

SECOND
NATIONAL REPORT ON THE
IMPLEMENTATION OF OBLIGATIONS UNDER
THE CONVENTION ON NUCLEAR SAFETY

PODGORICA, SEPTEMBER 2019

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2 Section A: Introduction

The protection of human life and health, and of the environment, against harmful effects of ionizing radiation and radioactive waste management and nuclear safety and security are important activities of the Government of Montenegro which are needed to achieve environmental objectives, and this requires a well-designed plan and actions to ensure all necessary organizational, human and financial resources, and infrastructure.

Inadequate management of the use of radioactive sources, radioactive waste or spent fuel can cause effects in the cross-border context. Aware of the importance to the international community of ensuring that nuclear energy is properly used for peace purpose, affirming the necessity of continuing to promote a high level of nuclear safety worldwide, desiring to promote an effective nuclear safety culture, the Parliament of Montenegro promulgated the ***Law on Ratification of the Convention on Nuclear Safety*** (*Official Gazette of Montenegro - International Treaties, No. 003/15 of 26 March 2015*). The instrument on accession of Montenegro to the Convention on Nuclear Safety was deposited with the IAEA on 23 April 2015, and it entered into force on 22 July 2015. No Declarations or Reservations were made with the accession instrument. As a full member of the Convention, Montenegro sends a clear message that only by strengthening international cooperation and willingness to participate in the process of reporting and reviewing reports of other member states, it will contribute fully to the global nuclear safety improvement framework.

Since 2006 Montenegro is the member of the United Nations (UN) and a full member of the International Atomic Energy Agency (IAEA). Immediately after regaining its independence in 2007, Montenegro promulgated its own Constitution which places a particular emphasis on the environmental orientation, which means that the State is making effort to protect its environment. This objective can be achieved by adequate policy, strategies, legislation and overall protection of the environment by appropriate economic activities which are performed in Montenegro.

In this regard, in order to fulfill the obligations arising from the Convention on Nuclear Safety the Government of Montenegro at the session held on 25 August 2016, considered and adopted the First National Report on the Implementation of the Obligations Under the Convention on Nuclear Safety, which was submitted to the Secretariat of the IAEA and was presented at the Seventh Review Meeting of the Contracting Parties to the Convention on Nuclear Safety in the period from 27 March to 7. April 2017.

In the process of posing questions to the other Contracting Parties of the Convention, Montenegro posted 12 questions, while to Montenegro 18 questions from the other Contracting Parties of the Convention were posted concerning the First National Report on the Implementation of the Obligations under the Convention on Nuclear Safety. The Government of Montenegro at the session held on 16 February 2017, at the proposal of the Ministry of Sustainable Development and Tourism, adopted the Answers to the Questions of the Contracting Parties of the Convention on Nuclear Safety at the First National Report on the Implementation of the Obligations under the Convention on Nuclear Safety.

During the Seventh Review Meeting of the Parties to the Convention on Nuclear Safety, two challenges, one suggestion and two examples of good practice in Montenegro, as follows, were identified:

- the adoption of the new Law on the Protection of Ionizing Radiation, Radiation and Nuclear Safety and Security, which should transpose the relevant international standards and EU directives, improvement of the human resources, as well as consideration of the reorganization of the existing competent authorities in this field (challenge ME- 2017-01);
- improvement of the capacity for the respond to radiological and nuclear emergencies (challenge ME-2017-02);
- implementation of the IRRS (Integrated Regulatory Review Service) IAEA mission in Montenegro (ME-suggestion 2017-01);
- installation the station for the gamma dose rate measuring - GDR (gamma dose rate) stations (a good example ME-2017-01);
- public participation during the process of the laws and regulations developments, as well as decisions concerning the protection of the environment and protection from ionizing radiation, such as organizing public consultation process during the issuing licenses for the management of radioactive waste storage (an example of good practice ME -2017-02).

These challenges, suggestions and examples of good practice are clearly defined in the Final Overview Report for Montenegro, which was submitted by the IAEA.

Montenegro is a country with no nuclear installations and, therefore, many requirements of the Convention on Nuclear Safety do not apply to Montenegro. There is no nuclear fuel in the territory of Montenegro. The *Energy Policy of Montenegro until 2030, adopted by the Government of Montenegro on 3 March 2011, or the Energy Development Strategy of Montenegro until 2030 - White Book with the Strategic Environmental Impact Assessment and the Report on Public Hearing*, which were adopted by the Government of Montenegro at the session of 10 July 2014, do not envisage construction of nuclear power plants, nuclear installations respectively. Also, provisions of the *Law on Ionizing Radiation Protection and Radiation Safety (Official Gazette of Montenegro 56/09, 58/09) prohibit construction of nuclear installations.*

Montenegro has a small number of activities related to ionizing radiation, which is why the use of radioactive material and sources of ionizing radiation is limited to medicine, industry, education and scientific-research activities. The total quantity of radioactive waste in Montenegro is very small due to small industry and legally prohibited import, possession and use of sources of radiation which constitute radioactive waste upon expiry of the period of envisaged exploitation, unless conclusive evidence is acquired to confirm that upon expiry of this period, it will be returned to the supplier outside Montenegro or leave Montenegro otherwise. Regardless of the relatively low activity and a small quantity of radioactive waste, a central storage facility for management of radioactive waste exists in Montenegro since 13 June 2012.

In order to secure the conditions for implementation of the policy in the field of protection against ionizing radiation, radiation safety and radioactive waste management, the Government of Montenegro adopted at the session of 22 September 2011 the ***Strategy for Ionizing Radiation Protection, Radiation Safety and Radioactive Waste Management with the Acton Plan for its implementation (2012-2016)*** .

After the expiry of this strategic document, the Government of Montenegro, at the proposal of the Ministry of Sustainable Development and Tourism, at the session held on 29 December 2016 adopted the *Strategy for Ionizing Radiation Protection, Radiation Safety and Radioactive Waste Management for the period 2017-2021 with the Action Plan for the period 2017-2021*. The preparation of the Report on the Implementation of the Strategy and on the degree of implementation of the activities identified in the Action Plan is in the process, and adoption by the Government of Montenegro is planned by the end of 2019.

In order to fulfil the obligations regulated by the Law on Ratification of the Convention on Nuclear Safety (Official Gazette of Montenegro - International Treaties, No. 003/15 of 26 March 2015), the Ministry of Sustainable Development and Tourism prepared, in cooperation with Ministry of Interior - Directorate for Emergency Situation, Nature and Environmental Protection Agency, Administration for Inspection Affairs and the L.L.C "Centre for Ecotoxicological Research", Podgorica - CETI, the *Second National Report on the Implementation of Obligations under the Convention on Nuclear Safety*. The Second National Report, as the First one, is aimed at demonstrating that Montenegro is fully committed to fulfilling the obligations resulting from the Convention on Nuclear Safety. The Second National Report is also prepared in line with the requirements and guidelines contained in the document IAEA INFCIRC/572/Rev. 6 of 19 January 2018 - Guidelines regarding National Reports under the Convention on Nuclear Safety.

According to the instructions provided in the Guidelines, Montenegro, as a non-nuclear country, reports to the IAEA Secretariat on the implementation of Art. 7, 8, 9, 10, 15 and 16 (legislative and regulatory framework, regulatory body, responsibility of the licence holder, priority to safety, radiation protection and emergency preparedness) and proposes nuclear safety improvement measures.

The Second National Report on the Implementation of Obligations under the Convention on Nuclear Safety, which is reviewed and adopted by the Government of Montenegro, will be presented at the *Eight Review Meeting of the Contracting Parties to the Convention on Nuclear Safety* from 23 March to 3 April 2020 in the headquarters of the International Atomic Energy Agency (IAEA) in Vienna.

Montenegro takes its full membership in the *Convention on Nuclear Safety* as an opportunity to present the situation in the field of nuclear safety in the country and to contribute to constructive dialogue and exchange of information for the purpose of further improvement, thus contributing to the global nuclear safety improvement framework.

Through the membership in the Convention on Nuclear Safety and through the regular reporting Montenegro:

- contributes to strengthening of the global nuclear safety regime, in order to establish a global instruments for the prevention of potential nuclear accident that could have transboundary impact;
- participate in the exchange and advancement of knowledge with international partners in the field of nuclear safety;
- promotes regional and global cooperation to promote a higher level of nuclear safety in accordance with the principles of international partnership and solidarity;
- encourages and calls other countries Parties of the Convention on Nuclear Safety.

3 Section B: Summary

Since becoming a member state of the Convention on Nuclear Safety in 2015, Montenegro has an opportunity for the second time to describe the manner in which the State is fulfilling the obligations regulated by this international legal instrument.

Since 2009, when the *Law on Ionizing Radiation Protection and Radiation Safety (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16)* was adopted, Montenegro has made a significant progress with regards to radiation and nuclear safety in the country.

Montenegro has ratified the majority of the most important international legal instruments in the field of nuclear and radiation safety and security and is strongly committed to implementation of its international obligations. The most recent IAEA standards and legislation of the European Union are taken into consideration in the legislative process. Montenegro is fully committed to Euro-Atlantic integration as the primary strategic goal of Montenegro Government. As a candidate country for membership in the European Union, Montenegro opened negotiations with the EU on 29 June 2012, thereby clearly setting the agenda of accepting and implementing the highest standards in all fields.

The instruments of ratification of the Washington Treaty on 5 June 2017, has made Montenegro to become the 29th member of the NATO. This fulfills one of the most important foreign policy priorities of Montenegro and successfully completed long process of reforms in the field of Euro-Atlantic integration.

One of the key issues that marked the process of Montenegro's accession to NATO was to raise the level of public support for membership which required the need to inform the public about all aspects of the integration process.

Continuous information about the issues relevant to NATO still remains as an obligation that Montenegro should continue to carry out in accordance with his new role as the country member of the NATO. Accordingly the Government of Montenegro through the implementation of the activities of the Communication Strategy "Montenegro NATO member" for the period up to 2020, defined the objectives, measures and activities to promote the policies and activities of NATO in the member states and in the partner countries, in order to inform the general public about the benefits that brings Montenegro to membership in the Alliance.

Regarding cases of radiation accidents which may cause the state of emergency, the Government of Montenegro adopted the *National Strategy for Emergency Situations* in 2006.

Government of Montenegro on 21 December 2017, at the proposal of the Ministry of Internal Affairs, adopted a new *Strategy for Disaster Risk Reduction with Dynamic Action Plan to Implement the Strategy for the period 2018 - 2023*, which has repealed the *National Strategy for Emergencies Situation* from 2006.

The Parliament of Montenegro also adopted the *Law on Protection and Rescue (Official Gazette of Montenegro 013/07, 005/08, 086/09, 032/11, 054/16)*. In 2010, the Ministry of Interior also adopted, in cooperation with all relevant institutions, the *National Action Plan in the Case of a Radiation Accident*.

In the framework of the Treaty on the Non-Proliferation of Nuclear Weapons, the Montenegrin Parliament adopted the *Law on Ratification of the Agreement between Montenegro and the International Atomic Energy Agency on application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, the Additional Protocol to the Agreement between Montenegro and the International Atomic Energy Agency on application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons and the Protocol to the Agreement between Montenegro and the International Atomic Energy Agency on application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons* ("Official Gazette of Montenegro - International treaties ", No. 16/10 of 28 December 2010).

