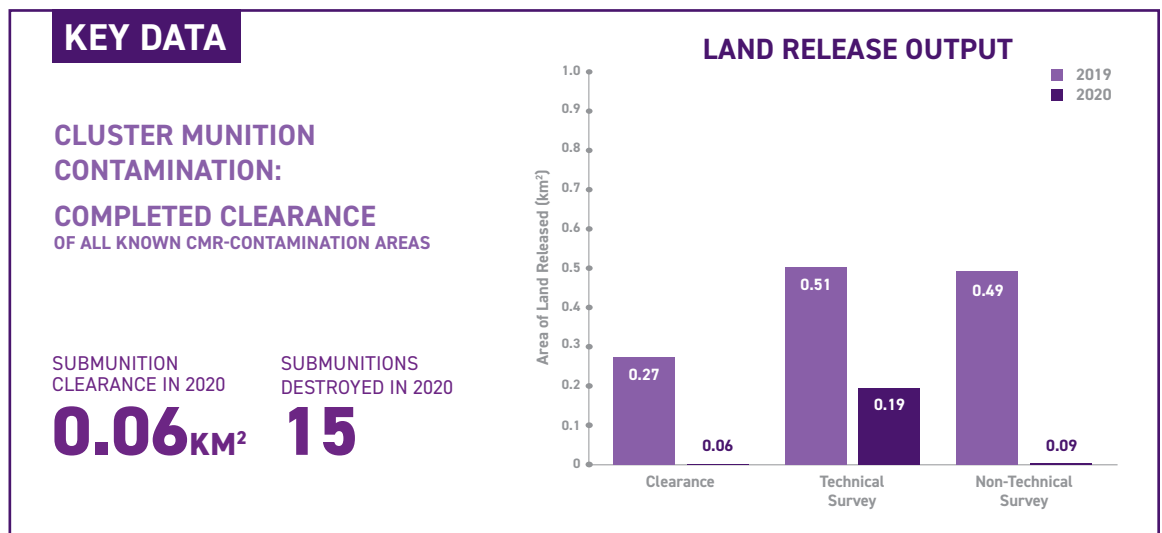


ARTICLE 4 DEADLINE: 1 AUGUST 2020 REPORTED FULFILMENT OF ARTICLE 4 OBLIGATIONS



KEY DEVELOPMENTS

Montenegro has fulfilled its Convention on Cluster Munitions (CCM) Article 4 obligations, having completed clearance of remaining cluster munition remnants (CMR) contamination on 20 July 2020, and declared fulfilment of its Article 4 obligation as at 21 July, ahead of its 1 August deadline. Montenegro submitted its Declaration of Compliance on 13 October 2020. Completion was facilitated by the creation of a “Country Coalition”, in which Norway, as the lead support State/donor, partnered with Montenegro, with Norwegian People’s Aid (NPA) as the implementing partner. This Coalition enabled effective planning and completion of CMR clearance by Montenegro’s Article 4 deadline.¹

Land release operations re-started in October 2018, implemented by NPA in collaboration with the Department for UXO [Unexploded Ordnance] within the Directorate for Emergency Situations. Operations had been scheduled to be completed by the end of April 2020, but this was delayed by two and a half months due to the impact of the COVID-19 pandemic on operations.

