



Montenegro
Ministry of Defense

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Podgorica, 17 December 2021

TO: European Bureau of Conscientious Objection (ebco@ebco-beoc.org)

Subject: Answers to questions submitted in the Questionnaire about EBCO's Annual Report

Dear Ma'am,

Thank you for your expressed interest in including the information from the Ministry of Defense of Montenegro in the upcoming Annual Report. Please find the answers to the submitted questions below.

1. How was the conscription ended? It was suspended or abolished? Which year and by which law/decision?

Compulsory military service in Montenegro was suspended by the Decision of the President of Montenegro, dated in August 30, 2006 and thus conscription and obligatory military service for the citizens of Montenegro based on then valid Law on the Yugoslav Army (Article 4) was suspended.

2. How was the human right to conscientious objection to military service first recognized? Which year and by which law/article of Constitution?

Conscientious objection is a constitutional category (Article 48 of the Constitution) which stipulates that no one is obliged to fulfill a military or other obligation that includes the use of weapons, contrary to their religion or belief. The Constitution of Montenegro entered into force in October 2007. As the act of the President of Montenegro abolished military service for the citizens of Montenegro, this right was not implemented in practice.

Also, the Law on the Armed Forces of Montenegro recognizes the institutes of conscientious objection, and Article 189 stipulates that a conscript who, due to faith and conviction, is not ready to participate in military service involving the use of weapons, has the right to conscientious objection.

3. What is the legal minimum age for voluntary enlistment in peace time, in case of general/partial compulsory mobilization, and in war time?

The Law on Defense and the Law on the Armed Forces of Montenegro define the right and duty of Montenegrin citizens to participate in the preparation for defense. The military obligation of Montenegrin citizens arises at the age of 18, which means that those younger than 18 cannot be admitted to service in the Armed Forces, regardless of the situation in the country, i.e. peacetime or declared war. One of the possibilities recognized and defined by the Law on the Armed Forces of Montenegro is voluntary military service aimed at promoting and bringing the military vocation closer to interested individuals, as well as the possibility of later employment within the Armed Forces for those who have completed the training.

Voluntary military service is an opportunity for every adult aged from 18 to 25 to try out military service on a voluntary basis in duration of up to 6 months.

4. How is the human right to conscientious objection recognized for the professional members of the military?

Professional members of the Armed Forces are obliged to follow the adopted standards and regulations in the field of defense. This means that they do not seek or apply the principle of conscientious objection to perform the professional tasks assigned to them in their work, because that would mean disrespecting and not executing orders and directives.

Theoretically, conscientious objection would violate the provisions of Article 22 of the Law on the Armed Forces of Montenegro (full and timely execution of military and other duties in the Army) and commit a disciplinary offense under Article 157 paragraph 1 of the Law (failure to execute orders or untimely, negligent and negligent performance of service or duty in the service).

Respectfully,



Dr. Olivera Injac, PhD
Minister of Defense