Montenegro has drafted **twenty nine (29) national reports and declarations on nuclear material** under provisions of the above Law and provided them to the IAEA. Reporting follows the defined schedule. The Ministry of Sustainable Development and Tourism, as the focal institution for reporting, use the Protocol Reporter software as well.

Pursuant to Article 71 of this Agreement on 27 June 2018, IAEA inspections was carried out, during which the inspectors of the IAEA in the presence of environmental inspection and representative of the Ministry of Sustainable Development and Tourism, confirmed information on the inventory of nuclear materials previously submitted by Montenegro.

In order to resolve the issues related to the management of the radioactive material (aircraft engine residues), which are located in the temporary storage on the possession of JSC „13. Jul Plantaže“, during the period 6-10 November 2017 the expert mission of the International Atomic Energy Agency was carried out, and this mission has been devoted to development of the draft plans for decommissioning the temporary storage and central storage of radioactive waste, which is managed by L.L.C “Centre for Ecotoxicological Research”, Podgorica - CETI.

For the purpose of fulfilling the obligations regulated by the *Law on Ratification of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management* (Official Gazette of Montenegro - International Treaties, No. 03/10 of 19 March 2010), Montenegro has presented three national reports on the implementation of obligations under the *Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management*. The First report was presented at the Fourth Review Meeting of the Contracting Parties to the Joint Convention from 14 to 23 May 2012, while the *Second National Report* was presented at the Fifth Review Meeting of the Contracting Parties to the Joint Convention from 11 to 22 May 2015. The Government of Montenegro on 19 April 2018 adopted Answers to the questions of the Contracting Parties of the Joint Convention on the *Third National Report on the Implementation of the Obligations under the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management*, which were submitted to the Secretariat of the IAEA. The *Third National Report on the Implementation of the Obligations under the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management* was presented at the Sixth Review Meeting of the Contracting Parties of the Joint Convention, which took place in the period 21 May to 1 Jun 2018 in the IAEA in Vienna. Although there has been significant progress in the field of radiation safety and security in the coming period, Montenegro will be devoted to work on strengthening the national legal framework in this area, with the aim of transposing and implementing the latest international standards and EU acquis.

4 Section C: Reporting by Articles

4.1 Article 7 Legislative and regulatory framework

"1. Each Contracting Party shall establish and maintain a legislative and regulatory framework to govern the safety of nuclear installations.

2. The legislative framework shall provide for:

- (i) the establishment of applicable national safety requirements and regulations;*
- (ii) a system of licensing with regard to nuclear installations and the prohibition of the operation of a nuclear installation without a licence;*
- (iii) a system of regulatory inspection and assessment of nuclear installations to ascertain compliance with applicable regulations and the terms of licences;*
- (iv) the enforcement of applicable regulations and of the terms of licences, including suspension, modification or revocation."*

4.1.1 Article 7 (1) Legislative and regulatory framework

The commitment of Montenegro to implementing the major international standards in the field of radiation protection, radiation and nuclear safety and security have imposed the need to adopt international legal instruments, guidelines and standards in order to regulate further this field by legislation and improve international cooperation in this field. In relation to that, the Parliament of Montenegro passed the *Law on Ionizing Radiation Protection and Radiation Safety* in 2009 (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16). This Law regulates protection of human life and health as well as protection of the environment against harmful effects of ionizing radiation, performing radiation activities, trade in ionizing radiation sources and radioactive material, radioactive waste management, actions taken in case of radiation accidents, as well as other relevant issues for protection against ionizing radiation and radiation safety.

The *Law on Ionizing Radiation Protection and Radiation Safety* (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16) covers all relevant matters of radiation safety. Indirectly, within the review of issues of transport and trade in radioactive material, the ionizing radiation protection is also addressed by: the *Criminal Code of Montenegro* (Official Gazette of the Republic of Montenegro 070/03, 013/04, 047/06, Official Gazette of Montenegro 040/08, 025/10, 073/10, 032/11, 064/11, 040/13, 056/13, 014/15, 042/15, 058/15, 044/17, 049/18), the *Law on International Legal Assistance in Criminal Matters* (Official Gazette of Montenegro 004/08, 036/13), the *Law on Inspection Supervision* (Official Gazette of the Republic of Montenegro 039/03, Official Gazette of Montenegro 076/09, 057/11, 018/14, 011/15, 052/16) and the *Law on Transport of Dangerous Materials* (Official Gazette of Montenegro 33/14, 013/18), the *Law on Foreign Trade* (Official Gazette of the Republic of Montenegro 028/04, 037/07, Official Gazette of Montenegro 073/10, 001/14, 014/14, 057/14), the *Law on Export Control of Dual Use Goods* (Official Gazette of Montenegro 030/12), the *Law on Foreign Trade in Weapons and Military Equipment* (Official Gazette of Montenegro 040/16), the *Food Safety Law*

(Official Gazette of Montenegro 057/15), the *Law on Environment* (Official Gazette of Montenegro 48/08, 40/10, 27/14, 52/16) and the *Decision on the Checklist for Export and Import of Goods* (Official Gazette of Montenegro 022/14, 038/15, 029/16, 062/16, 024/17, 035/18, 022/19).

From the aspect of regulations under national legislation which facilitate implementation of the Convention on Nuclear Safety, in addition to provisions of the above regulations, important are also provisions of the *Environmental Impact Assessment Law* (Official Gazette of the Republic of Montenegro 075/018), *Decree on Projects Subject to Environmental Impact Assessment* (Official Gazette of the Republic of Montenegro 020/07, Official Gazette of Montenegro 047/13, 053/14, 037/18). Particularly important are provisions of the *Law on Ratification of the Convention on Environmental Impact Assessment in a Transboundary Context* (Official Gazette of Montenegro - International Treaties, No. 008/08), the *Law on Promulgating the Act on Ratification of the Protocol on Strategic Environmental Impact Assessment in a Transboundary Context* (Official Gazette of Montenegro - International Treaties, No. 002/09) and the *Act on Ratification of the Convention on Access to Information, Public Participation in Decision Making and Access to Justice in Environmental Matters* (Official Gazette of Montenegro - International Treaties, No. 003/09).

In the field of ionizing radiation protection, radiation and nuclear safety and security, Montenegro is a contracting party to nineteen (19) international legal instruments listed below:

1. Law on Ratification of the Vienna Convention on Civil Liability for Nuclear Damage (Official Gazette of the Federal Republic of Yugoslavia – International Treaties, No. 005/77);
2. Law on Ratification of the Convention on the Physical Protection of Nuclear Material (Official Gazette of the Federal Republic of Yugoslavia – International Treaties, No. 009/85-309);
3. Decree on Ratification of the Convention on Early Notification of a Nuclear Accident (Official Gazette of the Federal Republic of Yugoslavia – International Treaties, No. 015/89-3);
4. Convention on Assistance in the Event of a Nuclear Incident or Radiological Emergency, Vienna (Official Gazette of the Federal Republic of Yugoslavia – International Treaties, No. 004/91-29);
5. Law on Ratification of the Treaty on Non-Proliferation of Nuclear Weapons (Official Gazette of Socialist Federal Republic of Yugoslavia – International Treaties, No. 010/70-313);
6. Treaty Banning Nuclear Weapon Tests in the Atmosphere, Outer Space and Under Water (Official Gazette of the Federal Republic of Yugoslavia – International Treaties, No. 011/63-580);
7. Decree on Ratification of the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and Ocean Floor and in the Subsoil Thereof (Official Gazette of the Federal Republic of Yugoslavia – International Treaties, No. 033/73-957);
8. Comprehensive Nuclear Test Ban Treaty with the Protocol (Official Gazette of Serbia and Montenegro – International Treaties, No. 4/04-3);
9. Agreement on the Privileges and Immunities of the International Atomic Energy Agency (in force since 30.10.2006, by succession since 21 of March 2007);

10. Statute of the International Atomic Energy Agency (Official Gazette of the Socialist Federal Republic of Yugoslavia – International Treaties, No. 001/58-64);
11. Law on Ratification of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (Official Gazette of Montenegro – International Treaties, No. 02/10 of 16 March 2010);
12. Law on Ratification of the Agreement between Montenegro and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, Additional Protocol to the Act on Ratification of the Agreement between Montenegro and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons and the Protocol to the Agreement between Montenegro and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons (Official Gazette of Montenegro – International Treaties, No. 16/10 of 28 December 2010);
13. Law on Ratification of the Protocol to Amend the Vienna Convention on Civil Liability for Nuclear Damage (Official Gazette of Montenegro – International Treaties, No. 16/10 of 28 December 2010);
14. Law on Ratification of the Convention on Supplementary Compensation for Nuclear Damage (Official Gazette of Montenegro – International Treaties, No. 3/11 of 16 March 2011);
15. Act on Ratification of the Convention on Nuclear Safety (Official Gazette of Montenegro – International Treaties, No. 003/2015 of 26 March 2015);
16. Law on Ratification of Amendments to the Convention on the Physical Protection of Nuclear Material (Official Gazette of Montenegro - International Treaties, No. 004/16 of 25 March 2016);
17. International Convention for the Suppression of Acts of Nuclear Terrorism (Official Gazette of Serbia and Montenegro 02/06-3);
18. Law on Ratification of the Agreement between the European Atomic Energy Community (EURATOM) and non-member states of the European Union on the participation of non-member states of the European Union to the Community System for the Early Notification and Information Exchange System for Radiological Emergencies. (ECURIE) (Official Gazette of Montenegro - International Treaties , No. 002/17 of 21 March 2017);
19. Law on Ratification of the Joint Protocol on the Application of the Vienna Convention and the Paris Convention (Official Gazette of Montenegro - International Treaties, No. 012/18 of 31 December 2018).

In addition to these previously mentioned international legal instruments Montenegro from the aspect of international Law implements the following:

- European Agreement concerning the International Carriage of Dangerous Goods (ADR Agreement) with its components, Annexes A and B;
- Convention on International Rail Transport - (COTIF);
- Regulation concerning the International Carriage of Dangerous Goods by Rail - RID;
- Convention on International Civil Aviation;
- Technical Instructions for the Safe Transport of Dangerous Goods in Air Transport (ICAO Doc. 9284 AN / 905), including additions, changes and corrections;
- European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (AND).

In addition, Montenegro is a member of the systems:

- RASIMS, which present Radiation Safety Information Management System ;
- NUSIMS, which present Nuclear Security Information Management System;
- EPRIMS, which present Emergency Preparedness and Response Information Management System.

Montenegro participates with its representatives in the platforms International Nuclear and Radiological Event Scale (INES) and Unified System for Information Exchange in Incidents and Emergencies (USIE).

Since 2006, Montenegro has been a member of the Incident and Trafficking Database (ITDB). In addition, representatives of Montenegro are the members of:

- the Nuclear Safety Guidance Committee (NSGC);
- the Radiation Safety Standards Committee (RASSC);
- the Waste Safety Standards Committee (WASSC);
- the Emergency Preparedness and Response Standards Committee (EPReSC).

In January 2016, Montenegro Government, on the proposal of the Ministry of Sustainable Development and Tourism, formally expressed readiness *for voluntary implementation of a non-binding Code of Conduct on the Safety and Security of Radioactive Sources and Supplementary Guidelines on the Import and Export of Radioactive Sources* and the contact person for Code was appointed at the same time. In January 2019, Montenegro prepared a letter to the Director General of the IAEA and expressed readiness to implement the *Supplement Guide on the Management of Disused Radioactive Sources* and contact person for the Guide was appointed.

