INTERNATIONAL FELLOWSHIP OF RECONCILIATION (IFOR)  
and  
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Submission to the 110th Session of the Human Rights Committee for the attention of the Country Report Task Force on MONTENEGRO  

(Military service, conscientious objection and related issues)  

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Basic Information  

Population (November 2012, estimated)  
657,000  

Conscription applied while Montenegro was part of Yugoslavia and subsequently during while it was federated with Serbia.  
Conscientious objection provisions were introduced in 1992.  
Conscription was suspended on independence in 2006, and military service became voluntary.  

Minimum recruitment age: 18, but the conscription provisions if implemented would apparently take effect at 17 (see text)  

Manpower reaching “militarily significant age” in 2010:  
3,120  

Armed forces active strength, November 2012:  
2,080  
as a percentage of the number of men reaching “military age”  
66.7%  

Military expenditure US $ equivalent, 2012  
$79.7m  

Per capita  
$121  
As % of GDP  
1.8%  

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1 Source: The Military Balance 2013 (International Institute of Strategic Studies, London), which bases its estimate on “demographic statistics taken from the US Census Bureau”.  
2 Source: Child Soldiers International (formerly Coalition to Stop the Use of Child Soldiers), Louder than words: an agenda for action to end state use of child soldiers, London, September 2012.  
3 Source: CIA World Factbook. https://www.cia.gov/library/publications/the-world-factbook/index.html. The CIA defines “militarily significant age” as 16. However, its estimates have not been updated since 2010 and therefore relate to the cohort of the male population reaching 19 (a more common recruitment age in most countries) in 2013. This figure is more meaningful than total population in assessing the comparative impact of military recruitment in different countries.  
5 Stockholm International Peace Research Institute (SIPRI), April 2013
On independence, Montenegro immediately suspended obligatory military service, and has since functioned with an entirely volunteer army recruited at above the age of 18. However, certain ambiguities emerged when it delivered its Initial Report to the Committee on the Rights of the Child (CRC) under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. In its concluding observations, the CRC focussed on the fact that there did not seem to be a legally-fixed minimum age for voluntary recruitment:

“The Committee regrets that legislation does not explicitly prohibit persons under the age of 18 from joining the armed forces in all circumstances, including in a state of war and in a state of martial law. The Committee recommends that the State party review the Law on Defence and the Law on the Army of Montenegro in order to prohibit the direct involvement in hostilities of persons under the age of 18 in all circumstances and in that regard proceed to amend the declaration made upon ratification of the Optional Protocol.”6

(The ratification in 2002 had in fact been made in the name of the Federal Republic of Yugoslavia, and seemed to indicate that as only those who had completed their obligatory military service were eligible to volunteer for professional military careers, the minimum voluntary recruitment age was necessarily eighteen. Of course, the end of conscription undermined this logic.)

Although the CRC's concluding observation embraced the situation, it did not specifically address the fact that, in the event of conscription, Montenegro's legislation seemingly applies from the beginning of the calendar year of the 18th birthday, which if it permitted the conscription of any individual before his actual 18th birthday would breach the Optional Protocol. This impression may however be the result of mistranslation or inadequate differentiation between registration and actual call-up.

There is however no evidence that any violations are in practice resulting from these ambiguities, so it is not suggested that the Human Rights Committee should raise them in the list of issues. In due course the CRC should be able to obtain the necessary clarifications.

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6 CRC/C/OPAC/MNE/CO/1, 1st October 2010, paras 13,14.