

PITANJA I ODGOVORI NA UPIT EVROPSKOG BIROA ZA PRIGOVOR SAVJESTI

A. STATUS OF CONSCRIPTION

- 1. Is conscription into obligatory military service currently applied?**

Answ.

Montenegrin legislation does not predict the existence of mandatory military service. By the decision of the President of Montenegro, conscription and mandatory military service were abolished in 2006.

B. (SKIP IF NOT APPLICABLE) COUNTRIES WITH CONSCRIPTION

- 2. question - not applicable. Montenegro does not have conscription**
- 3. question - not applicable. Montenegro does not have conscription**
- 4. question - not applicable. Montenegro does not have conscription**
- 5. question - not applicable. Montenegro does not have conscription**
- 6. question - not applicable. Montenegro does not have conscription**
- 7. question - not applicable. Montenegro does not have conscription**
- 8. question - not applicable. Montenegro does not have conscription**

C. (SKIP IF NOT APPLICABLE) COUNTRIES WITHOUT CONSCRIPTION

- 9. Has any legislation regarding obligatory military service (conscription) been abolished, or has it merely been suspended, meaning that it could be reimposed at any time?**

Answ.

Montenegrin legislation does not predict the existence of mandatory military service. By the decision of the President of Montenegro, conscription and mandatory military service were abolished in 2006.

- 10. Is there an ongoing registration procedure for those liable for military service (Is it possible for a conscientious objector to refuse to be registered at any time?)**

Answ.

The Law on the Army stipulates that citizens are registered in the military service records in the calendar year in which they turn 18.

The Law on the Army also stipulates that the Ministry of Defense downloads information about citizens directly from the state birth register. The process of registration is automatic and does not require the presence of citizen.

- 11. If suspended, are there specific provisions regarding the circumstances in which it could be reinstated and the process to be followed?**

Answ.

The Law on the Army does not prescribe any specific provisions regarding the circumstances in which he could be reinstated conscription.

- 12. Would reinstatement mean that previous legislation regarding conscientious objection would remain applicable? If so, please answer sections F and G with regard to such legislation.**

Answ.

The reintroduction of conscription requires amendments to the existing Army Law. Under current circumstances, there are no plans to reinstate compulsory military service.

The Law on the Army stipulates that a citizen who, due to his faith and conviction, is not ready to participate in military duty that involves the use of weapons, has the right to conscientious objection.

D. SCHOOL SYSTEM

- 13. Is attendance at any days of introduction to the armed forces or military careers or other programmes which could be seen as preparatory to military recruitment an obligatory part of the secondary education curriculum?**

Answ.

There is no compulsory military education in Montenegrin civil secondary schools. In addition, the curriculum of secondary schools does not contain mandatory topics that can represent preparation for military conscription.

- 14. Do the armed forces have access to personal data of students?**

Answ.

The Armed Forces don't have access to personal data of students

- 15. Do military institutions offer temporary programs to students aged under 18 to learn more about military careers?**

Answ.

The Armed Forces don't offer temporary programs to students aged under 18 to learn more about military careers.

- 16. Are military personnel involved in teaching classes at schools, on a temporary or long-term basis?**

Answ.

Members of the Armed Forces are not involved in teaching in schools, on a temporary or long-term basis.

E. VOLUNTARY RECRUITMENT INTO MILITARY SERVICE

- 17. What incentives or measures are used by the national armed forces to encourage voluntary recruitment? (financial incentives, scholarships, career prospects, advertising, etc.)**

Answ.

The Ministry of Defense uses advertising to encourage citizens to sign up for voluntary military service. Citizens also receive monthly financial benefits during their voluntary military service.

18. What is the minimum age for recruitment?

Answ.

Citizens who are not younger than 18 years of age and not older than 25 years of age can be sent for voluntary military service.

19. What was the total first-time military recruitment in recent years? Please disaggregate by age, gender and (if appropriate) whether as conscripts or volunteers.

Answ.

By the decision of the President of Montenegro, obligations regarding the execution of conscription and mandatory military service were abolished in 2006. Therefore, in the previous period, there was no conscription or compulsory military service.

Please note that the Ministry of Defense has not organized voluntary military service since 2020. In addition, we plan to accept volunteers for military service during 2025.

20. What legislation governs voluntary recruitment into military service?

Answ.

The Law on the Army stipulates the possibility of voluntary military service for up to six months. In accordance with this law, the Ministry of Defense publishes a public advertisement for the selection of persons for voluntary military service. Registered candidates are required to complete the medical examination and selection procedure. The Ministry accepts the best-ranked candidates for voluntary military service. The number of persons referred to voluntary military service is limited.

21. What is the duration of service initially required?

Answ.

The Law on the Army stipulates the possibility of voluntary military service for up to six months. The Ministry of Defense has organized military service for a period of three months.