In addition, the Government of Montenegro at the session of 13 June 2019 approved:

- the Proposal for the Law on Ratification of the Protocol of 2005 to the Protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf and
- the Proposal for the Law on Ratification of the Protocol of 2005 to the Protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf.

Proposals of these Laws are submitted to the Parliament for consideration and adoption, and with this Montenegro is clearly opted for: strengthening the legal framework for improvement of maritime safety, combating terrorism and action in the combating the proliferation of weapons of mass destruction which contributes to global efforts against all forms of terrorism which also ensures that the requirements of the United Nations General Assembly on the confirmation of international-legal instruments are fulfilled.

4.1.2 Article 7 (2) (i) National safety requirements and regulations

On the basis of the Law on Ionizing Radiation Protection and Radiation Safety (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16), Montenegro applies seventeen (17) regulations. By the 2003 Constitutional Charter, Montenegro has taken over all regulations in this field from the FRY, some of which are still in use until new ones are drafted, in accordance with the dynamics of drafting regulations and alignment with EU law in the negotiation process, that is. Montenegro's integration into the European Union. Particularly important are the regulations defining radiation protection for the entire population and professionally exposed persons, radiation protection in medicine, safe transport of radioactive materials, etc.

Below is the list of regulations:

Nuclear safety

1. Decision on conditions of location, construction, trial run, commissioning, operation and permanent closure of nuclear facilities (Official Gazette of the Federal Republic of Yugoslavia 42/97); (Chapter V of this Decision has ceased to be applied);
2. Decision on the method and conditions for systematic examination of radionuclide presence in the environment surrounding a nuclear facility (Official Gazette of the Federal Republic of Yugoslavia 42/97);
3. Decision on the conditions to be fulfilled by persons working on process control tasks in nuclear facility and on the process supervising position (Official Gazette of the Federal Republic of Yugoslavia 2/98);
4. Decision on conditions for trade and use of nuclear materials and methods of keeping records of nuclear material by zones of material balances - Official Gazette of the Federal Republic of Yugoslavia 42/97);

Radiation protection

5. Rulebook on intervention and derived intervention levels and measures of protection of the population, domestic animals and agriculture (veterinary medicine, crop production and water management) in case of emergency (Official Gazette of the Federal Republic of Yugoslavia 18/92 and Official Gazette of Serbia and Montenegro 1/2003 - Constitutional Charter);
6. Decision on records on ionizing radiation and irradiation of population, patients and persons exposed to the ionizing radiation at work (Official Gazette of the Federal Republic of Yugoslavia 45/97);
7. Decision on systematic examination of the radionuclide contents in the environment (Official Gazette of the Federal Republic of Yugoslavia 45/97);
8. Decision on conditions to be fulfilled by legal persons in order to perform the measurements for assessing the degree of exposure to ionizing radiation of persons working with sources of radiation, patients and population (Official Gazette of the Federal Republic of Yugoslavia 45/97);
9. Decision on qualifications and health conditions for persons working with sources of ionizing radiation (Official Gazette of the Federal Republic of Yugoslavia 45/97);
10. Rulebook on the method of applying ionizing radiation in medicine (Official Gazette of the Federal Republic of Yugoslavia 32/98, 33/98);
11. Rulebook on conditions to be fulfilled by legal entities for performing systematic examination of radionuclide in the environment (Official Gazette of the Federal Republic of Yugoslavia 32/98, 67/02, 70/02);

12. Rulebook on conditions for trade and use of radioactive materials, X-ray generators and other devices that produce ionizing radiation (Official Gazette of the Federal Republic of Yugoslavia 32/98);
13. Rulebook on the limits of exposure to ionizing radiation (Official Gazette of the Federal Republic of Yugoslavia 32/98);
14. Rulebook on the limits of radioactive contamination of the environment and decontamination procedures (Official Gazette of the Federal Republic of Yugoslavia 9/99);
15. Rulebook on the conditions to be met by legal entities for conducting decontamination procedures (Official Gazette of the Federal Republic of Yugoslavia 9/99);
16. Rulebook on closer conditions for obtaining a licence to manage radioactive waste storage (Official Gazette of Montenegro 56/11);
17. Rulebook on the method of collection, keeping, processing and storing of radioactive waste (Official Gazette of Montenegro 58/11).

In accordance with the *Decree on the selection of NGO representatives in the State Administration Working Bodies and in implementation of Public Debate in Preparing Laws and Strategies* ("Official Gazette of Montenegro", No. 041/18), taking into account the complexity of the matter which is regulated with this Law, the Ministry of Sustainable Development and Tourism on 26 February 2018 organized a roundtable for consultation of interested public concerning the drafting of the new Law on Ionizing Radiation Protection, Radiation and Nuclear Safety and Security, which was supported under the Program for Nuclear Safety and Radiation Protection *IPA 2014 project "Further strengthening of the nuclear regulatory bodies of Albania, Macedonia, Bosnia and Herzegovina, Serbia, Kosovo (under UNSCR 1244/1999) and Montenegro"*.

The roundtable was attended by representatives of the interested parties from relevant governmental agencies, representatives of users and technical services, NGOs and the media, as well as representatives of the Consortium ENCO who was conducted the Project, and representatives of the Regulatory Authorities of Bosnia and Herzegovina and Northern Macedonia. Montenegro is in the final stages of drafting a new Law on Ionizing Radiation Protection, Radiation and Nuclear Safety and Security. The text of the proposal of the Law is currently being harmonized, after which it will be sent to the European Commission for an opinion. The Working Group composed of representatives of relevant institutions have taken a part in process of drafting the text of the proposal for the new Law, while the Working Group was coordinated by the Ministry of Sustainable Development and Tourism. It is important to emphasize that the Ministry of Sustainable Development and Tourism on 6 July 2018, based on the Article 9 of the *Decree on the procedure for implementation cooperation between State Authorities and Non-Governmental Organizations* ("Official Gazette of Montenegro" No. 7/12), issued a Public Call to NGOs for proposing candidates for the Working Group for drafting the Law on Ionizing Radiation Protection, Radiation and Nuclear Safety and Security. After the Public Call for NGOs to nominate candidates for the Working Group for drafting the Law on Ionizing Radiation Protection, Radiation and Nuclear Safety and Security, within the specified period, none of them nominated anyone.

The reason for the adoption of the new Law Ionizing Radiation Protection, Radiation and Nuclear Safety and Security is primarily because the existing Law does not comply with the existing *Acquis* of the European Union, ratified international legal instruments, standards and guidelines of the IAEA and International Commission on Radiological

Protection (ICRP), which have changed significantly in the period since the adoption of the current Law, until 2009, up today.

The new Law, therefore, improves the field of the protection from ionizing radiation, radiation and nuclear safety and security through the transposition of 11 European Union Council Directives, one Decision and one European Commission Regulation.

Ministry of Sustainable Development and Tourism, as the institution which coordinates the development of the new Law, after development of the draft of the new Law, in accordance with the *Decree on the selection of NGO representatives in working bodies of the state administration and implementation of public debate in preparing Laws and Strategies* ("Official Gazette of Montenegro" No 041/18), on 28 March 2019, informed interested parties that public hearing about the draft of the new Law on Ionizing Radiation Protection, Radiation and Nuclear Safety and Security has launched. Public hearings lasted 40 days, and after that the report about that made up. Contents of the Program of public debate included:

- posting of the draft of the new Law on Ionizing Radiation Protection, Radiation and Nuclear Safety and Security on the web page of the Ministry of Sustainable Development of Tourism;
- organizing the roundtable, which was held on 25 April 2019 in cooperation with the Chamber of Economy, because the norms of the new Law provides a significant number of future obligations for entrepreneurs of Montenegro; and
- organizing the public debate on 6 May 2019 in the Ministry of Sustainable Development and Tourism.

On this way, the Ministry of Sustainable Development and Tourism has sent an invitation to citizens, professional and academic institutions, governmental agencies, professional associations, non-governmental organizations, the media and other interested organizations and communities to take a part in the public debate and give their suggestions, comments on the text of the draft of the new Law on Ionizing Radiation Protection, Radiation and Nuclear Safety and Security.

During the preparation of the new Law, in 2018, European Commission support was used for the verification of the compliance of the first draft of the Law with the EU acquis in the field of protection from ionizing radiation, as the main activity in the framework of the regional project supported by the European Commission through the pre-accession instrument of European Union, *IPA multi-beneficiary project "Further strengthening of the nuclear regulatory bodies of Albania, Northern Macedonia, Bosnia and Herzegovina, Serbia, Kosovo (under UNSCR 1244/1999) and Montenegro"*. The rating of the draft of the new Law is presented in the official report of the European Commission.

The application of the existing Law Ionizing Radiation Protection and Radiation Safety in practice showed the need for overcome and improvements related to:

- the application of a graded approach in the process of issuing authorization;
- the justification of practices and/or activities in the application of ionizing radiation;
- redefining of norms which demonstrate that the applicant meets the requirements in terms of safety and security to possesses and uses the source before issuing authorization;

- timely unlimited authorisation which caused unnecessary pressure on the inspection;
- unrecognized authorization (professional training, decommissioning, disposing, possession a source of ionizing radiation, etc.);
- norms, which as a result did not have a clear offences ();
- norms, which make influence on the limitation of development of certain regulations (on the monitoring of the radioactivity and ect.)
- spotting certain prohibitions;
- more specific definition of the provisions for the safe application of ionizing radiation;
- medical exposure, particular in terms of controlling exposure to patients, carers and comforters;
- performance of the practices and/or activities where radioactive materials with increased contents of natural radionuclides (NORM) may occur;
- protection from radioactive gas radon;
- export and transit of radioactive waste and spent fuel transit;
- import, export, transit, transport and use of nuclear materials;
- application of protective measures from ratified international legal instruments related to nuclear materials and others.

These sub-areas of strengthening the legal framework were also necessary due to changes of the EU acquis, the provisions of ratified international legal instruments and the standards and guidelines of the IAEA and the International Commission on Radiation Protection, which, in the period since the adoption of the Law, since 2009 up today, were significantly changed.

Taking into account the above analysis of the shortcomings it was necessary to create a new Law on Ionizing Radiation Protection, Radiation and Nuclear Safety and Security, which will, based on experience and past implementation, significantly improve the protection of the human health and the environment from harmful effects which may occur because of the inadequate application of ionizing radiation for peaceful purposes and thereby facilitate to end users the implementation of this Law.

During the drafting of the Strategy for the period 2017-2021, the analysis related to establishing of professional training and retraining in Montenegro has been done. Montenegro, as a member of the IAEA, supports the strategic approach to the problem concerning the establishment and maintenance of appropriate levels of competence and knowledge in the field of radiation and nuclear safety and security, which should be commensurate with the scope of practice where, at the national level, sources of ionizing radiation are in use, primarily due to the awareness that only through strategic development of national expertise and development of the National program of professional training in the field of radiation and nuclear safety and security and protection from ionizing radiation may contribute adequately to established system of protection of human health and the environment from harmful effects of ionizing radiation.

In this regard, the Strategy for the period 2017-2021 envisages development of the National program of professional training which will include planning of the needs of Montenegro for professional training and retraining of governmental employees in the relevant institutions in this area.