ASSESSMENT OF NATIONAL PROGRAMME PERFORMANCE

Criterion	Score (2020)	Score (2019)	Performance Commentary
UNDERSTANDING OF CMR CONTAMINATION (20% of overall score)	9	9	Montenegro completed clearance of all known CMR contamination in July 2020. This was achieved following re-commencement of land release operations in October 2018, following earlier non-technical survey in 2012–13. Addressing residual CMR will be the responsibility of the Department for UXO within the Directorate for Emergency Situations.
NATIONAL OWNERSHIP AND PROGRAMME MANAGEMENT (10% of overall score)	8	8	The Country Coalition, formed in 2018 between Montenegro, Norway and NPA, provided an excellent basis on which to effectively plan for completion of clearance by Montenegro's 1 August 2020 Article 4 deadline. The Directorate for Emergency Situations within the Ministry of Interior was responsible for overseeing CMR survey and clearance, and provided an enabling environment with strong national ownership. While national resources (both technical and financial) were relatively limited, Montenegro did provide funding for its UXO team and for quality management of CMR operations.
GENDER AND DIVERSITY (10% of overall score)	7	7	The capacity of the national mine action programme in Montenegro was small, but there was a gender policy in place. NPA's survey and clearance personnel were seconded from its programme in Bosnia and Herzegovina and while all NPA operations staff deployed in Montenegro were male, NPA's Programme Manager was a woman and there was one additional female member of staff. Women and children were consulted during survey activities, and data were disaggregated by sex and age.
INFORMATION MANAGEMENT AND REPORTING (10% of overall score)	6	6	There is no national information management system in place, such as the Information Management System for Mine Action (IMSMA). NPA supported the Department for UXO in providing all data from the CMR programme to the Ministry of Interior, upon completion. While Montenegro did report disaggregated CMR contamination data and land release data to Mine Action Review, in its Article 7 transparency report it did not disaggregate CMR contamination data into suspected hazardous area (SHA) and confirmed hazardous area (CHA) or disaggregate land reduced through technical survey from land released through clearance.
PLANNING AND TASKING (10% of overall score)	8	8	There was no national mine strategy in place, but a joint working group was established and the Ministry of Interior and NPA elaborated a work plan to plan and prioritise CMR survey and clearance operations and achieve fulfilment of Article 4 by the treaty deadline of 1 August 2020.
LAND RELEASE SYSTEM (20% of overall score)	8	8	While no national mine action standards exist, CMR survey and clearance operations were conducted in accordance to the International Mine Action Standards (IMAS) and to national standing operating procedures (SOPs). Evidence-based survey was used to release uncontaminated land and confirm CMR contamination prior to clearance. Survey and clearance capacity was sufficient to enable Montenegro to complete CMR clearance ahead of its deadline.
LAND RELEASE OUTPUTS AND ARTICLE 4 COMPLIANCE (20% of overall score)	10	9	Clearance of remaining known CMR contamination was completed on 20 July 2020 and Montenegro declared it had fulfilled its Article 4 obligation on the following day, 21 July. Montenegro submitted a Declaration of Compliance on 13 October 2020.
Average Score	8.3	8.1	Overall Programme Performance: VERY GOOD

CLUSTER MUNITION SURVEY AND CLEARANCE CAPACITY

MANAGEMENT

- The Directorate for Emergency Situations, Ministry of Interior

NATIONAL OPERATORS

- The Department for UXO (within the Directorate for Emergency Situations)

INTERNATIONAL OPERATORS

- Norwegian People's Aid (NPA)

OTHER ACTORS

- None

UNDERSTANDING OF CMR CONTAMINATION

Clearance of remaining known CMR contamination was completed on 20 July 2020 and Montenegro declared it had fulfilled its Article 4 obligation on the following day, 21 July. No areas of previously unrecorded CMR contamination were discovered in 2020, prior to the completion of clearance.²

At the end of 2019, contamination had totalled almost 0.5km² (two confirmed hazardous areas (CHAs) totalling 0.2km² and two suspected hazardous areas (SHAs) totalling nearly 0.3km²), all in Golubovci municipality.³ Prior to re-starting land release operations in October 2018, remaining CMR contamination had stood at almost 1.72km² across three municipalities (Golubovci, Rožaje, and Tuzi).⁴ The contamination was identified during detailed non-technical survey conducted between December 2012 and April 2013. During the survey, NPA made 87 polygons of SHAs and CHAs across 11 locations in three municipalities. Contamination was found to affect five communities.⁵

Having secured new funding from Norway, CMR land release operations re-started in late 2018 and hazardous areas were re-surveyed through non-technical survey, prior to tasking of technical survey and clearance.⁶

