)?

- a) Name of the manufacturer
 b) Country of manufacture
 c) Serial number
 d) Year of manufacture
 e) Weapon type/model
 f) Caliber
 g) Other

On every weapon and device manufacturer must print clearly visible and lasting marks so that manufacturer, caliber, type, serial number and other compulsory markings could be identified. Following data is printed on every weapon: model, type and country of production are printed on the hand grip

ITI 10a 3.2.2. What part of the SALW is marked? See answer 3.2.1.

3.2.3 Are there exceptions to the requirement to mark SALW at the time of manufacture? Yes

3.2.3.1. If so, describe

Weapons, devices and ammunition: - purchased for the Army and Police forces; - imported from abroad

already examined and sealed; - acquired for scientific and academic purposes; - acquired for cultural and historic organizations and in transit are not liable to the procedures of examination and marking.

Sources Record-keeping by manufactures

PoA II.9; ITI 11	3.3. Does your country require that manufacturers keep records of their activities?	Yes ▼
ITI 12a	3.3.1. What information must be recorded (check relevant boxes)?	
	a) Quantity of SALW manufactured <input checked="" type="checkbox"/>	
	b) Type or model of SALW manufactured <input checked="" type="checkbox"/>	
	c) Markings applied to manufactured SALW <input checked="" type="checkbox"/>	
	d) Transactions (e.g. sales of manufactured and marked SALW) <input checked="" type="checkbox"/>	
	e) Other <input type="checkbox"/>	
ITI 12a	3.3.2. How long must manufacturing records be kept?	Indefinitely ▼

Sources Actions taken during the reporting period

PoA II.6	3.4. During the reporting period, was action taken against groups or individuals engaged in illegal manufacturing of SALW (e.g. prosecution)?	No ▼
----------	--	------

Sources International assistance

PoA III.6	4. Does your country wish to request assistance in developing laws, regulations and/or administrative procedures regarding SALW manufacture?	No ▼
-----------	---	------

SECTION 3: INTERNATIONAL TRANSFERS

Sources Laws, regulations and administrative procedures

PoA II.2, 12	5. Does your country have laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW?	Yes ▼
--------------	---	-------

PoA II.11	5.1. List laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW.
	- Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods ("Official Gazette of Montenegro" No. 80/08); - Law on Control of Export of Dual Use Items ("Official Gazette of Montenegro" No.30/12); - Decision on Establishing National Control List of Weapons and Military Equipment ("Official Gazette of Montenegro" No. 42/14); - Decision on Establishing National Control List on Dual Use Goods ("Official Gazette of Montenegro" No.50/15); - Decision on Establishing List on Non-military Ordnance ("Official Gazette of Montenegro" No. 66/10).

Sources Licensing and authorisation

PoA II.11	5.2. Does a person or an entity who transfers SALW require a licence or other form of authorisation to transfer SALW from/into your country?	Yes ▼
-----------	---	-------

PoA II.3	5.3. Is it a criminal offence to trade SALW without a licence or authorisation, or to do so in a manner that is in contradiction to the terms of a licence or authorisation, in your country?	Yes ▼
----------	--	-------

PoA II.11	5.4. What kind of documentation does your country require prior to authorising an export of SALW to another country?	
-----------	---	--

PoA II.12	a) An end-user certificate (EUC) from the importing country	Yes ▼
	i) What elements does an end-user certificate in your country contain (check relevant boxes)?	
	1) Detailed description (type, quantity, characteristics) of the SALW or technology <input checked="" type="checkbox"/>	
	2) Contract number or order reference and date <input checked="" type="checkbox"/>	
	3) Final destination country <input checked="" type="checkbox"/>	
	4) Description of the end-use of the SALW <input checked="" type="checkbox"/>	
	5) Exporter's details (name, address and business name) <input checked="" type="checkbox"/>	
	6) End-user information (name, position, full address and original signature) <input checked="" type="checkbox"/>	
	7) Information on other parties involved in the transaction <input checked="" type="checkbox"/>	
	8) Certification by the relevant government authorities of the authenticity of the end-user <input checked="" type="checkbox"/>	
	9) Date of issue <input checked="" type="checkbox"/>	
	10) Other <input checked="" type="checkbox"/>	