Separate chapter of the draft Law on Ionizing Radiation Protection, Radiation and Nuclear Safety and Security regulates the conditions which have to be met by the legal entity which intends to conduct the professional training and retraining of occupationally exposed persons, radiation protection officers as well as security officers. In addition, the same chapter of the draft Law defines the legal basis for the regulation of professional training program in the field of protection from ionizing radiation, radiation and nuclear safety and security and the manner of conducting of training and retraining of trained persons.

4.1.3 Article 7 (2) (ii) Sistem of licensing

The licences in the field of ionizing radiation protection and radiation safety, which are not time-limited, are issued by the Nature and Environmental Protection Agency under provisions of the Law on Ionizing Radiation Protection and Radiation Safety (Official Gazette of Montenegro, No 56/09, 58/09, 40/11, 55/16) and supporting regulations, the Law on Administrative Procedure (Official Gazette of Montenegro, No 56/14, 20/15, 40/16, 37/17) and the Law on Transport of Dangerous Goods (Official Gazette of Montenegro, No 33/14, 13/18).

On the basis of the RAIS database (Regulatory Authority Information System - information system of the competent institution), which is managed by this authority, the Nature and Environmental Protection Agency issued 367 licences in total between 1 August 2016 and 15 June 2019 (Table 1).

Table 1: Licences issued between 1 August 2016 and 15 June 2019

LICENCE	NUMBER OF ISSUED LICENCES
Licences for performing radiation activities	122
Licence for temporary performing radiation activities	8
Licence for trade in source of ionizing radiation -import	127
Licence for trade in source of ionizing radiation- export	40
Licence for transport of sources of ionizing radiation	70
TOTAL	367

For the purpose of more effective and more efficient work, the staff of the Department for Radiological and Nuclear Safety and Security and Ionizing and Non-ionizing Radiation Protection of the Nature and Environmental Protection Agency participated in the work of 124 commissions for assessing fulfilment of the conditions for performing radiation activities.

The Nature and Environmental Protection Agency, as one of important participants of the radioactive waste management process, is working continuously on the **inventory of radioactive waste** in Montenegro. In addition, **data on radioactive sources** in Montenegro **are continuously updated**, and they are still used and found in RAIS database, as well as data on professionally exposed persons. The database is updated every day with relevant data concerning trade and transport of radioactive materials and trade, transport and use of all sources of ionizing radiation in our country.

According to the *Law on Transport of Dangerous Goods (Official Gazette of Montenegro 33/14)*, the Ministry of Interior - Directorate for Emergency Situations issued **65 compliance for transport of dangerous materials** between 1 January 2016 and 15 September 2019 in the regular procedure of issuing licences for trade in radioactive materials issued by the Nature and Environmental Protection Agency.

The Nature and Environmental Protection Agency has developed six procedures relating to issuing of various licences:

- Procedure for issuing licences for mobile industrial radiography (gamma defectoscope);
- Procedure for issuing licences for performing radiation activities in medicine - use of high energy ionizing radiation generators – accelerators;
- Procedure for issuing licences for performing radiation activities - use of devices with sealed source of ionizing radiation in medicine for radiotherapy – brachytherapy;
- Procedure for issuing licences for trade (import/export/transit) in sources of ionizing radiation;
- Procedure for issuing licences for performing radiation activities – use of dental X-ray machine; and
- Procedure for issuing licences for performing radiation activities - use of open sources of ionizing radiation for diagnostics and therapy in nuclear medicine.

In the framework of the regional project supported by the European Commission through the pre-accession instrument of European Union, *IPA multi-beneficiary project "Further strengthening of the nuclear regulatory bodies of Albania, Northern Macedonia, Bosnia and Herzegovina, Serbia, Kosovo (under UNSCR 1244/1999) and Montenegro"*, representatives of the Nature and Environmental Protection Agency are checked the existing procedures and performed their audit to ensure more systematic approach to licensing.

The radioactive waste storage became operational on 13 June 2012 by issuing of the licence for managing radioactive waste storage by the Nature and Environmental Protection Agency. The storage is fully compliant with all safety requirements defined by legislation and regulations for safe and secure storage of radioactive waste and disused sealed radioactive sources, in accordance with international standards.

Detailed report on the method of licensing the radioactive waste storage as well as public participation of Montenegro in the whole process is given in detail in the First National Report on the Implementation of the Obligations under the Convention on Nuclear Safety.

4.1.4 Article 7 (2) (iii) System of regulatory and assessment

Inspection supervision in the field of ionizing radiation protection, radiation and nuclear safety and security is performed by the ecological inspection of the Administration for Inspection Affairs according to annual plan and programme, announced or unannounced, under the *Inspection Supervision Law (Official Gazette of the Republic of Montenegro 039/03, Official Gazette of Montenegro 076/09, 057/11, 018/14, 011/15, 52/16)* and the *Law on Ionizing Radiation Protection and Radiation Safety (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16)*. The above legislation entitle inspectors to institute misdemeanour or criminal proceedings, as needed and based on assessment, in cases of observed breaches of provisions of these regulations.

For the purpose of more efficient work, the following internal inspection procedures have been developed and approved:

- Procedure for transport of radioactive material;
- Procedure for inspection when removing radioactive lighting rods (dismantling and removal of radioactive lighting rods, transport and response in emergencies);
- Procedure for inspection of sealed sources of radiation (fixed devices for calibration, detection and other devices);
- Procedure for control of radioactive sources which are used in industrial radiography;
- Procedure for control of nuclear medicine;
- Procedure for inspection of X-ray machines;
- Procedure for control of mobile sealed radioactive sources of radiation;
- Procedure for inspection of stationary devices which are used for industrial radiography;
- Procedure for inspection of linear accelerator;
- Procedure for inspection of gamma irradiators;
- Procedure for inspection of open radioactive sources of radiation which are used in industry;
- Procedure for inspection of radiotherapy; and
- Procedure for inspection of radioactive waste storage.

In the framework of the regional project supported by the European Commission through the pre-accession instrument of European Union, IPA multi-beneficiary project "Further strengthening of the nuclear regulatory bodies of Albania, Northern Macedonia, Bosnia and Herzegovina, Serbia, Kosovo (under UNSCR 1244/1999) and Montenegro", advices for updating existing procedures has been given.

4.1.5 Article 7 (2) (iv) Enforcement of applicable regulations and terms of licences

Pursuant to provisions of the *Inspection Supervision Law (Official Gazette of the Republic of Montenegro 039/03, Official Gazette of Montenegro 076/09, 057/11, 018/14, 011/15, 52/16)*, *Law on Ionizing Radiation Protection and Radiation Safety (Official Gazette of*

Montenegro 56/09, 58/09, 40/11, 55/16), Law on Administrative Procedure (Official Gazette of Montenegro 056/14, 020/15, 040/16, 37/17), Misdemeanour Law (Official Gazette of Montenegro 001/11, 006/11, 039/11, 032/14, 43/17, 51/17) and on the basis of the Criminal Code of Montenegro (Official Gazette of the Republic of Montenegro 070/03, 013/04, 047/06, Official Gazette of Montenegro 040/08, 025/10, 073/10, 032/11, 064/11, 040/13, 056/13, 014/15, 042/15, 058/15, 44/17, 49/18), in the period between **1 September 2016 and 1 June 2019, the ecological inspector:**

- conducted **414** inspection supervisions to control persons performing radiation activities (verbal warning for minor irregularities, etc.);
- issued **236** Decisions regarding taking of certain measures and actions to remove established irregularities, measure the level of individual external exposure of professionally exposed persons, conducting health examination of professionally exposed persons who work in a radiation zone, dosimetry examinations, control of working environment and measuring for the purpose of implementation of the programme of quality assurance and control for sources of ionizing radiation, obtaining the Decision on fulfilment of prescribed conditions for using sources of ionizing radiation;
- submitted 3 requests for instituting misdemeanour proceedings under the Law on Ionizing Radiation Protection and Radiation Safety;

Regarding administrative procedure and a possibility to appeal which, *inter alia*, reflect independence of work of the competent institution, the Law on Administrative Procedure envisages that any individual or organisation whose right has been violated by the decision of the first-instance authority (in this case the Nature and Environmental Protection Agency or Administration for Inspection Affairs) may appeal to the second-instance authority (Ministry of Sustainable Development and Tourism) within 15 days from the date of the Decision. Appeal is the general remedy for instituting the administrative procedure at the second instance and represents a process of control of the first-instance authority. The second-instance procedure may not be instituted without filing an appeal, nor can it be implemented ex officio. The above Law regulates general administrative procedure and unless special regulations in the field of environment protection regulate these matters, provisions of this Law shall apply in the decision-making process.

4.2 Article 8 Regulatory body

"1. Each Contracting Party shall establish or designate a regulatory body entrusted with the implementation of the legislative and regulatory framework referred to in Article 7 of this Convention, and provided with adequate authority, competence and financial and human resources to fulfil its assigned responsibilities.

2. Each Contracting Party shall take the appropriate steps to ensure an effective separation between the functions of the regulatory body and those of any other body or organisation concerned with the promotion or utilisation of nuclear energy."

The national regulatory body for ionizing radiation protection, radiation and nuclear safety and security is structured within the Ministry of Sustainable Development and Tourism, Nature and Environmental Protection Agency and Administration for Inspection Affairs. A clear division of responsibilities is provided under the Decree on

State Administration Organization and Manner of Work (Official Gazette of Montenegro 87/18, 2/19, 38/19) adopted by the Government of Montenegro. Inter-institutional cooperation is regulated by the State Administration Law (Official Gazette of Montenegro 78/18).

According to the Decree on State Administration Organization and Manner of Work (Official Gazette of Montenegro 87/18, 2/19, 38/19), the Ministry of Sustainable Development and Tourism, among others, performs tasks relating to creating policies and legislation for all aspects of ionizing radiation protection and radiation safety, and radioactive waste management as well. Also, it leads the policy of international cooperation, concluding of international treaties, following up on international standards, negotiations, coordination and implementation of international conventions and agreements, process of accession to the European Union, harmonization with international standards, regulations and recommendations, etc.

The Law on Environment (Official Gazette of Montenegro 52/16), the Law on Ionizing Radiation Protection and Radiation Safety (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16) and the Decree on State Administration Organisation and Manner of Work (Official Gazette of Montenegro 87/18, 2/19, 38/19) provide that expert and related administrative activities in the field of ionizing radiation protection and radiation safety should be performed by the Nature and Environmental Protection Agency (issuing licences, systematic examination of radioactivity in the environment, keeping central register-database, etc.). The Nature and Environmental Protection Agency issues licences for trading in sources of ionizing radiation and radioactive material, for performing radiation activity, for performing temporary radiation activity, licence to manage radioactive waste storage, as well as licences to legal entities providing protection against radiation, all under the Law on Ionizing Radiation Protection and Radiation Safety (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16).

The Ministry of Interior has the Directorate for Emergency Situations which, within its scope of work, Division for risk management establishes a database for dangerous material under provisions of the Law on Transport of Dangerous Goods (Official Gazette of Montenegro 33/14, 13/18), which provides that the Ministry of Interior shall issue compliance for transport of radioactive material, which is furnished to the Nature and Environmental Protection Agency for the purpose of issuing licences.

Administration for Inspection Affairs was established by adopting changes and amendments to the Law on Inspection Supervision (Official Gazette of the Republic of Montenegro 39/03, Official Gazette of Montenegro 76/09, 57/11, 18/14, 11/15, 52/16), and it gathers all inspections, including ecological inspection, which is the competent inspection for implementing provisions of the Law on Ionizing Radiation Protection and Radiation Safety.

