

# MONTENEGRO

**ARTICLE 4 DEADLINE: 1 AUGUST 2020**  
(UNCLEAR WHETHER ON TRACK TO MEET DEADLINE)

PROGRAMME PERFORMANCE	2016	2015
Problem understood	7	7
Target date for completion of cluster munition clearance	2	2
Targeted clearance	5	5
Efficient clearance	6	6
National funding of programme	4	5
Timely clearance	3	4
Land release system in place	6	6
National mine action standards	5	5
Reporting on progress	5	4
Improving performance	3	4
<b>PERFORMANCE SCORE: POOR</b>	<b>4.6</b>	<b>4.8</b>

## PERFORMANCE COMMENTARY

Montenegro did not make progress in 2016 towards releasing the relatively small amount of area still contaminated with cluster munition remnants (CMR). Effective measures must be taken swiftly if Montenegro is to meet its Article 4 deadline under the Convention on Cluster Munitions (CCM). Its compliance with its legal duty to complete clearance “as soon as possible” is already in doubt.

## RECOMMENDATIONS FOR ACTION

- Montenegro should mobilise the necessary resources to finish CMR clearance as soon as possible, but not later than 1 August 2020, in line with its CCM Article 4 clearance obligations.
- The Directorate for Emergency Situations should complete non-technical survey of the small number of remaining areas not yet surveyed, and plan to complete technical survey and clearance of all CMR swiftly thereafter.

## CONTAMINATION

Montenegro has estimated that 1.72km<sup>2</sup> of land contains CMR.<sup>1</sup> Areas suspected or confirmed to contain CMR are located in two municipalities (Rozaje and Plav) and one urban municipality (Golubovic).<sup>2</sup> The CMR contamination was identified by Norwegian People's Aid (NPA) in its detailed non-technical survey conducted between December 2012 and April 2013. During the survey, NPA made 87 polygons of suspected or confirmed hazardous areas across 11 locations in three municipalities.<sup>3</sup> Contamination was found to affect five communities.<sup>3</sup>

Two suspected areas of CMR contamination in Plav municipality, namely Bogajice and Murino, have yet to be surveyed, as NPA was prevented from doing so during its 2013–13 survey, due to snow.<sup>4</sup>

Montenegro became contaminated with explosive remnants of war (ERW), mainly unexploded ordnance (UXO), as a result of conflicts during the break-up of the former Socialist Federal Republic of Yugoslavia in the 1990s.<sup>5</sup> North Atlantic Treaty Organization (NATO) air strikes in Montenegro between March and June 1999 included the dropping of 22 cluster bombs of four different types: AGM-154A JSOW guided missiles, BL755s, CBU-87/Bs, and Mk-20 Rockeyes. These scattered a total of some 4,000 submunitions of four different types: BLU-97A/B, BL755, MK-1, and Mk118.<sup>6</sup> In addition, there is CMR contamination in Rožaje, which is the result of dumping of cluster munitions by the Yugoslav army.<sup>7</sup>

Some unexploded submunitions were collected by units of the Yugoslav army immediately after the NATO air strikes. This initial clearance was carried out in haste, without applying international standards for ERW clearance, and for the most part only visible submunitions were destroyed.<sup>8</sup> Following Montenegro's independence, CMR removal was conducted by the Ministry of Internal Affairs in response to notifications from the public.<sup>9</sup>

To date, CMR clearance according to international standards has only been carried out in one of the three affected municipalities in Montenegro. In 2007, UXB Balkans conducted clearance operations in two locations within the communities of Besnik and Njeguši (in the municipality of Rožaje). In total, some 378,000m<sup>2</sup> was cleared with the destruction of 16 Mk-1 submunitions.<sup>10</sup>

Montenegro's initial Article 7 report had claimed that, as at 27 January 2011, "there are no contaminated areas in Montenegro."<sup>11</sup> In July 2011, however, the director of the Regional Centre for Divers' Training and Underwater Demining (RCUD) confirmed that unexploded submunitions had been found in 2007.<sup>12</sup> Montenegro informed a CCM intersessional meeting in 2012 that clearance by military units after the air strikes in 1999, during which more than 1,800 submunitions were collected, had not been conducted "fully according to humanitarian mine action standards" and that it planned to conduct a survey.<sup>13</sup> This led to the 2012–13 NPA survey described above.<sup>14</sup>

