



BIML 06 N° 296/JFM

14 June 2006

Note

to CIML Members and OIML Corresponding Members

Subject: Change in Country status (Republic of Serbia)

Dear Colleagues,

Following a referendum in Montenegro, the National Assembly of the Republic of Serbia took the attached decision concerning the Country name and the transfer of responsibility of the former state of Serbia and Montenegro.

In application of this decision, the Country name registered in the OIML databases and other documents will from now on be “Serbia”. The CIML Member remains unchanged.

Yours faithfully,

J.F. Magaña
BIML Director

INFORMATION ON THE SUCCESSOR STATE

Details pertaining to the Decision of the National Assembly of the Republic of Serbia based on the Constitutional Charter of the State Union of Serbia and Montenegro following a referendum in Montenegro

In the Article 60 of the Constitutional Charter is written:

“Upon the expiry of a 3-year period, member states shall have the right to initiate the proceedings for the change in its state status or for breaking away from the state union of Serbia and Montenegro.

The decision on breaking away from the state union of Serbia and Montenegro shall be taken following a referendum.

The law on referendum shall be passed by a member state bearing in mind the internationally recognized democratic standards.

Should Montenegro break away from the state union of Serbia and Montenegro, the international instruments pertaining to the Federal Republic of Yugoslavia, particularly UN SC Resolution 1244, would concern and apply in their entirety to Serbia as the successor.

A member state that implements the right to break away shall not inherit the right of international-legal personality, and all disputable issues shall be separately regulated between the successor state and the newly independent state.

Should both member states vote for a change in their respective state status or for independence in a referendum procedure, all disputable issues shall be regulated in a succession procedure, just as was the case with the former Socialist Federal Republic of Yugoslavia.”

As already known, following the positive results of the referendum for independence in Montenegro, the Assembly of Montenegro declares Montenegro as an independent state.

The National Assembly of the Republic of Serbia has adopted the following Decision:

“Based on the right of a member state, established by the Constitutional Charter of the state union of Serbia and Montenegro, which does not use the right for breaking away from the state union of Serbia and Montenegro, to inherit the right of international-legal personality of the state union of Serbia and Montenegro,

..., National Assembly of the Republic of Serbia notes:

- that the Republic of Serbia, in accordance with Basic principles for reorganization of relations of Serbia and Montenegro (“Belgrade Agreement”) and Article 60 of the Constitutional Charter of the state union of Serbia and Montenegro, becomes the successor of the state union of Serbia and Montenegro and in entirety have inherited their international-legal personality and international documents, particularly UN SC Resolution 1244;

...

The National Assembly of the Republic of Serbia, at the Second meeting of the extraordinary session on June 5, 2006 has adopted:

DECISION

on duties of state authorities of the Republic of Serbia in realizing responsibilities of the Republic of Serbia as successor of the state union of Serbia and Montenegro

1. Government and other state authorities are obliged to, in the scope of its responsibilities established by the Constitution of the Republic of Serbia, issue in the period of 45 days necessary acts and perform necessary measures with the aim of:

- realization of international-legal personality of the Republic of Serbia, as the successor state of the state union of Serbia and Montenegro;

- realization of responsibilities of the Republic of Serbia that have passed to the Republic of Serbia as the successor state of the state union of Serbia and Montenegro, ...

2. This Decision shall become effective on the day of its adoption and is published in the “Official Gazette of the Republic of Serbia”.

Consequently, as the Republic of Serbia is the successor state of the state union of Serbia and Montenegro, the Bureau of Measures and Precious Metals - ZMDM (with the same name and acronym) now stands for the National Metrology Institute of the Republic of Serbia.