In addition to the above institutions, the legislation and regulations concerning trade and control under the Law on Foreign Trade (Official Gazette of the Republic of Montenegro 28/04, 37/07, Official Gazette of Montenegro 73/10, 1/14, 14/14, 57/14), Law on Control of Export of Dual-Use Products (Official Gazette of Montenegro 30/12), Law on Foreign Trade in Weapons and Military Equipment (Official Gazette of Montenegro 40/16) are implemented by the Ministry of Economy, Ministry of Defence, Ministry of Interior, Police Directorate and Customs Administration and competent inspection services.

The four competent institutions (Ministry of Sustainable Development and Tourism, Ministry of Interior, Nature and Environmental Protection Agency and Administration for Inspection Affairs) employ seven civil servants in total for activities concerning ionizing radiation protection and radiation safety.

In addition to two employees (B. Sc. in Physics) in the Ministry of Sustainable Development and Tourism, the process of development of the legal framework also involves two lawyers from the Directorate for the Environment, which works on other segments of the environment as well.

All of the above state institutions, which constitute the national regulatory body in the field of radiation and nuclear safety and security and ionizing radiation protection, are funded from the Budget of Montenegro, which has a programme budget, under the Law on Budget and Fiscal Accountability (Official Gazette of Montenegro 20/14, 56/14, 70/17, 04/18, 55/18).

The national regulatory body in the field of radiation and nuclear safety and security and ionizing radiation protection is autonomous in performing its tasks. Tasks of all four competent institutions are divided in accordance with the Decree on State Administration Organisation and Manner of Work, and under main legislation concerning ionizing radiation protection and radiation safety, inspection supervision, transport of dangerous material, and protection and rescue.

As for independence of regulatory bodies, we point out that pursuant to the Decree on State Administration Organisation and Manner of Work, supervision of legality and suitability of work of administration authorities is performed by Ministries (in this case the Ministry of Sustainable Development and Tourism supervises the Nature and Environmental Protection Agency). In performing supervision, the Ministry: suspends acts adopted outside administrative procedure when they are contrary to the law and other regulations and proposes to the Government to abolish or annul them; gives proposals for appointing and dismissing heads of independent administration authorities whose work it supervises; requests reports and notifications of particular matters under the competence of administration authorities; gives expert guidelines, clarifications, instructions and advice for application of regulations under the competence of administration authorities; gives assessment of the situation regarding progress reports; defines individual tasks of administration authority; indicates weaknesses and illegalities in the work of administration authority and gives proposals for overcoming them; warns administration authority of observed work irregularities, initiates suspension of the administrative authority whose work it supervises and performs other control of work and actions of administrative authority, in accordance with regulations.

Also, in accordance with the Decree on State Administration Organisation and Manner of Work, supervision of the legality and suitability of work and legality of administrative acts for individual administrative fields under the competence of the **Administration for Inspection Affairs** is conducted by the Ministries competent for a particular administrative field (supervision of administrative acts of ecological inspection is performed by the Ministry of Sustainable Development and Tourism).

Supervision of coordinated work of inspections of the Administration for Inspection Affairs is performed by the Government, through the Ministry of Public Administration.

Regarding influence of, for example, budget control, mechanisms have been put in place to control spending of approved annual budget, primarily through the Law on Budget

and Fiscal Accountability, Law on Public Procurement, and through the system of inspections of the State Audit Institution, which controls all spending units. Also, control mechanisms have been put in place separately within each institution in which internal audit control is in place.

Within the **Montenegro's Programme of Accession to the European Union 2019 – 2020**, strengthening of administrative capacities is planned for all competent institutions in this field, with the Negotiating Chapter 15 - Energy. In addition to quantitative strengthening of administrative capacities, continuous efforts are in place towards qualitative strengthening and permanent improvement of administrative capacities in Montenegro, and towards improvement of capacities of professionally exposed persons.

Regarding reporting obligation, competent institutions report to the Government of Montenegro once a year about the progress achieved in all fields they are responsible for, and all documents are publicly available.

In addition, the Nature and Environmental Protection Agency reports to the Ministry of Sustainable Development and Tourism on its work, as appropriate, while the Administration for Inspection Affairs reports to the Ministry of Public Administration.

In case of an accident which may cause a state of emergency (emergency situation) in the country, the Ministry of Interior is competent responsible authority.

At the national level, a Coordination Team for Protection and Rescue was established, and for the territories of municipalities - municipal teams for protection and rescue. The Coordination Team is headed by the Prime Minister, and members are the Director of the State Administration for Protection and Rescue and Ministers of Ministries (Ministries of Environment, Health, Social Welfare, Agriculture, Defense, Transport, Ministry of Foreign Affairs, etc.). The coordination team manages the activities of the protection and rescue of participants in carrying out the identified tasks.

Operational coordination of the activities of the participants of protection and rescue is performed by the Operational Headquarters for Protection and Rescue, headed by the head of the state administration body in charge of protection and rescue.

The Operational Headquarters operationally coordinates the implementation of measures and activities and actions for protection and rescue and cooperates with the authorities of neighboring countries responsible for managing and coordinating protection and rescue and assesses the degree of threat and the possibility of an emergency. In addition to the Ministry of the Interior - Directorate for Emergency Situations and the Nature and Environmental Protection Agency, in these activities: Ministry of Defense - General Staff of the Army of Montenegro, Ministry of Health (Clinical Center of Montenegro, Health Centers, Emergency Center, Institute for Public Health); LLC "Center for Ecotoxicological Research" are involved.

4.3 Article 9 Responsibility of the licence holder

„Each Contracting Party shall ensure that prime responsibility for the safety of a nuclear installation rests with the holder of the relevant licence and shall take the appropriate steps to ensure that each such licence holder meets its responsibility.“

The primary responsibility for safe and secure management of radioactive sources, including radioactive waste management, rests on the holder of the license for performing radiation activity and the holder of the license for radioactive waste storage management, pursuant to the provisions of the *Law on Ionizing Radiation Protection and Radiation Safety* (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16). The provisions therefore cover also the responsibility to ensure a safe and secure handling of disused sealed radioactive sources. High activity sealed radioactive sources are returned to the manufacturer/supplier or they are kept stored in central storage facility when restitution to the manufacturer/supplier is not possible. The Chapter VI of the *Law on Ionizing Radiation Protection and Radiation Safety* (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16), Articles 37-40, includes provisions defining radioactive waste management, whereas more detailed conditions for radioactive waste management are defined by the respective secondary legislation. The Law also stipulates that license holders shall report to the Nature and Environmental Protection Agency any change related to the operation of ionizing radiation sources, termination of use of ionizing radiation sources as well as the manner of their keeping and storage and any change in relation to prescribed conditions based on which the license has been issued (Article 25).

4.4 Article 10 Priority to safety

„Each Contracting Party shall take the appropriate steps to ensure that all organisations engaged in activities directly related to nuclear installations shall establish policies that give due priority to nuclear safety.“

Provisions of Article 37 of the *Law on Ionizing Radiation Protection and Radiation Safety* (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16) stipulate general safety requirements that need to be met during the process of radioactive waste management. These requirements are described in detail by license holders (for performing radiation activity and/or for radioactive waste storage management) in the Safety Report, which is only one part of the documentation necessary for meeting the conditions for obtaining the license for radioactive waste storage management. Established requirements include: analysis and description of the storage facility site (demography, topography, meteorology, hydrology, geology, seismicity, impact of surface and groundwaters, environmental protection), technical characteristics of the storage facility, analysis of safety of the storage facility, working conditions and restrictions, methods and devices for ionizing radiation protection, radioactive waste data, plans, measures and procedures in case of a radiation accident, quality assurance and control programme, overview of measures of physical security of the storage facility, description of organization of regular operation of the storage facility. The Law also requires that all applied protection measures for radioactive waste management are harmonized with internationally recognized criteria, standards and guidelines. Moreover, Article 37 stipulates that radioactive waste generated during the performance of radiation activity should be as low as possible by activity and by volume.

Article 27 of the *Law on Ionizing Radiation Protection and Radiation Safety* (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16) stipulates that the holder of the license for performing radiation activity has the obligation to establish and implement the Quality assurance and control programme for ionizing radiation protection measures, depending on the radiation activity performed by such license holder, i.e.

depending on activities carried out by the legal entity in the area of ionizing radiation protection.

Quality assurance programmes are established by the LLC "Centre for Ecotoxicological Research"- (CETI). CETI is a well-equipped and well-organized institution that carries out most of the radioactivity level measurements in Montenegro, and it has both human resources and organisational capacities to manage the radioactive waste storage facility. CETI has set up one of the best equipped laboratories in the region with full calibration standards for all measurement techniques, it has experienced staff for radiological measurements, decontamination, measurements for radiological surveillance of the workplaces in radiotherapy nuclear medicine, radiation protection and has established the Quality Management System certified in accordance with ISO 9001:2000 standard and the laboratory accredited according to the ISO/IEC 17025 standard.

The Centre for Ecotoxicological Research LLC takes part in international inter-laboratory comparative research and in implementation of national and regional projects supported by the IAEA, many of which are related to radioactive waste management.

It is important to underline that the Centre for Ecotoxicological Research LLC developed all necessary procedures, both for the purpose of obtaining the license and for the purposes of management of disused sealed radioactive sources, including radioactive lightning rods. The Centre for Ecotoxicological Research LLC also developed all necessary procedures for the conditioning of disused sealed radioactive sources.

For the purpose of implementation of laws and secondary legislation in this area, the Nature and Environmental Protection Agency developed the guidance for applicants for licenses defined by the Law, available on the Agency's web page.

Also, the Strategy for Ionizing Radiation Protection, Radiation Safety and Radioactive Waste Management for the period 2017-2021 with the Action Plan for the period 2017-2021, unlike the previous Strategy, it devotes a special chapter to radiation and nuclear safety and to safety and security culture.

The Strategy emphasizes that in order to adequately protect the health of occupationally exposed persons, persons responsible for protection against ionizing radiation (radiation protection officers), employees of the competent state and administrative bodies in the field of protection against ionizing radiation, as well as the population, it is necessary to constantly work on improving the safety culture.

Namely, a safety culture is a set of traits, attitudes, and behaviors that are established in application of ionising radiation sources, both at the institution level and at the level of individuals contributing to safety, as well as those who are active participants in carrying out certain activities with sources of ionizing radiation within the institution, as well as others that may be directly or indirectly threatened by possible accidents or incidents occurring within the institution where the sources of ionizing radiation are used.

The Strategy emphasizes the importance of adhering to the fundamental principles of safety culture (in accordance with the IAEA SF-1 standard "Basic Safety Principles"), which are: individual and collective commitment in the field of radiation and nuclear safety; responsibility for all levels of safety, both for the individual and for the whole institution; constantly raising awareness of what it means and what contributes to the implementation of a safety culture at all levels.

It is also important to emphasize that for the first time, the Strategy for the Protection against Ionizing Radiation, Radiation Safety and Management of Radioactive Waste for the period 2017-2021 with the Action Plan for the period 2017-2021 also deals with the concept of security culture. Specifically, it is emphasized that security culture represents the establishment of certain characteristics and attitudes, both at the individual and institutional levels that regulate issues related to: protection against theft or illegal seizure of nuclear or radioactive materials, malicious activity in nuclear or radiation facilities and malicious action during transport of nuclear or radioactive materials.