### Other Explosive Remnants of War

Montenegro is also heavily contaminated by other ERW, with items of UXO discovered daily throughout the country, on land as well as in rivers and the sea.<sup>15</sup> The NATO Science for Peace and Security (SPS) project, which was launched in Montenegro in 2014 to provide the UXO clearance team of the Directorate for Emergency Situations with assistance in the detection and destruction of UXO,<sup>16</sup> is reportedly coming to an end.<sup>17</sup>

## PROGRAMME MANAGEMENT

The Directorate for Emergency Situations, established in 2006 by the Ministry of Internal Affairs, is responsible for mine action in Montenegro, performing the role of a national mine action centre.<sup>18</sup> Prior to 2017, due to lack of human resources and equipment, the role of the national mine action centre had previously been undertaken by the Regional Centre for Divers' Training and Underwater demining (RCUD), which was set up in 2002.<sup>19</sup>

RCUD and NPA signed a Memorandum of Understanding in December 2012 under which NPA agreed to fund and implement a two-phase project — the “Cluster Munition Convention Completion Initiative for Montenegro” — involving first, non-technical survey, and then, technical survey and clearance of areas where the presence of CMR was confirmed. NPA agreed to set up a database and to develop capacity for non-technical survey and quality management.<sup>20</sup> The non-technical survey was

completed but funding for the second phase of the project involving technical survey and clearance, originally expected to start in 2013 and continue throughout 2014,<sup>21</sup> was not secured and as at May 2017 this phase had yet to start.<sup>22</sup>

The Department for UXO within the Directorate for Emergency Situations has only five staff, who are primarily dedicated to clearance of UXO other than submunitions, which comprises the heaviest contamination in Montenegro.<sup>23</sup> Owing to the shortage of funds, responsibility for explosive ordnance disposal (EOD) has remained with the police.<sup>24</sup>

Montenegro has requested international assistance to comply with the International Mine Action Standards (IMAS), for capacity building (training, equipment, vehicles), and for ERW clearance.<sup>25</sup>

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## LAND RELEASE

No planned land release operations took place in 2016.<sup>26</sup>

### Survey in 2016

No survey took place in 2016.<sup>27</sup>

A small amount of previously unreported non-technical survey was conducted in 2015 on an area of approximately 10,000m<sup>2</sup> around the airport, during which one submunition and one item of UXO were destroyed.<sup>28</sup> Prior to this, no survey had taken place since NPA's non-technical survey was completed in April 2013.<sup>29</sup>

### Clearance in 2016

No planned CMR clearance took place in either 2016,<sup>30</sup> or in 2015 or 2014, though in 2014, 6,500m<sup>2</sup> of land was cleared after two unspecified items of UXO were found in Golubovci during construction work,<sup>31</sup> and as noted above in 2015, 10,000m<sup>2</sup> of land was released after one submunition and one other item of UXO were found during survey at Golubovci airport.<sup>32</sup>

Previously, in 2013, NPA, in cooperation with RCUD, had prepared 10 technical survey and clearance projects covering 834,630m<sup>2</sup> to be undertaken during the second phase of the “Cluster Munition Convention Completion Initiative for Montenegro” in 2014, and one additional project for underwater clearance covering 24,150m<sup>2</sup>.<sup>33</sup> As noted above, however, lack of funding has meant the work has not yet begun.

## ARTICLE 4 COMPLIANCE

Under Article 4 of the CCM, Montenegro is required to destroy all CMR in areas under its jurisdiction or control as soon as possible, but not later than 1 August 2020. Montenegro should be able complete the remaining clearance well before this deadline if it identifies funding for the remaining survey and clearance. This should come from the national budget if international funding is not secured.

With funding from the Norwegian Ministry of Foreign Affairs, the non-technical survey completed in April 2013 resulted in an almost complete baseline of remaining CMR contamination in Montenegro. In April 2013, Montenegro said it planned to complete clearance of all contaminated areas in 2014 if the funds were provided.<sup>34</sup> In early 2014, Montenegro indicated that clearance would be complete by the end of 2016, subject to funding.<sup>35</sup> In June 2015, RCUD reported that if sufficient funding was secured in 2015, CMR clearance in Montenegro would be completed by the end of 2017.<sup>36</sup> NPA and RCUD jointly applied for a Norwegian Ministry of Foreign Affairs fund for 2015, through a bilateral agreement between Norway and Montenegro, but the Government of Montenegro did not prioritise the CMR clearance project.<sup>37</sup>