Authenticity of the end user is checked in the process of considering the request of the competent authorities. As an assurance of use by the end-user in accordance with mentioned purpose we use EUC on which is written "that the goods won't be used in other purposes except those named in the docum

PoA II.12	5.5. Does your country verify or seek to authenticate EUCs or other types of end-user documentation provided?	Yes ▼
	5.5.1 Details:	

Whenever there is a doubt about the validity of the EUC and other documentations, their authenticity is verified through diplomatic network of Montenegro (mostly through Montenegrin Mission to the UN in New York).

- 5.6. Does your country have measures in place aimed at preventing the forgery and misuse of EUCs or other types of end-user documentation? Yes ▼

5.6.1 Details:

Relevant institutions of Montenegro are verifying all documentation in direct communication with competent services and through diplomatic channels.

Sources Post-delivery controls

- 5.7. When exporting, does your country require a Delivery Verification Certificate (DVC) to confirm that SALW have reached their intended end-user or intended importer in the importing State? Yes ▼

- 5.8. After exporting, does your country verify or seek to authenticate DVCs provided? Yes ▼

5.8.1 Details

Whenever there is a doubt about the validity of the EUC and other documentations, their authenticity is verified through diplomatic network of Montenegro (mostly through Montenegrin Mission to the UN in New York).

- 5.9. When importing, does your country grant the right to the exporting State to conduct a physical check at the point of delivery? Yes ▼

Sources Marking at import

- ITI 8b 5.10. Does your country require that SALW imported into your country be marked at the time of import? No ▼

Sources Record-keeping

- PoA II.9; ITI 12 5.11. Does your country require that exporters and importers of SALW keep records of their activities? Yes ▼

5.11.1. What information must be recorded (check relevant boxes)?

- a) Quantity of SALW traded
- b) Type or model of SALW traded
- c) Markings appearing on transferred SALW
- d) Transactions
- i) Identity of buyer/seller
- ii) Country SALW are to be delivered to or purchased from
- iii) Date of delivery
- e) Other

5.11.2. How long must records of transfers be kept?

10 years. Article 27 Act on foreign trade in weapons, military equipment and dual-use items ("Official Gazette of Montenegro", no. 80/08 from 26.12.2008) An entity conducting foreign trade in controlled goods is obliged to: 1) keep special records on foreign trade in controlled goods and the docume

Other ▼

Sources Actions taken during the reporting period

- PoA II.6 5.12. During the reporting period, was action taken against groups or individuals engaged in transferring SALW illegally (e.g. prosecution)? No ▼

Sources International assistance

- PoA III.6 6. Does your country wish to request assistance in developing laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW? No ▼

SECTION 4: BROKERING

Sources Laws, regulations and administrative procedures

PoA II.14 7. Does your country have laws, regulations and/or administrative procedures governing brokering of SALW? Yes ▾

7.1. List laws and/or administrative procedures regulating SALW brokering in your country.
- Law on Foreign Trade in Arms, Military Equipment and Dual Use Goods ("Official Gazette of Montenegro" No. 80/08); - Law on Control of Export of Dual Use Items ("Official Gazette of Montenegro" No.30/12); - Decision on Establishing National Control List of Weapons and Military Equipment ("Official Gazette of Montenegro" No. 42/14); - Decision on Establishing National Control List on Dual Use Goods ("Official Gazette of Montenegro" No.50/15); - Decision on Establishing List on Non-military Ordnance ("Official Gazette of Montenegro" No. 66/10).

