

# 1540 COMMITTEE MATRIX OF MONTENEGRO

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

## OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State:

MONTENEGRO

Date of Report

5 January 2005

Date of Committee Approval:

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.		YES	if YES, relevant information (i.e. signing, accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 3 June 2006	
2	Nuclear Weapons Free Zone/ Protocol(s)			
3	Convention for the Suppression of Acts of Nuclear Terrorism			
4	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Deposit 21 March 2007	

5	2005 Amendment to the CPPNM			
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 23 October 2006	
7	Chemical Weapons Convention (CWC)	X	Deposit 23 October 2006	
8	Biological Weapons Convention (BWC)	X	Deposit 3 June 2006	
9	Geneva Protocol of 1925			
10	Other Conventions/Treaties	X	State party to 11 of the 19 universal legal instruments against terrorism, including the following relevant to resolution 1540 (2004): 1. International Convention for the Suppression of Terrorist Bombings (23/10/2006) 2. International Convention for the Suppression of the Financing of Terrorism (23/10/2006)	
11	International Atomic Energy Agency (IAEA)	X	Member since 2006	
12	Hague Code of Conduct (HCOC)	X	Subscribed	
13	Other Arrangements	X	1. Proliferation Security Initiative (PSI) 2. Global Initiative to Combat Nuclear Terrorism (GICNT)	
14	General statement on non-possession of WMD			
15	General statement on commitment to disarmament and non-proliferation	X	State reports that it supports the multilateral activities aimed at strengthening efficiency of the existing WMD non-proliferation regimes	
16	General statement on non-provision of WMD and related materials to non-State actors			
17	Other <sup>1</sup>	X	Member of: Eurasian Group on Combating Money Laundering and Financing of Terrorism (EAG) Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL) Organisation for Security and Cooperation in Europe (OSCE) World Customs Organization (WCO) and participates in WCO Framework of Standards to Secure and	

			Facilitate Global Trade (SAFE) Programme INTERPOL International Maritime Organization World Health Organization (WHO) Organisation for Animal Health (OIE)	
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1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

## OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?		National legal framework					Enforcement: civil/criminal penalties and others					Remarks
		YES			if YES, source document of national implementation law	YES			if YES, source document			
		N W	C W	B W		N W	C W	B W				
1	manufacture/produce	?	?	?	<b>NW/CW/BW:</b> Criminal Code Art.433  <b>CW:</b> Law on the Prohibition of Development, Production, Storage and Use of Chemical Weapons and their Destruction	?	?	?	<b>NW/CW/BW:</b> Criminal Code Art.433			
2	acquire	?	?	?	<b>NW/CW/BW:</b> Criminal Code Art.433  Law on the Prohibition of Development, Production, Storage and Use of Chemical Weapons and their Destruction	?	?	?	<b>NW/CW/BW:</b> Criminal Code,, Art. 433			
3	possess	?	?	?	<b>NW/CW/BW:</b> Criminal Code Art.433	?	?	?	<b>NW/CW/BW:</b> Criminal Code, Art. 433			
4	stockpile/store	?	?	?	<b>NW/CW/BW:</b> Criminal Code, Art. 433, 314 (radioactive materials)  <b>CW:</b> Law on the Prohibition of Development, Production, Storage and Use of Chemical	?	?	?	<b>NW/CW/BW:</b> Criminal Code, Art. 433, 314 (radioactive materials)			

					Weapons and their Destruction					
5	develop	?	?	?	<b>NW/CW/BW:</b> Criminal Code, Art. 433, 314 (radioactive materials)  <b>CW:</b> Law on the Prohibition of Development, Production, Storage and Use of Chemical Weapons and their Destruction	?	?	?	<b>NW/CW/BW:</b> Criminal Code, Art. 433, 314 (radioactive materials)	
6	transport	?	?	?	<b>NW/CW/BW:</b> Criminal Code, Art. 433, 314 (radioactive materials)	?	?	?	<b>NW/CW/BW:</b> Criminal Code, Art. 433, 314 (radioactive materials)	
7	transfer	?	?	?	<b>NW/CW/BW:</b> Criminal Code, Art. 433  <b>CW:</b> 1. Law on the Prohibition of Development, Production, Storage and Use of Chemical Weapons and their Destruction	?	?	?	<b>NW/CW/BW:</b> Criminal Code, Art. 433	
8	use	?	?	?	<b>NW/CW/BW:</b> Criminal Code, Art.447, 365( terrorist intent)  <b>CW:</b> Law on the Prohibition of Development, Production, Storage and Use of Chemical Weapons and their Destruction	?	?	?	<b>NW/CW/BW:</b> Criminal Code, Art.447, 365( terrorist intent)	
9	participate as an accomplice in abovementioned	X	X	X	<b>NW/CW/BW:</b> Criminal Code, Art. 7 ( accomplice)	X	X	X	<b>NW/CW/BW:</b> Criminal Code, Art. 7 ( accomplice)	