As at May 2017, however, neither national nor international funding had been secured for CMR clearance in Montenegro.<sup>38</sup> Once funding is secured, completion of CMR survey and clearance in Montenegro is predicted to take approximately two years. Therefore, in order to meet its Article 4 deadline of August 2020, Montenegro must secure funds as soon as possible, and commence survey and clearance by the beginning of 2018 at the latest. Montenegro continues to seek international cooperation and assistance to fulfil its survey and clearance obligations under the CCM.<sup>39</sup>

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- 1 CCM Article 7 Report (for 2016), Form F; and interview with Milovan Joksimović, Head of the Department for UXO, Directorate for Emergency Situations, Ministry of Internal Affairs, 15 May 2017, Podgorica.
- 2 Ibid.
- 3 NPA, "Cluster Munition Remnants in Montenegro", July 2013, p. 26.
- 4 Ibid.; and interview with Milovan Joksimović, Directorate for Emergency Situations, Podgorica, 15 May 2017 and email, 15 June 2017.
- 5 Interview with Veselin Mijajlović, RCUD, Bijela, 14 March 2007.
- 6 NPA, "Cluster Munition Remnants in Montenegro", July 2013, p. 21.
- 7 Interview with Milovan Joksimović, Directorate for Emergency Situations, Podgorica, 15 May 2017.
- 8 NPA, "Cluster Munition Remnants in Montenegro", July 2013, p. 22.
- 9 Ibid., p. 21.
- 10 Ibid., p. 23.
- 11 CCM Article 7 Report (for 1 August 2010 to 27 January 2011), Form F.
- 12 Telephone interviews with Veselin Mijajlović, RCUD, 19 and 25 July 2011.
- 13 Statement of Montenegro, CCM intersessional meetings (Clearance and Risk Reduction Session), Geneva, 17 April 2012.
- 14 NPA, "Cluster Munition Remnants in Montenegro", July 2013, p. 26.
- 15 Interview with Milovan Joksimović, Directorate for Emergency Situations, Podgorica, 15 May 2017.
- 16 NATO, "NATO tests Science for Peace and Security projects in Montenegro", 4 November 2016, at: [http://www.nato.int/cps/en/natohq/news\\_137325.htm](http://www.nato.int/cps/en/natohq/news_137325.htm).
- 17 Interview with Milovan Joksimović, Directorate for Emergency Situations, Podgorica, 15 May 2017.
- 18 CCM Article 7 Report (for 2016); and interview with Milovan Joksimović, Directorate for Emergency Situations, Podgorica, 15 May 2017.
- 19 Email from Veselin Mijajlović, RCUD, 29 July 2012; and Sluzbeni list RCG (Official Gazette of Montenegro), No.66, pp. 28-32.
- 20 NPA, "Cluster Munition Remnants in Montenegro", July 2013, p. 9.
- 21 Ibid., p. 6.
- 22 Interview with Milovan Joksimović, Directorate for Emergency Situations, Podgorica, 15 May 2017.
- 23 Ibid.
- 24 Ibid.; and email from Zoran Begovic, Ministry of Internal Affairs and Public Administration, 28 June 2012.
- 25 Letter from the Permanent Mission of Montenegro to the UN and other international organisations Geneva, "Information from the Ministry of Interior of Montenegro – in context of support for the Mine Action Center", reference CCM/4-1, May 2017.
- 26 Interview with Milovan Joksimović, Directorate for Emergency Situations, Podgorica, 15 May 2017.
- 27 Ibid.
- 28 Ibid.; and CCM Article 7 Report (for 2015), Form F.
- 29 Emails from Darvin Lisica, Programme Manager, Bosnia and Herzegovina, NPA, 3 March 2015; and Veselin Mijajlović, RCUD, 13 May 2016.
- 30 Interview with Milovan Joksimović, Directorate for Emergency Situations, Podgorica, 15 May 2017.
- 31 CCM Article 7 Report (for 2014), Form F.
- 32 Ibid.
- 33 Response to Cluster Munition Monitor questionnaire by Amela Balik, NPA, 3 March 2014.
- 34 CCM Article 7 Report (for 30 April 2012 to 31 March 2013), Form F.
- 35 CCM Article 7 Report (for 2013), Form F.
- 36 Email from Veselin Mijajlović, RCUD, 16 June 2015.
- 37 Email from Darvin Lisica, NPA, 1 April 2016.
- 38 Interview with Milovan Joksimović, Directorate for Emergency Situations, Podgorica, 15 May 2017.
- 39 Ibid.; CCM Article 7 Report (for 2016), Form F; and letter from the Permanent Mission of Montenegro to the UN and other international organisations Geneva, "Information from the Ministry of Interior of Montenegro – in context of support for the Mine Action Center", reference CCM/4-1, May 2017.