Montenegro became contaminated with CMR in 1999 as a consequence of the North Atlantic Treaty Organization (NATO) bombing of Yugoslavia during the war over Kosovo. NATO air strikes in Montenegro between March and June 1999 included use of 22 cluster munitions of four different types: AGM-154A JSOW guided missiles, BL755s, CBU-87/Bs, and MK-20 Rockeye IIs. These scattered a total of some 4,000 submunitions (BLU-97A/B, BL755, MK-1, and MK118).⁷ In addition, there was CMR contamination in Rožaje resulting from the dumping of cluster munitions by the Yugoslav army.⁸

OTHER EXPLOSIVE REMNANTS OF WAR

Montenegro is also heavily contaminated with multiple types of explosive remnants of war (ERW) from the First and Second World Wars, with items of UXO discovered daily throughout the country, on land as well as in rivers and the sea.⁹

NATIONAL OWNERSHIP AND PROGRAMME MANAGEMENT

The Directorate for Emergency Situations, established in 2006 by the Ministry of Interior, is responsible for mine action in Montenegro, performing the role of a national mine action centre.¹⁰ 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 2002.¹¹

A Memorandum of Understanding (MoU) was signed in July 2018 between the Ministry of Interior and NPA for a Norwegian funded project to complete CMR clearance. The partnership took the form of a Country Coalition, a concept launched under Germany's presidency of the Seventh Meeting of States Parties in 2017. Norway, as the lead support State/donor, partnered with the Montenegrin national authority, with NPA as the implementing partner. The aim of the Country Coalition was to achieve fulfilment of Montenegro's Article 4 clearance obligations by its August 2020 deadline,

and cooperation and collaboration between the Directorate for Emergency Situations, its UXO Department, and NPA were both effective and professional.

The approach included establishment of a joint working group to support the planning and prioritisation of CMR tasks; a clear division of roles and responsibilities; transparent discussions and sense of common ownership; and an enabling environment for mine action.¹² NPA provided capacity development support to national authorities regarding refresher training on destruction of BLU-97 and MK118 Rockeye submunitions, and the development of new standing operating procedures (SOPs) for both non-technical and technical survey.¹³

All activities performed by the Ministry of Interior team, including destruction of submunitions and external quality control, were nationally funded.¹⁴

GENDER AND DIVERSITY

National authorities in Montenegro reported that a gender policy is in place, and that procedures for conducting non-technical survey include ensuring a gender-balanced approach to survey teams and consulting with all members of the community, including women and children.¹⁵

There is said to be equal access to employment for qualified women and men in survey and clearance teams in Montenegro, and women account for 20% of operational roles, and 30% of managerial level/supervisory positions.¹⁶

Implementing partner NPA has a gender equality policy in place and provided coaching and support for key staff on the policy in 2019. While NPA's Programme Manager and Administration Officer in Montenegro were both women, its survey and clearance team were seconded from NPA's programme in BiH and were all men.¹⁷

Relevant data was disaggregated data by sex and age by both the Ministry of Interior and NPA.¹⁸

INFORMATION MANAGEMENT AND REPORTING

There is no national information management system in place, such as the information management system for mine action (IMSMA). NPA supported the Department for UXO within the Directorate for Emergency Situations in providing all data from the CMR programme, both hard copies and digital data, to the Ministry of Interior upon completion.¹⁹

In its Article 7 report (covering 2020), the land reduced through technical survey in 2020 was not disaggregated from release through clearance, even though these data were available and were reported to Mine Action Review.²⁰

PLANNING AND TASKING

RCUD and NPA signed an MoU in December 2012 under which NPA agreed to fund and implement a two-phase project – the “Cluster Munition Convention Completion Initiative for Montenegro”. This involved 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.²¹ 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 2014,²² was not secured.