Considering that the responsibility of the state in this matter is the greatest, relevant state institutions should establish a regulatory and legal framework that requires all institutions that are users of ionizing radiation sources, which store or transport radioactive or nuclear materials, to establish all measures that ensure their security through licencing process.

4.5 Article 15 Radiation protection

"Each Contracting Party shall take the appropriate steps to ensure that in all operational states, the radiation exposure to the workers and the public caused by a nuclear installation shall be kept as low as reasonably achievable and that no individual shall be exposed to radiation doses which exceed prescribed national dose limits."

Primary responsibility for performing radiation activity, including radioactive waste management rests with the holder of the licence for performing radiation activity and holder of the licence to manage radioactive waste storage, in accordance with provisions of the *Law on Ionizing Radiation Protection and Radiation Safety* (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16).

Article 4 of the *Law on Ionizing Radiation Protection and Radiation Safety* (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16) regulates basic principles which are applied in performing radiation activities. The basic principle justification **of application** provides that each radiation activity should be planned and implemented in such manner that the use of ionizing radiation sources provides more benefit than the overall damage. The principle **optimization of ionizing radiation protection provides that** each radiation activity must be performed in such manner that the exposure to ionizing radiation shall be as low as objectively possible, considering economical and social factors, while the principle concerning **limitation of individual exposure provides that** radiation activity must be planned in such manner that the individual exposures shall always be under prescribed limits. Article 8 of the Law defines measures of ionizing radiation protection for the purpose of human life and health protection and environmental protection against harmful effect of ionizing radiation, while Articles 11 and 12 of the same Law regulate measurements for the purpose of ionizing radiation exposure level estimation and exposure limits, for professionally exposed persons, persons attending schools and performing scientific research, and population.

Limits in terms of exposure of professionally exposed persons and the population are set in more detail by several regulations, the most important being: *Rulebook on the limits of exposure to ionizing radiation* (Official Gazette of the Federal Republic of Yugoslavia 32/98) and the *Rulebook on the limits of radioactive contamination of the environment and decontamination procedures* (Official Gazette of the Federal Republic of Yugoslavia

9/99). These Rulebooks are harmonized with ICRP 60 recommendation of the International Commission on Ionizing Radiation Protection.

Holders of licences for performing radiation activities, who own radioactive sources or radioactive waste in a storage, perform these activities on the basis of issued licence and are obliged to comply with provisions of the *Law on Ionizing Radiation Protection and Radiation Safety* (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16), regulations and findings of regular inspection controls (supervision). This includes keeping sources in safe and secure conditions, thereby ensuring that doses for workers and population are below prescribed limits (which are in line with recommendations of the International Commission on Ionizing Radiation Protection - ICRP and EU Directives).

Pursuant to Article 9 of the Law on Ionizing Radiation Protection and Radiation Safety (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16), the Nature and Environmental Protection Agency prepares proposal of annual Programme of systematic examination of radioactivity in the environment, which is adopted by the Government of Montenegro on the proposal from the Ministry of Sustainable Development and Tourism. The Programme of systematic examination of radioactivity in the environment, which has been performed since 1999, is performed to establish presence of radionuclide in the environment and assess the level of exposure of the population to ionizing radiation in normal conditions, and in case of suspected radiation accident and during radiation accident.

The programme is prepared in accordance with the Law on Ionizing Radiation Protection and Radiation Safety (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16), Decision on systematic examination of the radionuclide contents in the environment (Official Gazette of the Federal Republic of Yugoslavia 45/97), Rulebook on the limits of radioactive contamination of the environment and decontamination procedures (Official Gazette of the Federal Republic of Yugoslavia 9/99), Rulebook on the limits of exposure to ionizing radiation (Official Gazette of the Federal Republic of Yugoslavia 32/98), Rulebook on conditions to be fulfilled by legal entities for performing systematic examination of radionuclide in the environment (Official Gazette of the Federal Republic of Yugoslavia 32/98) and the Rulebook on intervention and derived intervention levels and measures of protection of the population, domestic animals and agriculture (veterinary medicine, crop production and water management) in case of emergency (Official Gazette of the Federal Republic of Yugoslavia 18/92 and Official Gazette of Serbia and Montenegro 1/2003 - Constitutional Charter). The systematic examination of radionuclide is performed in: the air, soil, rivers, lakes and the sea, solid and liquid precipitation, construction material, drinking water, provisions and feed, general use products. In addition, measuring includes intensity of absorbed dose of gamma (γ) radiation in the air and the level of radon exposure in residential areas is examined. The methods of measuring specific activities of radionuclide in samples from the environment include: gamma (γ) spectrometry, measuring total alpha (α) and beta (β) by gas proportional counter and measuring of Sr-90 by radiochemical separation by liquid scintillation counter, which are compliant with applicable methods and recommendations of the IAEA. The programme of systematic examination of radioactivity in the environment establishes places, time intervals, types and methods of systematic examination of radioactivity in the environment. Since it is impossible to plan places, time intervals, types and methods of systematic examination of radioactivity in the environment in case of suspected radiation accident and during radiation accident, certain funds are planned in this case for extraordinary radioactivity monitoring.

Costs of radioactivity monitoring (regular and extraordinary) and assessment of the level of exposure of the population to ionizing radiation are covered from the budget of Montenegro. A legal entity that the Nature and Environmental Protection Agency selects through public tender launched under the Law on Public Procurement (Official Gazette of Montenegro 42/11, 57/14, 28/15, 42/17) implements the Programme of systematic examination of radioactivity in the environment and is obliged to submit to the Agency the Report on monitoring radioactivity in the environment until 1 March of the current year for the previous year. In case of radiation accident, the legal entity is obliged to immediately notify the Agency. After that, the Nature and Environmental Protection Agency prepares consolidated Information about the environment condition with Proposal of measures for mitigating negative environmental impact with the Action Plan, which includes other segments of the environment, which is adopted by the Government of Montenegro on the proposal from the Ministry of Sustainable Development and Tourism. On the basis of the Conclusion of the Government of Montenegro, the Ministry of Sustainable Development and Tourism informs the Government about implemented activities from this Plan.

4.6 Article 16 Emergency preparedness

"1. Each Contracting Party shall take the appropriate steps to ensure that there are on-site and off-site emergency plans that are routinely tested for nuclear installations and cover activities to be carried out in the event of an emergency. For any new nuclear installation, such plans shall be prepared and tested before it commences operation above a low power level agreed by the regulatory body.

2. Each Contracting Party shall take the appropriate steps to ensure that, in so far as they are likely to be affected by a radiological emergency, its own population and the competent authorities of the states in the vicinity of the nuclear installation are provided with appropriate information for emergency planning and response.

3. Contracting Parties which do not have a nuclear installation on their territory, in so far as they are likely to be affected in the event of a radiological emergency at a nuclear installation in the vicinity, shall take the appropriate steps for the preparation and testing of emergency plans for their territory that cover the activities to be carried out in the event of such an emergency."

4.6.1 Article 16 (1) Emergency plans and programmes

In addition to the Strategy for Disaster Risk Reduction with a Dynamic plan of activities for the implementation of the Strategy for the period 2018-2023, which was adopted by the Government of Montenegro at the session held on 21 December 2017, and the Law on Protection and Rescue (Official Gazette of Montenegro, 13/07, 05/08, 86/09, 32/11, 54/16), the following secondary legislation were also adopted:

- Rulebook on the content and methodology of preparation, method of harmonization, updating and keeping studies of risk assessment on the basis of which protection and rescue plans are drawn up (Official Gazette of Montenegro, 31/17);

- Rulebook on the Detailed Content and Methodology of Drafting, Method of Harmonizing, Updating and Keeping Protection and Rescue Plans (Official Gazette of Montenegro 34/17).

Disaster Risk Reduction Strategy with a Dynamic plan of activities to implement the Strategy for the period 2018-2023 **was** developed by multisectoral working group of representatives of relevant institutions.

The strategy aims at reducing and preventing the occurrence of new risks, strengthening the capacities of society and state institutions in response to various types of natural and technical technological hazards. The main objectives of this Strategy are: raising citizens' awareness and encouraging institutions to carry out activities in the field of disaster risk reduction; strengthening the capacity to manage risks from natural and other disasters; integrating disaster risk reduction in policies, programs and plans, and creating safe and resilient communities. The Strategy specifically addresses nuclear and radiation accidents.

In addition to the Law on Protection and Rescue (Official Gazette of Montenegro 13/07, 05/08, 86/09, 32/11, 54/16), which constitutes a general legal framework for dealing with a natural disaster, technical and technological accidents and other accidents, there are other laws for which the area of protection and rescue is not the primary competence, but indirectly regulated certain issues that are important for this area.

This applies in particular to: Law on the Environment (Official Gazette of Montenegro 52/16), Law on Ionizing Radiation Protection and Radiation Safety (Official Gazette of Montenegro 56/09, 58/09, 40/11, 55/16), Law on Waters (Official Gazette of the Republic of Montenegro 27/07, and Official Gazette of Montenegro 32/11, 48/15 and 52/16), Law on Hydro-Meteorological affairs (Official Gazette of Montenegro, Nos. 26/10 and 30/12), Law on Forests (Official Gazette of Montenegro, Nos. 74/10, 40/11 and 47/15), Law on Foreign Trade in Arms and Military Equipment (Official Gazette of Montenegro 40/16), Law on Spatial Planning and Construction of Structures (Official Gazette of Montenegro 64/17), Law on Occupational Safety and Health (Official Gazette of Montenegro 34/14), Law on the Red Cross of Montenegro (Official Gazette of the Republic of Montenegro 28/06), etc.

For the protection and rescue system it is important the implementation of the National Sustainable Development Strategy until 2030 (NSSD), which is Montenegro's long-term development strategy defining solutions for the sustainable management of four groups of national resources: human, social, natural and economic, as a priority overall sustainable development of Montenegrin society. Objectively and integrally considering the sustainability of national development, Montenegro is among the first countries in the world to fully accept and integrate into the national system the requirements of the United Nations (UN) established by the UN Agenda for Sustainable Development by 2030.

Pursuant to the Law on Protection and Rescue protection and rescue plans are developed at the three following levels: national, municipal and entrepreneurial. Municipal and entrepreneurial plans are aligned with the National Action Plan in case of a Radiation Accident.

Holders of licenses for performing radiation activity and of the license for radioactive waste storage management, pursuant to the provisions of the Law on Protection and Rescue and the Law on Ionizing Radiation Protection and Radiation Safety, must have in place adequate action plans in case of emergency.

Approval of plans is given by the Directorate for Emergency Situation of the Ministry of the Interior, and it is submitted to the Nature and Environmental Protection Agency for the purpose of license issuing.

The National Plan addresses obvious and potential radiation risks and covers the following categories of threats:

- **Threats of III category** are events inside the facility (i.e. events requesting an urgent preventive action within the facility, but not likely to cause negative effects outside the facility; among other things, these are facilities (devices) where, in case of loss of protection, the external dose does not exceeds 100 mGy/h at a distance of 1m);
- **Threats of category IV**(e.g. external dose exceeding 100 mGy/h at a distance of 1m). These events are events that may require implementation of protection measures and activities on an unforeseeable location, especially during the transport and displacement of hazardous sources, such as radiographic radioactive sources, satellites with hazardous sources, waste iron treatment plants for, sources used in measuring and processing techniques...);
- **Threats of category V** (e.g. widespread contamination derived from categories I or II, facilities from abroad).