	activities								
10	assist in abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Criminal Code, Art. 387	X	X	X	<b>NW/CW/BW:</b> Criminal Code, Art. 387
11	finance abovementioned activities	X	X	X	<b>NW,CW,BW:</b> Law on the Prevention of Money Laundering and Terrorist Financing, March 2009	X	X	X	<b>NW/CW/BW:</b> Administration for the Prevention of Money Laundering  Criminal Code, Art. 449
12	abovementioned activities related to means of delivery <sup>2</sup>								
13	involvement of non- State actors in abovementioned activities								
14	Other								

2. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

**OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials<sup>3</sup>**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized ?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	X			NW: INFCIRC/814 and SQP					
2	Measures to account for use	X			NW: INFCIRC/814 and SQP					
3	Measures to account for storage	X			NW: INFCIRC/814 and SQP					
4	Measures to account for transport									
5	Other measures for accounting									
6	Measures to secure production									
7	Measures to secure use		?	?	CW/BW: 1. Law on environmental protection 2. Law on the protection of the population	X				

					against infectious diseases					
8	Measures to secure storage		?	?	<b>CW/BW:</b> 1. Law on environmental protection 2. Law on the protection of the population against infectious diseases					
9	Measures to secure transport	X	?	?	<b>NW:</b> 1. Law on transport of hazardous substances 2. Law on the crossing of the state border and the movement in the border area 3. Regulation on the transport of arms and military equipment  <b>CW:</b> 1. Law on transport of hazardous substances 2. Law on the crossing of the state border and the movement in the border area 3. Regulation on the transport of arms and military equipment  <b>BW:</b> 1. Law on transport of hazardous substances 2. Law on the crossing of the state border and the movement in the border area 3. Regulation on the transport of arms and military equipment	X	?	?	<b>NW:</b> 1. Rules on the Manner of Transport of Dangerous Goods in Road (FRY Gazette No, 82/90) 2. Rules on the Manner of Transport of Dangerous Goods in Maritime Traffic and in Traffic on Inland Waterways (FRY Gazette No. 12/96) Criminal Code, 2004 art.314  <b>CW:</b> 1. Rules on the Manner of Transport of Dangerous Goods in Road (FRY Gazette No, 82/90) 2. Rules on the Manner of Transport of Dangerous Goods in Maritime Traffic and in Traffic on Inland Waterways (FRY Gazette No. 12/96)  <b>BW:</b> 1. Rules on the Manner of Transport of Dangerous Goods in Road (FRY Gazette No, 82/90) 2. Rules on the Manner of Transport of Dangerous Goods in Maritime Traffic and in Traffic on Inland Waterways (FRY Gazette No. 12/96)	
10	Other measures for securing									
11	Regulations for physical protection of facilities/materials/ transports									



12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials									
13	Reliability check of personnel									
14	Measures to account for/secure/ physically protect means of delivery									

3. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

\* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument) )

**OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National regulatory authority					
2	IAEA Safeguards Agreements	X	INFCIRC/814 and SQP in force : since 4 March 2011 2. Additional Protocol, in force: 4 March 2011	X	INFCIRC/814 and SQP in force : since 4 March 2011 2. Additional Protocol, in force: 4 March 2011	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Expressed support	X	Expressed support	
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources	X	Expressed support	X	Expressed support	
5	IAEA incident and Trafficking Database	X	Participates	X	Participates	
6	Other Agreements related to IAEA	X	1. Convention on Early Notification of a Nuclear Accident, if force 2006-06-03 2. Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, in force 2006-06-03 3. Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, in force 2010-11-07 4. Vienna Convention on Civil Liability for	X	1. Convention on Early Notification of a Nuclear Accident, if force 2006-06-03 2. Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, in force 2006-06-03 3. Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, in force 2010-11-07 4. Vienna Convention on Civil Liability for	

			<p>Nuclear Damage, in force 2006-06-03</p> <p>5. Protocol to Amend the Vienna Convention on Civil Liability for Nuclear Damage, in force 2011-06-04</p> <p>6. Revised Supplementary Agreement Concerning the provision of technical Assistance by the IAEA, in force 2006-10-30</p>		<p>Nuclear Damage, in force 2006-06-03</p> <p>5. Protocol to Amend the Vienna Convention on Civil Liability for Nuclear Damage, in force 2011-06-04</p> <p>6. Revised Supplementary Agreement Concerning the provision of technical Assistance by the IAEA, in force 2006-10-30</p>	
7	Additional national legislation/regulations related to nuclear materials including CPPNM					
8	Other					

**OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	Multilateral Department Ministry of Foreign Affairs	X	Multilateral Department Ministry of Foreign Affairs	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Reported	X	Reported	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials					
5	Other				)	

**OP 3 (a) and (b) - Account for/Secure/Physically protect BW including  
Related Materials (BW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work					
2	Other legislation/ regulations related to safety and security of biological materials					
3	Other					

**OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of  
NW, CW and BW, including Related Materials**

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials ? Can violators be penalized ?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	Border control	X	X	X	<b>NW/CW/BW:</b> Customs Law of the Republic of Montenegro, Art 3	X	X	X	<b>NW/CW/BW:</b> Ministry of Interior and Public Administration	
2	Technical support of border control measures									
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. 8	X	X	X	<b>NW,CW, BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Article 37	
4	Enforcement agencies/authorities				<b>NW/CW/BW:</b> Customs Law of the Republic of Montenegro, Art 3	X	X	X	<b>NW/CW/BW:</b> Customs administration	
5	Export control legislation in place	X	X	X	<b>NW/CW/BW:</b> 1. Law on Foreign Trade (FRY Gazette, 46/92, 49/92, 16/93) 2. Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008,	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. 37	
6	Licensing provisions	X	X	X	<b>NW/CW/BW:</b> 1. Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Goods of 17 February	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17	

				2005, Arts. 12 to 25 2. Decision on Criteria for the Issuance of Licences for Export of Weapons, Military Equipment and Dual Use Goods 3. Rules of Procedure for Keeping the Register of Persons that May Engage in Foreign Trade of Controlled Goods 4. Rules of Procedure Regulating the Forms for Issuing Licenses, Licence Form and other Forms related to Foreign Trade in Controlled Goods				December 2008, Art.37		
7	Individual licensing	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Arts. 12 to 25	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art.37	
8	General licensing									
9	Exceptions from licensing									
10	Licensing of deemed export/visa									
11	National licensing authority	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008	X	X	X	<b>NW/CW:</b> Ministry of Foreign Affairs and European Integration of Montenegro	
12	Interagency review for licenses									
13	Control lists	X	X	X	<b>NW/CW/BW:</b> 1. Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art 6 2.Decision on the Establishment of National Control Lists of Dual Use Goods					
14	Updating of lists									

15	Inclusion of technologies	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. 9	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art.37	
16	Inclusion of means of delivery	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. Art. 6	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. 37	
17	End-user controls	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. 13	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. 37	
18	Catch all clause	X	X	X	<b>NW,CW, BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. 13	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. 37	
19	Intangible transfers									
20	Transit control	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. 28	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. 37	
21	Trans-shipment control	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Goods of 17 February 2005, Art. 28	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. 37	
22	Re-export control	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Goods of 17 February 2005, Art. 19	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. 37	
23	Control of providing funds									



24	Control of providing transport services	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. 28	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. 37	
25	Control of importation	X	X	X	<b>NW/CW/BW:</b> 1. Law on Foreign Trade (FRY Gazette, 46/92, 49/92, 16/93) 2. Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. 31	X	X	X	<b>NW/CW/BW:</b> Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Items of 17 December 2008, Art. 37	
26	Extraterritorial applicability									
27	Other									

## OP 6, 7 and 8 (d) - Control lists, Assistance, Information

Can information be provided on the following issues ?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)	X	The list of controlled arms, military equipment and dual-purpose goods is defined in accordance with the EU Code of Conduct on Arms Exports and the EU Council Regulation EC No. 1334/2000 of the regime for the control of exports of dual-use items and technologies	
2	Control lists - other			
3	Assistance offered			
4	Assistance requested	X	Requested for assistance in 2014: organisation of trainings on export/import control, specialist training course for the members of Montenegrin CBRN team and training on modern standards and equipment used by custom for control of the weapons for mass destruction. Provision of personal protective equipment, equipment for radiological detection and dosimeters.	
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)			
7	Work with and inform industry			
8	Work with and inform the public			
9	Point of Contact	X	Ivana Mučalica, 2nd Secretary, Ministry of Foreign Affairs and European Integration of Montenegro +382 20 225 702, +382 20 241 443, ivana.mucalica@mfa.gov.me	
10	Other <sup>4</sup>			

4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.