8.1.1 Are those laws and procedures part of the national arms export control system? --- Select --- ▾

7.2. Does your country require registration of SALW brokers? Yes ▾

7.3 Does your country require a licence, permit or other authorisation for each brokering transaction? Yes ▾

8.4 Does your country have measures to validate the authenticity of documentation submitted by the broker? --- Select --- ▾

7.4 Does your country regulate activities that are closely associated with the brokering of SALW? Yes ▾

7.4.1. If so which of the following activities are regulated when undertaken in connection with the brokering of SALW (check relevant boxes)?

a) Acting as dealers or agents	<input checked="" type="checkbox"/>
b) Providing technical assistance	<input checked="" type="checkbox"/>
c) Training	<input checked="" type="checkbox"/>
d) Transport	<input checked="" type="checkbox"/>
e) Freight forwarding	<input checked="" type="checkbox"/>
f) Storage	<input checked="" type="checkbox"/>
g) Finance	<input checked="" type="checkbox"/>
h) Insurance	<input checked="" type="checkbox"/>
i) Maintenance	<input checked="" type="checkbox"/>
j) Security	<input type="checkbox"/>
k) Other services	<input type="checkbox"/>

Sources Actions taken during the reporting period

7.5 During the reporting period, was action taken against groups or individuals engaged in illegal brokering (e.g. prosecution)? No ▾

Sources International assistance

PoA III.6 8. Does your country wish to request assistance in developing laws, regulations or administrative procedures to regulate SALW brokering? No ▾

SECTION 5: STOCKPILE MANAGEMENT

Sources Laws, regulations and administrative procedures

PoA II.17 9. Does your country have standards and procedures relating to the management and security of SALW held by the armed forces, police or any other entity authorised to hold SALW? Yes ▾

PoA II.17 9.1. If so, which of the following provisions are included in these standards and procedures (check relevant boxes)?

a) Appropriate locations for stockpiles	<input checked="" type="checkbox"/>
b) Physical security measures	<input checked="" type="checkbox"/>
c) Control of access to stocks	<input checked="" type="checkbox"/>
d) Inventory management and accounting control	<input checked="" type="checkbox"/>
e) Staff training	<input checked="" type="checkbox"/>

- f) Security, accounting and control of SALW held or transported by operational units or authorised personnel
- g) Procedures and sanctions in the event of theft or loss
- h) Other

Sources Surplus

- PoA II.18 9.2. When stocks are identified as surplus, what actions does your country take with regard to the surplus (check relevant boxes)?
- a) Officially declare as surplus
- b) Take out of service
- c) Record by type, lot, batch, and serial number
- d) Store separately
- e) Other
- 9.3. In disposing of the surplus stocks, which of the following methods may be used (check relevant boxes)?
- a) Destruction
- b) Sale to another State
- c) Donation to another State
- d) Transfer to another state agency
- e) Sale to civilians
- f) Sale or transfer to legal entities (e.g. museums, private security companies, etc.)
- g) Other

Sources Actions taken during the reporting period

- PoA II.19 9.4. During the reporting period, has your country destroyed surplus stocks? Yes
- PoA II.20 9.4.1. How many SALW were destroyed?
857 pieces of SALW, and 5000 bullets cal. 30mm for Anti-aircraft gun AK-230.
- 9.4.2. Any further comments regarding destruction?

Sources International assistance

- PoA II.29; III.6 10. Does your country wish to request assistance in developing standards and procedures on stockpile management? Yes
- 10.1. What kind of assistance do you require?
Funds.
- 10.2. Has your country developed a project proposal for assistance? Yes
- PoA III.6; 14 11. Does your country wish to request assistance in developing capacity for the destruction of weapons? No

SECTION 6: COLLECTION

Sources Collection

12. During the reporting period, did your country collect any SALW? Yes
- PoA II.21 12.1. How many SALW were collected?
756 pieces of SALW
- 12.2. What action was taken with respect to the SALW collected (check relevant boxes)?
- a) Stored securely pending further action
- b) Marked

- c) Registered or recorded
- d) Destroyed
- e) Other

Sources International assistance

PoA III.6 13 Does your country wish to request assistance in building capacity for confiscation and seizure of the illicit SALW? No

SECTION 7: MARKING AND RECORD KEEPING

Sources Marking

ITI 8d 14. Does your country take measures to ensure that all SALW in the possession of government armed and security forces for their own use are duly marked? Yes

14.1. Describe the markings that are applied to government-held stocks.

Every piece of SALW owned by armed and security forces is properly marked.