In May 2018, in a welcome development, Norwegian government funding was secured for the CMR survey and clearance operations necessary for Montenegro to release remaining CMR-contaminated areas and fulfil its CCM Article 4 obligations. An MoU between the Ministry of Interior and

NPA was signed in July with CMR land release operations beginning in October 2018. There was a work plan in place aimed at completion of Montenegro's Article 4 clearance obligations by its 1 August 2020 deadline, and plans for realisation of the CMR completion project were entered into the medium-term work plan of the Montenegro government.²³

Following the signature of the MoU, a joint working group was established to support the planning, prioritisation, and collaboration for CMR tasks.²⁴ Criteria for prioritising CMR-contaminated areas for clearance were agreed between the national authorities and NPA,²⁵ designed to enable access based on national priorities, including aviation needs, geographic locations and linkages, and weather conditions.²⁶

Montenegro successfully fulfilled its clearance obligations in July 2020, ahead of its August Article 4 deadline.

LAND RELEASE SYSTEM

STANDARDS AND LAND RELEASE EFFICIENCY

In March 2018, the Directorate for Emergency Situations reported that it had prepared a rule book on the destruction of UXO and was currently working on drafting national mine action legislation.²⁷ In February 2019, it reported that mine action legislation was in place.²⁸

No national standards exist for survey and clearance of CMR in Montenegro, but operations were conducted according to the International Mine Action Standards (IMAS) and to national SOPs developed for non-technical survey, technical survey, clearance, and use of explosives detection dogs (EDDs).²⁹ Aviation security procedures require that SOPs for CMR survey and clearance operations at Podgorica airport be adapted to meet specific international standards.³⁰

OPERATORS AND OPERATIONAL TOOLS

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 bulk of ERW contamination in Montenegro.³¹ Due to lack of funding, responsibility for explosive ordnance disposal (EOD) has remained with the police.³²

Having previously completed a nationwide non-technical survey in April 2013, NPA, re-started CMR land release operations in October 2018, thanks to Norwegian government funding.³³

NPA technical survey/clearance capacity in 2020 comprised six deminers.³⁴ NPA's Operations Manager continued to work on non-technical survey together with trained personnel from the Ministry of Interior.³⁵

LAND RELEASE OUTPUTS AND ARTICLE 4 COMPLIANCE

LAND RELEASE OUTPUTS IN 2020

A total of 343,185m² of CMR-contaminated area was released in 2020, of which 56,040m² was cleared, 194,200m² was reduced through technical survey, and 92,945m² was cancelled through non-technical survey. Montenegro completed clearance of all known CMR contamination on 20 July 2020.³⁶

SURVEY IN 2020

A total 287,145m² of CMR-contaminated area was released through survey in 2020, prior to completion of survey and clearance operations in July. Of this, 92,945m² was cancelled through non-technical survey by the joint Ministry of Interior/NPA team and 194,200m² was reduced through technical survey. No previously unrecorded CMR contamination was added to the database.³⁷ This compares to 2019, when 0.49km² of CMR-contaminated area was cancelled and 0.51km² reduced.³⁸

CLEARANCE IN 2020

Clearance of all remaining known CMR contamination was completed on 20 July 2020 and Montenegro declared it had fulfilled its Article 4 obligation.³⁹ Between January and July 2020, 56,040m² of CMR-contaminated area was cleared, during which 15 submunitions were destroyed.⁴⁰

CMR clearance in 2020, which was completed in July 2020, marked a decrease on 2019, when 0.27km² of cluster munition-contaminated area was cleared, with 64 submunitions destroyed.⁴¹

ARTICLE 4 DEADLINE AND COMPLIANCE



CMR clearance was completed on 20 July 2020 and Montenegro declared it had fulfilled its obligations under Article 4 obligation of the CCM as at 21 July, ahead of its 1 August 2020 deadline.⁴² In its communiqué to the Implementation Support Unit of the CCM, dated 29 July 2020, Montenegro said that "the official declaration of compliance will be submitted as soon as it is finalised."⁴³ Montenegro's Article 4 Declaration of Compliance was submitted on 13 October 2020.⁴⁴

Following completion of earlier non-technical survey in 2013, land release operations only re-commenced in Montenegro in October 2018, supported by the establishment of the Country Coalition between Norway, Montenegro, and NPA. It had been expected that CMR clearance operations would be completed by 30 April 2020, but progress was impacted by the COVID-19 pandemic, which caused clearance operations to be suspended from 16 March to 1 June 2020.⁴⁵