22. What proportion of recruits sign up for a second period of the same length or longer?

Answ.

The Ministry of Defense organized voluntary military service that lasted three months. The duration of voluntary military service was the same for all volunteers and could not be extended. This means that the voluntary military service ended after three months.

23. How many persons were called up for reserve service, and of what duration?

Answ.

The Ministry of Defense has not called up citizens in reserve service for a long time.

24. How many persons were called up for reserve service, and of what duration?

Answ.

The Ministry of Defense has not called up citizens in reserve service for a long time.

F. APPLICATION PROCESS FOR RECOGNITION OF CONSCIENTIOUS OBJECTORS

Montenegrin legislation does not prescribe the existence of conscription. By the decision of the President of Montenegro, obligations regarding the execution of recruitment and conscription was abolished in 2006.

In the previous period, the Ministry of Defense did not invite citizens to perform reserve service in the Army. Also, there were no requests for exemption based on conscientious objection.

25. question - not applicable.

26. question - not applicable.

27. question - not applicable.

28. question - not applicable.

29. question - not applicable.

30. question - not applicable.

31. question - not applicable.

G. TERMS OF ALTERNATIVE SERVICE

The Law on the Army does not prescribe alternative service in case of a request for conscientious objection. Please note that a citizen who, due to religion and conviction, is not ready to participate in the performance of military duty that includes the use of weapons, has the right to conscientious objection...

32. question - not applicable.

33. question - not applicable.

34. question - not applicable.

35. question - not applicable.

36. question - not applicable.

37. question - not applicable.

38. question - not applicable.

39. question - not applicable.

**H. CONSCIENTIOUS OBJECTION DURING MILITARY SERVICE OF
CONSCRIPTS/VOLUNTEERS**

40. What legislation or regulations would apply to the case of serving member of the armed forces who applied for release having developed conscientious objection?

Answ.

The Law on the Army regulates the organization of the Armed Forces of Montenegro (hereinafter: The Army), service in the Army, rights, obligations and status of persons serving in the Army and other issues of importance to the Army.

41. What procedures are followed in the event of an application?

Answ.

The Law on the Army stipulates that professional service in The Army ends when a military person submits a request for termination of professional service, or upon end of the contract of service in The Army, etc.

42. What information is available to serving personnel about the right of conscientious objection and the means of applying for release?

Answ.

The Law on the Army regulates the organization of the Armed Forces of Montenegro (hereinafter: The Army), service in the Army, rights, obligations and status of persons serving in the Army and other issues of importance to the Army.

The Law on the Army is a public document. In addition, professional members of The Armed Forces are obliged to know the provisions of this law and act according to this law.

43. Have any such cases been recorded on recent years? Please gave details of number of applications, the number of acceptances.

Answ.

There were no requests for exemption based on conscientious objection.

44. Give details, if relevant, of the grounds for any rejections.

Answ.

There were no requests for exemption based on conscientious objection.

45. How many persons were prosecuted for desertion? Where any of these persons who had declared themselves conscientious objectors? What was the outcome, and what sentences were imposed?

Answ.

The Armed Forces of the Army of Montenegro did not have such cases. There were no requests for exemption based on conscientious objection or desertion.

I. CONSCIENTIOUS OBJECTION AFTER MILITARY SERVICE

46. What legislation or regulations would apply to the case of reservist who applied for recognition as a conscientious objector?

Answ.

The Law on the Army stipulates that a citizen who, due to his faith and conviction, is not ready to participate in military duty that involves the use of weapons, has the right to conscientious objection.

47. Have any persons sought to refuse reserve service on this basis in recent years. With what results?

Answ.

In the previous period, the Ministry of Defense did not invite citizens to perform reserve service in the Army. Also, there were no requests for exemption based on conscientious.

J. ASYLUM FOR CONSCIENTIOUS OBJECTORS

48. Would it be possible for you to obtain statistic on approvals/rejections of those asylum applications in your country that were citing conscientious objection?

Answ.

The Armed Forces of Montenegro have not had any requests/applications for exemption from duty due to conscientious objection. The Ministry of Defense and the Armed Forces do not have jurisdiction over, and do not have, any data related to foreign nationals who apply for asylum due to conscientious objection or any other reason.

K. DEVELOPMENTS SINCE LAST YEAR

Here you can find the information published in last year's Report.

49. What legislative changes have happened within the last year?

Answ.

The Law on the Army has not been changed since 2019. Apart from that, there was no change in the any legal regulations that refer to conscientious objection.

50. Is there any legal initiative undergoing at Parliament or any other state body which concerns the military service, the right to conscientious objection, or related issues?

Answ.

There is no legislative initiative in Parliament or any other state body regarding military service that addresses the right to conscientious objection or related issues.

51. Anything else that you would like to report?

Answ.

There is nothing further to report.