The National Plan also includes provisions offering a possibility of expert assistance to threatened institutions-organisation. The events of special interest, which are described in the National Plan are also all such events relating to nuclear-powered vessels or detonation of radiological dispersal devices - dirty bombs (RDD).

It is important to point out that Montenegro has established Operation Communication centre 112 (number for emergency interventions), whose officers use prescribed standard operating procedures (SOP).

As already emphasized in the First National Report on the Implementation of obligations arising from the Convention on Nuclear Safety, the provision of Article 35 of the Law on Ionizing Radiation Protection and Radiation Safety ("Official Gazette of Montenegro", No. 56/09, 58/09, 40/11, 55/16) defines obligation of establishing early notification system for radiation accident which may lead to the state of emergency, which threatens or may threaten the territory of Montenegro

In the period 4-8 July 2016 in Montenegro a network of six GDR stations were installed in the territory of the municipalities of: Pljevlja, Nikšić, Berane, Herceg Novi, Bar and in the territory of the Capital Podgorica, for which the Nature and Environmental Protection Agency had selected appropriate locations, in cooperation with representatives of municipalities, Capital Podgorica and the Institute of Hydrometeorology and Seismology.

The Ministry of the Interior, the Directorate for Emergency Situations, since 2008 has been the 11th member of the ARGOS Consortium. However, Montenegro has decided to replace the ARGOS system with the RODOS system, and for this purpose it will use, together with other Western Balkan countries, benefits of the European Commission project „Strengthening the Capacity of the Western Balkans for Radiological and Nuclear Emergency Preparedness and Response: Technical Support for Decision Making“. In

addition to Montenegro, the beneficiaries of this project will be: Albania, Bosnia and Herzegovina, Kosovo (according to UNSCR 1244/1999), Northern Macedonia and Serbia. Finalization of the project assignment is underway by a representative of the European Commission, after which the project itself will start.

In addition to the procurement of the RODOS system, Montenegro will connect the existing early warning system, ie all six (6) GDR stations with it. This will allow the RODOS system to be able to automatically use, at any time, the early warning system data it needs, to model, together with available meteorological data, any dispersion of radioactivity that may occur in the event of a nuclear accident.

It should be emphasized that the Parliament of Montenegro adopted the the Law on Ratification of the Agreement between the European Atomic Energy Community (EURATOM) and non-member States of the European Union on the participation of the latter in the Community arrangements for the early exchange of information in the event of radiological emergency (ECURIE) ("Official of Montenegro - International Treaties ", No. 002/17 of 21.03.2017), after which Montenegro joined the ECURIE platform through the nomination of a national contact point (OCC 112), a national correspondent (MSDT) and a national competent institution (MSDT).

In November 2018, the ECURIE exercise was held in which Montenegro participated for the first time. In March 2019, ECUIRE training was organized for members of the OCC 112 Operational Communication Center, held by a representative of the European Commission from the Radiation Protection & Nuclear Safety Emergency Preparedness & Environmental Monitoring Department, Luxembourg.

In addition, Montenegro has upgraded the special information (so-called alert information) in a WebEcurie application, after which the first ECURIE communication test was performed on 6 June 2019.

Also, Montenegro is part of the International Nuclear Event Scale (INES), the Unified System of Information Exchange in Incidents and Emergencies (USIE) for early warning of incidents that include radioactive sources with potential transboundary impact.

In line with foreign policy priorities, Montenegro is strongly committed to maintaining international peace and security, combating organized crime, terrorism and the proliferation of weapons of mass destruction (WMD).

This commitment has been recognized in numerous strategic documents, the Defense Strategy, the National Security Strategy, the Strategy for the Prevention and Suppression of Terrorism, Money Laundering and Terrorism Financing and in the Non-Proliferation Strategy of weapons of mass destruction (WMD), thereby translating foreign policy priorities into strategic commitments. As a Party of almost all the major international legal instruments in the field of preventing the spread of WMD, Montenegro is committed to fulfilling the obligations arising from them.

Among other things, an appropriate normative - legal and institutional framework aimed at preventing non - state actors from owning, producing, transporting or using any type of WMD, or the means to deliver them, has been established. In addition, any activity that may contribute to the proliferation of WMD is prohibited and an effective system of control of foreign trade in arms, military equipment and dual-use goods has been established.

Following the adoption of the Action Plan for the Implementation of UN Security Council Resolution 1540, which aims to prevent the WMD from taking possession of non-state

actors, primarily terrorists, for the 2014-2018 period, in January 2015, the National Coordination Body for the implementation of the Action Plan was established.

The work of the mentioned body was coordinated by the Ministry of Foreign Affairs. In May 2016, the Action Plan for the Protection against Chemical, Biological, Radiological and Nuclear Threats and Risks (CBRN) for the period 2016-2020 was adopted, which together with the Action Plan for Resolution 1540 provides an effective basis for the prevention and suppression of the spread of WMD, as well as for responding to potential CBRN accidents.

Montenegro is also a Party of the Hague Code of Conduct for Ballistic Missile Proliferation (HCOC); Global Nuclear Terrorism Initiatives (GICNT); Proliferation Security Initiatives (PSIs) and the International Partnership against Impunity for the Use of Chemical Weapons. Montenegro applied for membership in the Vasenar Arrangement on Conventional Arms Export Control. In addition, Montenegro is a Party to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BTWC) and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (CWC).

In September 2016, the Government of Montenegro adopted the WMD Non-Proliferation Strategy for the period 2016-2020. The overall objective of the Strategy is to prevent Montenegro from participating in the dissemination of the WMD, and it is envisaged that this objective will be achieved through the implementation of individual activities: preventing the illegal development, procurement, production, trade and use of the WMD; strengthening prevention; a preparedness to respond quickly and effectively to a possible crisis and to strengthen international cooperation, each of which contains measures for implementation. With the adoption of the Strategy, the national framework has been completed, ie the necessary components have been completed and the conditions for successful coping with the proliferation of WMD have been created, so the emphasis is now on their comprehensive implementation.

The Action Plan for the implementation of the Strategy, adopted by the Government of Montenegro at its session held in June 2017, is based on the Action Plan for the Implementation of UN Security Council Resolution 1540, as well as on the CBRN Action Plan. The National Coordination Body for the WMD Non-Proliferation Strategy, established by the Government of Montenegro, at its session held in July 2017, is in charge to monitor the implementation of the WMD Strategy and the Action Plan for its implementation, the 1540 Action Plan and the CBRN Action Plan.

In order to streamline national architecture and its efficiency, the WMO National Non-Proliferation Coordinating Body has replaced the National Coordinating Body to monitor the implementation of the UN Security Council Resolution Action Plan for 1540, as well as the National Implementation Team of the the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (CWC).

In addition to the 1540 Action Plan and the Chemical Weapons Convention, the National WMD Non-Proliferation Body has expanded the scope of competencies to cover the implementation of the CBRN Action Plan, the Action Plan for Strategy Implementation, as well as activities and obligations under the BWC, the Nuclear Non-Proliferation Treaty (NPT), and other numerous commitments arising from this domain (Montenegro

is a member and actively participates in the international initiatives for non-proliferation of WMD), for which there are no established bodies responsible for implementation monitoring.

Guide for actions in case of accidents with dangerous material ¹ has been prepared for members of services who respond first to accidents. The instructions provided in the Guide include lists of dangerous material of the most recent recommendations of the United Nations, and of other national and international regulations. The Guide is primarily intended as assistance to those arriving first to the place of accident to be able to identify quickly specific threats imposed by particular substances and protect themselves and other citizens in the initial phase of such incident. Also, Instructions provide general information about public security measures in a particular situation, as well as information concerning emergency isolation at the place of incident. They also list special precautionary measures in case of an incident involving fire, leakage of or exposure to chemical or radioactive material. The agreements signed in the field of protection and rescue against natural and other disasters contribute to and facilitate substantially the cooperation with countries in the region and beyond in case of a disaster.

One of the most important activities of the Ministry of Interior - Directorate for Emergency Situations in the reporting period was the establishment of the National Platform for Disaster Risk Reduction, as a standing forum for exchange of opinions, expressing views, giving proposals and presenting achievements that contribute to minimizing risks of disasters in all areas of human activity. The Government of Montenegro adopted the Decision on establishment of the Committee for Disaster Risk Reduction at the session held on 9 October 2014 (Official Gazette of Montenegro 49/14 of 20 November 2014). The Committee for Disaster Risk Reduction consists of 17 members from all relevant fields.

The first conference for the establishment of the National Platform was held on 16 December 2014 in the organization of the Disaster Preparedness and Prevention Initiative for South Eastern Europe (DPPI SEE). The Second Conference of the National Platform for Disaster Risk Reduction was held on 26 November 2015, and the Third Conference of the National Platform for Disaster Risk Reduction was held on 23 June 2016.

On 20 December 2017 the Fourth Conference of the National Platform for Disaster Risk Reduction was held with the theme of outdoor and indoor fires and on during that occasion a Proceedings was printed.

The Fifth Conference of the National Platform for Disaster Risk Reduction was organized by the Committee on Disaster Risk Reduction on June 28-29, 2018 in Kolasin, during which a new Strategy for Disaster Risk Reduction with the Dynamic Plan of Activities for the Implementation of the Strategy for the period 2018-2023 was presented. The platform brought together a large number of representatives of different structures of the protection and rescue system in Montenegro, state bodies, state and local self-

¹ According to Article 37 of the Protection and Rescue Act, the Directorate for Emergency Situations of the Ministry of Interior establishes programmes for equipment and development of the protection and rescue system in Montenegro, gives instructions for management in protection and rescue and proposes measures to those participating in protection and rescue.

government bodies, scientific and academic community, private companies and enterprises, non-governmental organizations, local communities, international and regional organizations, as well as numerous media representatives.

The last Fifth Conference analyzed in detail the commitment to the priorities and global goals identified by the Sendai Framework, as well as the implementation of the most important activities in the field of disaster risk reduction at national and local levels, by developing: local disaster risk reduction strategies; national disaster risk assessments; local disaster risk assessments; national protection and rescue plans for different types of risks; local protection and rescue plans for different types of risks, and by establishing an adequate legal framework in the area of disaster risk reduction at national and local level and continuing education and raising the level of knowledge in the field of disaster risk reduction through the implementation of the Cross Curriculum Programme in the field of risk reduction catastrophes, etc.

The first Action Plan for the implementation of the Disaster Risk Reduction Strategy for 2018/2019 was also presented. Also, opinions, information, experiences and best practices were exchanged between participants in risk management in Montenegro, the region and countries of the European Union. The experiences and models of bilateral, regional and international cooperation in disaster risk reduction have been analyzed. One of the very important topics is the role of the media in the occurrence of different types of disasters.

Therefore, by holding the Fifth Conference of the National Platform for Disaster Risk Reduction, Montenegro continued to continuously work on the implementation of the strategic priorities and objectives of the Sendai Disaster Risk Reduction Framework (2015-2030).

4.6.2 Article 16 (2) Information of the public and neighbouring States

Although Montenegro does not have nuclear installations, there is a system in place for informing the public and neighbouring countries in the case of a nuclear accident. A detailed description of responsibilities and manner of management is provided in the National Plan of Action in the Case of a Radiation Accident.

Also, as a contracting party to the Convention on Environmental Impact Assessment in a Transboundary Context (ESPOO Convention) and the Protocol on Strategic Environmental Impact Assessment in a Transboundary Context (SEA Protocol) and the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Issues (Aarhus Convention), Montenegro is exchanging information with neighbouring countries whose installations might have environmental impact in a transboundary context.