Table 1: Five-year summary of CMR clearance

Year	Area cleared (km ²)
2020	0.06
2019	0.27
2018	0.02
2017	0
2016	0
Total	0.35

PLANNING FOR RESIDUAL RISK AFTER COMPLETION

Montenegro has a sustainable national capacity in place to address CMR discovered following Article 4 completion.⁴⁶ All five members of the Department for UXO within the Directorate for Emergency Situations have been trained and are equipped to address CMR, with respect to information management as well as for survey and clearance.⁴⁷ In its Article 4 declaration of compliance, Montenegro has said that if areas unknown to have been contaminated by CMR are identified after completion, it will:

- accurately identify the extent of the contaminated areas and destroy all CMR in those areas;
- ensure effective exclusion of civilians from those areas;
- report such areas under Article 7 of the CCM;
- share relevant information to the general public, stakeholders, and CCM States Parties; and
- submit an additional declaration of compliance once clearance of those contaminated areas has been completed.⁴⁸

- 1 Statement of Montenegro, CCM Second Review Conference (Part 1, virtual meeting), 25–27 November 2020.
- 2 Emails from Milovan Joksimović, Head, Department for UXO, Directorate for Emergency Situations, Ministry of Interior, 6 May 2021; and Goran Šehić, Deputy Programme Manager, NPA Bosnia and Herzegovina, 21 April 2021.
- 3 Email from Milovan Joksimović, Directorate for Emergency Situations, 20 March 2020.
- 4 Article 7 Reports (covering 2018, 2019, and 2020), Form F; and emails from Milovan Joksimović, Directorate for Emergency Situations, 28 March 2018 and 25 February 2019.
- 5 NPA, "Cluster Munition Remnants in Montenegro", July 2013, p. 26.
- 6 Article 7 Reports (covering 2018 and 2019), Form F; and emails from Alyson Lewis, Programme Manager, NPA, 27 February 2019 and 17 March 2020.
- 7 NPA, "Cluster Munition Remnants in Montenegro", July 2013, p. 21.
- 8 Interview with Milovan Joksimović, Directorate for Emergency Situations, Podgorica, 15 May 2017.
- 9 Ibid.
- 10 Article 7 Report (covering 2016); and interview with Milovan Joksimović, Directorate for Emergency Situations, Podgorica, 15 May 2017.
- 11 Email from Veselin Mijajilovic, RCUD, 29 July 2012; and Official Gazette, No. 66, pp. 28–32.
- 12 CCM Side event presentation by Milovan Joksimović, Directorate for Emergency Situations, 9MSP, Geneva, 4 September 2019; and email from Alyson Lewis, NPA, 27 February 2019.
- 13 Email from Alyson Lewis, NPA, 27 February 2019.
- 14 CCM Side event presentation by Milovan Joksimović, Directorate for Emergency Situations, 9MSP, Geneva, 3 September 2019; and Article 7 Report (covering 2019), Form I.
- 15 Emails from Milovan Joksimović, Directorate for Emergency Situations, 25 February 2019; and Alyson Lewis, NPA, 27 February 2019.
- 16 Email Milovan Joksimović, Directorate for Emergency Situations, 20 March 2020.
- 17 Email from Kristina Đurić, NPA, 21 August 2020.
- 18 Emails from Milovan Joksimović, Directorate for Emergency Situations, 25 February 2019, and Alyson Lewis, NPA, 27 February 2019.
- 19 Emails from Alyson Lewis, NPA, 17 March 2020 and email from Kristina Đurić, Acting Country Director, NPA, 17 May 2021.
- 20 Article 7 Report (covering 2020), Form F; and email from Milovan Joksimović, Directorate for Emergency Situations, 6 May 2021.
- 21 NPA, "Cluster Munition Remnants in Montenegro", July 2013, p. 9.
- 22 Ibid., p. 6.
- 23 Emails from Milovan Joksimović, Directorate for Emergency Situations, 25 February 2019; and Alyson Lewis, NPA, 27 February 2019.
- 24 Email from Milovan Joksimović, Directorate for Emergency Situations, 25 February 2019.