ITI 8c 14.2. When government stocks are transferred to civilians or private companies in your territory, are such stocks marked to indicate that your government transferred the stocks? No

ITI 8e 15. Does your country encourage manufacturers of SALW to develop measures against the removal or alteration of markings? Yes

15.1 Details

It is not possible to register weapons without the origin, mark and number.

Record-keeping

PoA II.9 16. Does your country have standards and procedures related to keeping of records for all marked SALW in its territory? Yes

16.1. What records relating to SALW are kept by the State (e.g. manufacturing, brokering, import and export licences granted, sales to other States, SALW held by State agencies such as the armed forces etc)?

Ministry of Interior keeps records on granted weapons acquirement, weapon's sheets, permits to keep weapons as well as records on confiscated, seizure and delivered weapons; Ministry of Interior keeps records on granted permissions for import and export of the weapons across the state border as well as on temporarily confiscated weapons at the state border. Ministry of Economy keeps record on foreign trade of arms and military equipment.

ITI 12 a,b 16.2. How long does the government keep such records? Such records are kept permanently.

ITI 13 16.3. In the event that they go out of business, are companies engaged in SALW activities (e.g. manufacturing, importing, exporting etc) required to submit all records held by them to the government? Yes

Sources International assistance

PoA III.6, ITI 27 17. Does your country wish to request assistance in building capacity for record-keeping? No

SECTION 8: INTERNATIONAL TRACING

Sources Laws, regulations and administrative procedures

PoA II.10; ITI 14, 24 18. Does your country have procedures in place to trace SALW? No

Sources Cooperation with INTERPOL

PoA II.37; ITI 33 19. During the reporting period, has your country cooperated on the issue of tracing SALW with the International Criminal Police Organization (INTERPOL) ?

Yes ▼

Sources International assistance

PoA II.36; III.6; ITI 27 2420. Does your country wish to request assistance in developing procedures to trace SALW? td>

Yes ▼

&n 20.1. What kind of assistance do you require?

Financial, experts and technical assistance (seminars, training, study visits) for procedures to trace SALW.

20.2. Has your country developed a project proposal for assistance?

No ▼

PoA III.10; ITI 28 2521. Has your country considered providing assistance to examine technologies to improve the tracing and detection of illicit SALW?td>

No ▼

&n

SECTION 9: INTERNATIONAL COOPERATION & ASSISTANCEspan>

Sources Assistance requested / received / provided

PoA III.3, 6 2622. During the reporting period, in addition to the assistance requested/received mentioned in the Sections 2-8 above, has your country requested / received / provided assistance to implement the PoA and ITI?td>

No ▼

&n

Any further comments on PoA and ITI, including implementation challenges and opportunities?td>

Additional information may be uploaded/attached, if necessary:

SECTION 10: INFORMATION TO BE SUBMITTED

Information on national marking practice

2823. Pursuant to paragraph 31 of the International Tracing Instrument, States will provide the Secretary-General with the following information, updating it when necessary:td>

a) National marking practices related to marking used to indicate country of manufacture and/or country of import as applicable.

Note: Relevant information might have been provided in the questions 3.2.1., 3.2.2. and 14.1 of this Report.

Additional information such as images and illustrations may be uploaded/attached, if necessary:

Note: Relevant information might have been provided in questions 4.2.1, 4.2.2 and 18.1 in this report.