In addition, the ECURIE platform will be used to inform the population and countries in the region, especially the EU Member States.

Regarding international legal instruments in this field, it is important to point that Montenegro is a contracting party to the Convention on Early Notification of a Nuclear

Accident (Official Gazette of the Federal Republic of Yugoslavia - International Treaties 015/89-3) and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (Official Gazette of the Federal Republic of Yugoslavia - International Treaties 004/91-29).

In 2015, initiatives were sent for concluding Bilateral Cooperation Agreements with the Republic of Bulgaria, Turkey, France and Draft Agreement has been prepared between the Government of Montenegro and the Government of the Republic of Romania regarding cooperation in the field of emergency situations. We remind that agreements on cooperation and assistance in case of natural and other disasters have been developed between Montenegro and the Republic of Albania, and between the Government of Montenegro and the Government of the Republic of Azerbaijan concerning cooperation in the field of protection against natural and induced disasters. Memorandum of Understanding is also signed with the Russian Federation, Italy and Armenia. Also, Montenegro signed bilateral cooperation agreements in the field of protection against natural disasters and technical-technological risks with: the Council of Ministers of Bosnia and Herzegovina, Government of the Republic of Croatia, Government of the Republic of Greece, Government of the Republic of Macedonia, Government of the Republic of Slovenia, Government of the Republic of Serbia, Government of the Slovak Republic and the Cabinet of Ministers of Ukraine.

4.6.3 Article 16 (3) Emergency preparedness for Contracting Parties without nuclear installation

Based on the Decree on State Administration Organisation and Manner of Work (Official Gazette of Montenegro 87/18,2/19,38/19), Law on Protection and Rescue (Official Gazette of Montenegro 013/07, 005/08, 086/09, 032/11, 55/16), the Ministry of Interior is the institution responsible, *inter alia*, for preparing, adopting, implementation and updating of national plans for all types of hazards (including nuclear-radiological hazard), as defined by the the Strategy for Disaster Risk Reduction with a Dynamic plan of activities for the implementation of the Strategy for the period 2018-2023.

Plans at local level (municipal and operational) must be harmonized with the National Plan, which is verified by issuing of approval by the Ministry of Interior (Directorate for Emergency Situations). The National Plan of Action in Case of a Radiation Accident was prepared and adopted by the Ministry of Interior in March 2010 in accordance with the IAEA methodology and recommendations, and the development process involved experts of all competent institutions of Montenegro. The Ministry of Interior coordinates implementation of the National Plan of Action in Case of a Radiation Accident through the Coordination Team.

For emergencies that are not defined by the national scale of values, the preparation of responses to radiation and nuclear accidents is carried out by calling the Operational Headquarters for Protection and Rescue, composed of: Ministry of the Interior - Directorate for Emergency Situations, Nature and Environmental Protection Agency, Ministries of Defense - General Staff of the Army of Montenegro, Ministry of Health (Clinical Center of Montenegro, Health Centers, Emergency Center, Institute for Public Health); LLC "Center for Ecotoxicological Research", Police Directorate, Custom Directorate, Bureau of Hydrometeorology and Seismology, Water Directorate, Food Safety and Phytosanitary Affairs Directorate, Red Cross and others.

Pursuant to the Law on Protection and Rescue (Official Gazette of Montenegro 13/07, 32/11 and 54/16), the Government of Montenegro, at its session of 27 July 2017 adopted a Decision on the appointment of members of the Operational Headquarters for Protection and Rescue.

The Directorate for Emergency Situations participates every year in exercises which test the capacities for preparation and response to emergencies in the country and in the region. Annual programme contains types of exercises, goals and participants.

In the period 31 October – 4 November 2016, a NATO field exercise "Montenegro 2016" was organized in Montenegro, with a scenario in response to floods and a chemical, biological, radiological and nuclear (CBRN) incident.

The exercise "MONTENEGRO 2016" was attended by about 680 participants from 32 countries, namely NATO and partner countries. In addition to 17 international rescue teams, representatives of the following countries took part in the exercise: Albania, Austria, Azerbaijan, Belgium, Bulgaria, Bosnia and Herzegovina, Czech Republic, Denmark, Finland, France, Georgia, and the Netherlands. In addition to the teams, 39 observers from 22 NATO or Partner countries, as well as from European Union countries, participated. NATO EADRCC International Field Exercise "MONTENEGRO 2016" was the sixteenth field exercise organized by the Euro-Atlantic Disaster Response Coordination Center (EADRCC) since 2000 and the first to be held in our country. The overall organization of the international field exercise "MONTENEGRO 2016" was evaluated, by all participants of the exercise, as very successful. The organization of such an exercise enabled Montenegro to reaffirm its willingness to be an equal partner with other NATO member states as well as partner countries, and to promote the value and importance of joint regional association in responding to different types of hazards.

In the period from 2015 to 2018, the Directorate for Emergency Situations implemented the project "Strengthening CBRN first response capabilities and regional cooperation of the countries of South East Europe, Southern Caucasus, Moldova and Ukraine" . Project 44 was implemented by a Consortium consisting of: the Belgian Nuclear Research Institute (CSK-CEN), the Slovak First Response Institute (ISEMI), the Dutch National Institute of Public Health and the Environment (RIVM), the Polish Institute of Organic Chemistry (IPO) and the Belgian Institute for Radioelements (IRE). The partners in this project are the Interregional Crime and Justice Research Institute (UNICRI) and the Regional Secretariat for Center of Excellence (COE).

The beneficiary countries of the project are: Albania, Bosnia and Herzegovina, Montenegro, Serbia, Northern Macedonia, Armenia, Moldova and Ukraine, as well as the Caucasus region. The aim of the project was to identify deficiencies in CBRN accident/incident response services, to test national and regional response procedures, to strengthen interagency and regional cooperation among beneficiary countries, and to test the knowledge and skills of first responders in the CBRN. The project has donated equipment for one rescue team of the Podgorica Capital Protection Service, and four (4) CBRN scenario exercises has been held, with the aim of testing procedures and response capacities, interagency and interregional cooperation, that is, testing communication, coordination and adoption national and international decision making.

In the period 5-6. December 2016 in Podgorica, a table top exercise TTX was held with the purpose of testing interagency cooperation, as well as procedures for response in case of accidents during the transport of radioactive material. This exercise was

attended by national institutions responsible for responding to CBRN incidents/accidents.

Exercise "CBRN LAZINE 2017, was held on 26-27 May 2017 during which the National Response Team in case of CBRN accident and representatives of the Directorate for Emergency Situations, Center for Ecotoxicological Research, Nature and Environmental Protection Agency, Institute for Public Health, Institute for Hydrometeorology and Seismology, Red Cross of Montenegro, Police Directorate, Medical Center of Ministry of Interior and Protection and Rescue Services Podgorica and Danilovgrad were participated.

The exercise was implemented through the involvement of the Operational Communication Center OCC 112. The exercise utilized protection equipment in case of CBRN accident, which was donated within the project. The general conclusion of the exercise was that the state has shown that it has the capacity to respond to this type of accident, but that it should continue to strengthen the capacities of the competent institutions in the case of CBRN accidents, through the organization of training and procurement of adequate personal and collective equipment.

In the period 6-7 December 2017 the Regional Table Top Exercise was also held at the Directorate for Emergency Situations, in order to test the procedures for responding to a transnational accident, with the participation of the countries of the region that were also P44 beneficiaries (Serbia, Albania, Bosnia and Herzegovina and Northern Macedonia).

In the period 17-20 April 2018, a regional field exercise was held in Tirana, Albania, with the participation of the national CBRN team, members of the Capital Protection Service and officials of the Directorate for Emergency Situations. The exercise was organized to test regional co-operation and coordination of bilateral agreements, border crossing procedures and to review EU guidelines for host country support, as well as to test the knowledge and skills of first responders in the event of a CBRN accident.

Training for trainers for the first response to the CBRN accident in the countries of Southeastern Europe ("Train-the-trainers and training activities on CBRN incident response for the countries in the Balkans") was implemented from 8 to 12 May 2017 in Budva, Montenegro. The training was attended by CBRN team members, representatives of the Directorate for Emergency Situations and members of the protection and rescue services of the capital Podgorica, as well as representatives of other participating countries in the project.

CBRN Accident Training, held on 7 December 2017 was performed with a total of 20 members of the operational units for protection and rescue at the Police Academy in Danilovgrad. The aim was to get acquainted with the procedures and equipment for the detection of hazardous substances in case of CBRN accident, to get acquainted with the concept, significance, means and substances for CBNR decontamination, to get acquainted with the procedure after the end of decontamination for the preservation of health and the environment, and the protection measures for the safe operation of lifeguards. Special topics were covered: chemical, radiological-nuclear and biological accidents. During 2018 and 2019, ConvEx exercises (ConvEx 1 and ConvEx 2) were also conducted by the IAEA with Member States contact points using the USIE platform.

5 Section C: Activities envisaged to improve safety

As stated in the First National Report on the Implementation of the Obligations arising from the Convention on Nuclear Safety, we indicated that the planned activities under the chapter “Planned Activities for Improving Security” were implemented in the period between the two review meetings. Namely, as stated:

- The Strategy for the Protection against Ionizing Radiation, Radiation Safety and Radioactive Waste Management for the period 2017-2021 with the Action Plan for the period 2017-2021 **was adopted** on 29 December 2016;
- the Law on Ratification of the Agreement between the European Atomic Energy Community (EURATOM) and non-member States of the European Union on the participation of the latter in the Community arrangements for the early exchange of information in the event of radiological emergency (ECURIE) ("Official of Montenegro - International Treaties ", No. 002/17 of 21.03.2017) **was adopted**;
- a network of six GDR stations for measuring the equivalent of gamma radiation in the air **was installed** in the municipalities of Pljevlja, Niksic, Berane, Herceg Novi, Bar and in the capital Podgorica, as an initial step towards joining the European Radiological Data Exchange Platform (EURDEP) platform);
- the Law on Protection against Ionizing Radiation, Radiation and Nuclear Safety and Security **was drafted**, which is expected to be approved by the Government of Montenegro;
- Round tables, panels, guest appearances in the media were organized as well as exercises aimed at raising awareness in the field of protection against ionizing radiation, radiation and nuclear safety and security.

In the forthcoming period, in the field of ionizing radiation protection, radiation and nuclear safety and security, Montenegro will continue its dedicated implementation of the obligations defined by the Convention on Nuclear Safety, the strategic and legal framework of Montenegro.

In order to exchange data, Montenegro will in the coming period join the European Radiological Data Exchange Platform (EURDEP) and send the data in its possession.

In the coming period, the Parliament of Montenegro will discuss and adopt the Law on Ionizing Radiation Protection, Radiation and Nuclear Safety and Security, which will replace the existing Law on Ionizing Radiation Protection and Radiation Safety. On the basis of the new Law, by 2023, by-laws necessary for the implementation of the Law and the Law on Liability for Nuclear Damage will be developed.

Activities will continue regarding management of disused radioactive sources and radioactive waste as well as activities towards raising awareness of holders of licences regarding their responsibilities, and raising awareness of citizens, by organizing round tables, workshops and training on safety and security culture.

For the purpose of success of these activities, we will continue to strengthen institutional, administrative, implementation and technical capacities in Montenegro.