- 25 Email from Milovan Joksimović, Directorate for Emergency Situations, 25 February 2019; and email from Alyson Lewis, NPA, 27 February 2019.
- 26 Email from Alyson Lewis, NPA, 27 February 2019.
- 27 Email from Milovan Joksimović, Directorate for Emergency Situations, 28 March 2018.
- 28 Email from Milovan Joksimović, Directorate for Emergency Situations, 25 February 2019.
- 29 Email from Alyson Lewis, NPA, 27 February 2019.
- 30 Ibid.
- 31 Email from Milovan Joksimović, Directorate for Emergency Situations, 6 May 2021.
- 32 Ibid.
- 33 Email from Alyson Lewis, NPA, 27 February 2019.
- 34 Emails from Milovan Joksimović, Directorate for Emergency Situations, 6 May 2021; and Goran Šehić, NPA, 21 April 2021.
- 35 Email from Kristina Đurić, NPA, 17 May 2021.
- 36 Email from Milovan Joksimović, Directorate for Emergency Situations, 6 May 2021.
- 37 Ibid. There was a slight discrepancy between the survey data reported by Montenegro for 2020 and the data reported by NPA. NPA reported zero cancellation in 2020 and 204,931m² as reduced through technical survey in 2020. This is different to 92,945m² reported as cancelled through non-technical survey and 194,200m² reduced through technical survey in 2020, as reported by the UXO department and by NPA previously. According to NPA, the discrepancy was due to a difference between NPA and the UXO department in the reporting approach and classification of results per reporting periods. Email from Kristina Đurić, NPA, 17 May 2021.
- 38 Article 7 Report (covering 2019), Form F; and emails from Milovan Joksimović, Directorate for Emergency Situations, 20 March 2020; and Alyson Lewis, NPA, 17 March 2020.
- 39 Written communiqué by Montenegro to the CCM Implementation Support Unit, 29 July 2020.
- 40 Emails from Kristina Đurić, NPA, 21 August 2020; and Milovan Joksimović, Directorate for Emergency Situations, 6 May 2021. There was a slight discrepancy in that in its Article 7 report (covering 2019), Montenegro reported that 0.5km² of CMR contamination remained as at end of 2019. However, the remaining CMR-contaminated area released in 2020 was reported to total only 0.34km². However, this is believed to be due to inconsistencies in reporting of the extent of CMR contamination and NPA was confident that all known remaining contamination had been cleared as at 20 July 2020. In addition, there was a slight discrepancy between the clearance data reported by Montenegro for 2020 and the data reported by NPA. NPA reported clearing 48,690m² in 2020. This is different to the 56,040m² NPA reported previously for 2020, which was also reported by the UXO department. According to NPA, the discrepancy was due to a difference between NPA and the UXO department in the reporting approach and classification of results per reporting periods. Email from Kristina Đurić, NPA, 17 May 2021.
- 41 Emails from Milovan Joksimović, Directorate for Emergency Situations, 20 March 2020; and Alyson Lewis, NPA, 17 March 2020.
- 42 Email from Jonas Zachrisson, Country Director, NPA, 23 September 2020; and written communiqué by Montenegro to the CCM Implementation Support Unit, 29 July 2020.
- 43 Written communiqué by Montenegro to the CCM Implementation Support Unit, 29 July 2020.
- 44 Article 4 Declaration of Compliance, 13 October 2020, available at: <https://bit.ly/3havfHO>.
- 45 Emails from Milovan Joksimović, Directorate for Emergency Situations, 20 March 2020 and 6 May 2021; Alyson Lewis, NPA, 17 March 2020; and Kristina Đurić, NPA, 21 August 2020.
- 46 Email from Kristina Đurić, NPA, 21 August 2020.
- 47 Email from Milovan Joksimović, Directorate for Emergency Situations, 6 May 2021.
- 48 Article 4 Declaration of Compliance, 13 October August 2020.